

Chapter- 4

PLAN IMPLEMENTATION

4.1 Implementation Strategy

There are 1566.55 hectares (3869.61 acres) of land within the boundary of the planning area as designated. The population target for the area assuming a gross density of 200 persons per acre (494 person / hectare) has been fixed at more than 6 hundred thousand at full development. Development, however, will continue in phases. Strict development control measures will also have to be enforced to realize the proposed distribution of land uses in the area.

4.2 Land Use Management

4.2.1 Land Use Management Techniques

The DMDP structure plan (1 995-2015) considered eight being term strategic options for implementation of Plan Policies in Dhaka Metropolitan Area. Three of these options consolidation in existing urban areas, acceleration in existing urban fringe and promotion in new urban land were recommended. As we have already mentioned, two of these recommendations are applicable in the study area. DPZs 2, 3, 4, 5, 6, and 7 can be categorized as urban fringe areas which means that the strategy emphasizing acceleration should be applied in these Zones. Under this strategy, the Metropolitan Planning Authority will initiate and coordinate a range of measures aimed at stimulating reorganization and re-subdivision of the urban fringe area. The division of the present study area (location-6) into several DPZs is a step in this direction. Another important objective of this strategies option (acceleration) is to optimize the utilization of land converted to urban use in 1980's and to see to the development of appropriate and after able lands of infrastructure and road provision. Following the structure Plan Policies, re-following recommendation are made.

4.2.2 Area Specific Appropriate Land Management Techniques

The importance of community based initiatives and participation in land development process will be recognized. The Metropolitan Planning Authority will commit itself to the application of community based land delivery mechanisms which give priority to meet the basic needs of the urban poor, and in mobilizing the efforts and resources of the informal private sector.

4.3 Areas of Action plan

The Neighborhood Action Programmes will aim to support small-scale initiatives in Physical and social living conditions and income generating activities in close consultation with public sector representatives and the local neighborhood communities. These initiatives will take place at the DPZs level 2 to 7.

The remaining DPZs 1,8 and 9 will come under the, strategic option 'Promotion' under the Promoting Development strategy policies will be adopted which will accelerate development at specific locations. The purpose of these policies is to optimize the utilization of the extensive, but scattered and under-utilized lands, at the sometime promoting planned urban growth.

Both public and private sector development initiatives will be necessary for upgrading infrastructure supply systems, will emphasis on improving accessibility at the level of secondary distributor roads. It is clear that much of the development, which a needed in the area, will have to be carried out by private sector. It is, therefore, imperative that there should be close integration of public and private actions. Each must supports the other in the achievement of common goals.

4.4 Public Sector Action Program

In this step the ideal phasing is set against available public sector budgets and overall sectoral priorities. In most cases, this will require adjustments to the initial phasing, leading to a public sector action program. Location-6 Plan Implementation program will be necessary to finalize the action program. Coordinated public sector action program is

required as a part of multi-sector investment planning. This is an extremely difficult task and cannot be accomplished by any single organization (like, RAJUK) in isolation. To work out any such program will require top level government decisions as it involves many ministries and departments. To make the decisions of Multi-sectoral investment plan binding on every ministry and its affiliated agencies it may even require legal provisions, which is beyond the capacity of the consultant. Consultant does not hold any executive authority to make any official discussion with any government agency suggesting changes in their development project prioritization or budget. This responsibility lies with the client. Consultant can best set phased out sector wise projects against thumb rule budgets. But such projects would have very little significance to ministries other than the Ministry of Housing and Public Works. At this level of the project, where only the areas of development and only major projects have been identified in the Final Report, it is not possible to earmark all details of micro-level sectoral projects for public sector action program. This task has been accomplished in the Final plan, but before that RAJUK will have to move the issue of Multi Sector Investment Plan and convince other relevant ministries to undertake coordinated development projects for mega city of Dhaka including coordination of development budget allocations.

4.5 Area Development Priorities and Phasing

It is extremely difficult to say exactly when the target population would be achieved since the physical build-up of the area is subject to many outside influences which are not always amenable to control. It is, however, possible to develop necessary facilities such as roads, utilities, community facilities for the implementation of the plan. Such development activities are proposed to be completed in three phases.

Phase I (2010-2012)

Development in this phase will include provision of roads and community facilities for the rapidly growing Planning Blocks which have been designated as mixed use spontaneous zone. These areas planning block 2, 3,4,5,6 and 7 have already developed to such an extent that any delay would make it difficult to implement the plan in these areas.

Phase II (2012-2015)

Development activities in this phase would be concentrated in Planning Blocks 8 and 9 (Mixed Use Spontaneous and Mixed Use Planned Zones). Construction of 18 educational institutions, development of land for other types of community facilities and construction of 33.32 kms of roads have been proposed during this phase. Development expenditure during this phase has been expected for educational facilities, other types of community facilities and construction of roads.

Phase III (2015& Above)

This phase involves more formal planning since most part of the DPZ 1 has been designated as Low General Industrial Zone and DPZs 3 and 5 have been designated as Mixed Use Zones. During this phase 15 primary schools and 4 higher secondary schools have been proposed to be constructed. Other proposals include development of land for different types of community facilities such as parks, play-grounds, multipurpose community centers etc. and construction of 8.94 kms of roads. Development expenditures during this phase have been expected for educational facilities, development of land for different types of community facilities and for the construction of roads. It may be mentioned here that, phasing arrangements are not so rigid. With respect to the demand and necessity of the locality the time schedule, community facilities and services of any DPZ can be altered.

4.6 Development Control

4.6.1 Land Use Zoning

Zoning is a form of legal power which is delegated to development authorities/municipalities through enabling legislation to ensure the welfare of the community by regulating the most appropriate use of the land. Zoning is a classification of land uses that limits what activities can or cannot take place on a parcel by establishing a range of development options. Zoning has been defined as an action through legislation provided to a development authority/municipality to control:

- the heights to which buildings may be erected
- the area of lots that must be left un-built upon
- the uses to which buildings and lots may be put

▪ Area Zoning

The objective of area zoning is to specify which types of land use are considered appropriate for different areas or 'zones', and it therefore indicates the planning control objectives of the authority or municipality for its administrative area. The authority is obliged under the planning acts to designate in its development plan objectives for the use solely and primarily of particular areas for particular purposes.

▪ Density Zoning

The aim of the density zoning is to provide an acceptable density which is related to the designed facilities and amenities especially in the residential areas. This will ensure a healthy community and enjoyable community life.

▪ Height Zoning

This zoning provides height limits for structures and objects of natural growth and standards for use of an area which encourage and promote the proper and sound development of areas. It is also applicable to height restrictions for flight safety around airports or other similar purposes.

For effective development control, in addition to land use zoning individual facility and the structures therein is to comply certain regulations imposed to ensure desirable end. Relation between ground cover of buildings and the land parcel that house it, minimum setback of building from the adjoining plot boundaries, and the maximum floor area that can be constructed in relation to plot size and the connecting road among many other details, are controlled by RAJUK's Building Construction Rules. Besides, Bangladesh National Building Code focuses on the appropriate materials, construction method, building safety and associated issues. In absence of DAP the above rules did not have scope for area specific rules and hence were common for the whole development process.

According to the Building Construction Rule, 2008, minimum permissible road width for obtaining plan permit is to be shown, construction is allowed on plots connected by narrow roads provided the plot owner leaves formally half of the additional area needed to make the road 6m for widening up to the road to permitted minimum. Perhaps the intention behind this was that gradually through this process the whole road would achieve 6m width in a short time. This is true for new areas coming urban development as most of the structures are non permanent and can be removed easily while rebuilding to pucca structures, thus the whole length of road width can be raised to 6m. But congested unplanned Dhaka represents an alarming picture. Most of the plots are occupied almost entirely by pucca structures several storied high soaring right from the property line connected by narrow pathways, these owners did not bother for RAJUK's plan permit and a handful those who obtained a plan permit did not bother to follow them.

4.6.2 Land Use Zone Classification

We have already mentioned that the area (Location-6) has been divided into nine (9) DPZ for the preparation of the Detailed Area Plan. These DPZs are shown in **Map 3.5**. Based on the projected patterns of development in the area, existing situation as observed from the socio-economic, physical features and land use surveys, DMDP Structure Plan proposals, and the proposals of the Urban Area Plan, the following recommendations have been made with respect to the land uses of the DPZs.

Map 3.5 presents the DPZs by land use zones. The Urban Area Plan, however, suggests that the areas under DPZs 2, 3, 4, 5, 6, 8 and 9 should be developed as urban residential zone. But the areas have already developed as spontaneous zone with a little mixed use in nature; it is potential to be developed as urban residential zone in the future. There is, however, scope to develop DPZ 7 as urban residential zone with partly Mixed Use in character.

4.6.3 Land Use Classification

- a. Open Space
- b. Commercial Zone (Business)
- c. General Industrial Zone
- d. Institutional Zone
- e. Mixed Use Zone (Residential-Commercial)

- f. Urban Residential Zone
- g. Water Body

The following sections deal with the general definition of the use and description of associated permitted and conditionally permitted uses under each Landuse zone one by one. The uses not listed here in any of the category shall be treated as **Restricted Use** for the corresponding landuse category and shall not be permitted only except unanimously decided otherwise by the Nagar Unnayan Committee. In such situations the use shall get permission in the category of **New Use**.

a. **Open Space**

The primary uses in the zone include playgrounds, parks, and other areas for outdoor activities, sports centers, sports pitches, outdoor recreation and landscaped areas. High standards of accessibility are essential in the zone. Accessibility standard is related to the use of that particular open space. For example, local amenity areas and playgrounds may require emphasis on access for pedestrians and cyclists. Sports Centers serving a wider catchments area will require accessibility by public transport and car users.

Purpose

To provide for the active and passive recreational needs of the city and the protection of its bountiful natural resources as well as to protect the natural and aesthetic qualities of the area for the general welfare of the community. The purpose of the zone is:

- To provide for, protect and improve the provision, attractiveness, accessibility and amenity value of public open space and amenity areas.
- To provide for, protect and improve the provision, attractiveness and accessibility of public open space intended for use of recreational or amenity purposes. Only development that is incidental to, or contributes to the enjoyment of open space, amenity or recreational facilities will be permitted within this zone.
- To preserve and provide for open space and recreational amenities. The zoning objective seeks to provide recreational and amenity resources for urban and rural populations subject to strict development controls. Only community facilities and other recreational uses will be considered and encouraged by the Planning Authority.

Land Use Permitted

The following uses in the table are proposed to be applicable for the zone.

Table - 4.1: Land Use Permitted in Open Space

Botanical Garden & Arborium	Playing Field
Bus Passenger Shelter	Social Forestry
Carnivals and Fairs	Special Function Tent
Circus	Tennis Club/Basket Ball Court
Landscape and Horticultural Services	Transmission Lines
Memorial Structure	Urban-Nature Reserve
Open Theater	Utility Lines
Park and Recreation Facilities (General)	Woodlot
Pipelines and Utility Lines	Zoo
Plantation (Except Narcotic Plant)	

Land Use Conditionally Permitted

The following uses may be permitted or denied in the zone after review and approval by the authority/committee:

Table - 4.2: Land Use Conditionally Permitted in Open Space

Communication Tower Within Permitted Height	Motorized Recreation
Fitness Centre	Trade Shows
Flowers, Nursery Stock and Florist Supplies	

Restricted Uses

All uses are restricted except permitted and conditionally permitted uses.

b. Commercial Zone (Business)

Commercial areas generally contain one or more of a wide variety of uses that includes business uses, offices, hotels, public houses, and limited forms of retailing. Uses that are particularly appropriate to these areas include wholesale, business service uses, the sale of motor vehicles and limited forms of retailing that involve the sale of bulky goods unsuitable to be carried away by pedestrians. This would allow uses that are compatible with, or reinforce, the commercial function of the area. As a whole, Commercial Zone is intended to provide all the facilities & services with the commercial landuse that are designed for basically trade and business.

Commercial zones are classified into two types: office and business predominated zones. Commercial Business Zone is a business predominated commercial zone that mainly supports business. This zone is intended to support large commercial developments as retail distribution, retail warehouse, retail storage and retail logistics facilities.

The Commercial Business Zone is intended to provide areas for logistical and retail warehousing activities, including storage, distribution and packaging of goods and products as well as activities which require a large site and space.

Purpose

- The intent of this zone is to provide commercial nodes in convenient and strategic locations of the area to meet urban needs and to encourage clustering commercial development as opposed to strip commercial development and commercial sprawl.
- The main objective for designating this zone is to promote trade and commerce compactly associated with all other facilities.
- Commercial business zone is mainly intended for supporting the business and associated works. There are several functions that are permitted in this zone.

Land Use Permitted

Commercial Zone (Business) is mainly intended for supporting the Business related activities. There are several functions that are permitted in the zone as mentioned in the following Table 4.3.

Table - 4.3: Land Use Permitted in Commercial Zone (Business)

Accounting, Auditing or Bookkeeping Services	Grocery Store
Agri-Business	Guest House
Agricultural Sales and Services	Hotel or Motel
Ambulance Service	Inter-City Bus Terminal
Antique Store	Jewelry and Silverware Sales
Appliance Store	Market (Bazar) Place
ATM Booth	Mosque, Place of Worship
Auction Market	Motorcycle Sales Outlet
Auditorium, Meeting Halls, and Conference Facilities, Convention Hall	Multi-Storey Car Park
Auto Leasing or Rental Office	Newspaper Stand
Auto Paint Shop	Outdoor Recreation, Commercial Outdoor

	Recreation
Auto Parts and Accessory Sales (Indoors)	Parking Lot (Commercial)
Auto Repair Shop (With Garage)	Pet Store
Automobile Sales	Photocopying and Duplicating Services
Automobile Wash	Photofinishing Laboratory & Studio
Bank & Financial Institution	Pipelines and Utility Lines
Barber Shop	Post Office
Beauty and Body Service	Preserved Fruits and Vegetables Facility/Cold Storage
Bicycle Shop	Printing, Publishing and Distributing House
Billboards, Advertisements & Advertising Structure	Professional Office
Billiard Parlor/Pool Hall	Project Identification Signs
Book or Stationery Store	Property Management Signs
Building Material Sales or Storage (Indoors)	Public Transport Facility
Bulk Mail and Packaging	Refrigerator or Large Appliance Repair
Bus Passenger Shelter	Resort
Cinema Hall	Restaurant
Commercial Office	Retail Shops/Facilities
Communication Service Facilities	Satellite Dish Antenna
Communication Tower Within Permitted Height	Shelter (Passers By)
Computer Maintenance and Repair Shop	Shopping Mall/ Plaza
Computer Sales & Service Shops	Slaughter House
Confectionery Shop	Social Forestry
Conference Center	Software Development Firm
Construction Company Offices	Sporting Goods and Toys Sales Centers
Courier Service	Super Store
Cyber Cafe	Taxi Stand
Day-care Center (Commercial or Nonprofit)	Telephone Exchanges
Department Stores, Furniture & Variety Stores	Television, Radio or Electronics Repair (No Outside Storage)
Doctor/Dentist Chamber	Theater (Indoor)
Drug Store or Pharmacy	Transmission Lines
Electrical and Electronic Equipment & Instrument Sales	Utility Lines
Fast Food Establishment/Food Kiosk	Vehicle Sales & Service, Leasing or Rental
Freight Handling, Storage & Distribution	Veterinarian Clinics, Animal Hospitals
Freight Transport Facility	Warehousing
Freight Yard	Water Pump/Reservoir
Fruit and Vegetable Markets	Wood Products
General Store	Woodlot

Land Use Conditionally Permitted

Functions permitted with some condition in the zone are:

Table - 4.4: Land Use Conditionally Permitted in Commercial Zone (Business)

Amusement and Recreation (Indoors)	Fire/Rescue Station
Bicycle Assembly, Parts and Accessories	Grain & Feed Mills
Broadcast Studio/Recording Studio (No Audience)	Household Appliance and Furniture Repair Service
Coffee Shop/Tea Stall	Incineration Facility
Concert Hall, Stage Shows	Indoor Amusement Centers, Game Arcades
Construction, Survey, Soil Testing Firms	Indoor Theatre
Container Yard	Junk/Salvage Yard
Trade Shows	Lithographic or Print Shop
Craft Workshop	Motor Vehicle Fuelling Station/Gas Station
Plantation (Except Narcotic Plant)	Musical Instrument Sales or Repair Shop
Energy Installation	Optical Goods Sales
Re-fuelling Station	Painting and Wallpaper Sales
Firm Equipment Sales & Service	Paints and Varnishes Store
Agricultural Chemicals, Pesticides or Fertilizers Shop	Parking Lot
Fitness Centre	Patio Homes
Flowers, Nursery Stock and Florist Supplies	Private Garages
Forest Products Sales	Retail Shops Ancillary To Studio/Workshop
Fuel Dealers	Stone/Cut Stone Products Sales
Garages	Salvage Processing Activities
Garden Center or Retail Nursery	Truck/Covered Van Stand
Police Box/Barrack	

Restricted Uses

All uses except permitted and conditionally permitted uses

c. General Industrial Zone

Promoting the development of industrial areas as the primary locations for uses including manufacturing, repairs, warehousing, distribution, open-storage, waste materials treatment and recovery, and transport operating centers has been earmarked. The development of inappropriate mixes of uses, such as office based industry and retailing will not normally be encouraged here.

It is an objective to ensure that, normally, new buildings in primarily industrial areas are single storey with high ceilings to provide versatility and adoptability to accommodate a broad range of types of plant, machinery and delivery vehicles throughout their design life.

It is an objective to ensure that the likely demand for car parking and delivery vehicle facilities are fully met within the site, to apply the highest standards of design, hard and soft landscaping and to ensure that pedestrian access is provided and that provision is made for public transport.

Purpose

The intent of this zone is to accommodate certain industrial uses which, based on their operational characteristics, is incompatible with residential, social and commercial environs. As a result, the establishment of such zones shall be restricted to areas geographically buffered from such environs, and the operations of such uses monitored by performance standards to ensure environmental compatibility.

- The purpose and intent of industrial zone is to provide areas in appropriate locations where various light and heavy industrial operations can be conducted without creating hazards to surrounding landuses. Industrial zones are cohesive, planned tracts, with all elements sharing the same or compatible architectural and landscaping themes within a parcel.
- Areas intended to accommodate a variety of industrial establishments which: 1) employ high environmental quality standards; 2) may function as an integral part of an overall development area; and, 3) have minimal impacts on adjacent uses.
- The purpose and intent of General industrial zone is to provide areas in appropriate locations for certain types of light manufacturing, processing or fabrication, warehousing establishments of non-objectionable products or adjacent uses because they are characterized by a minimum of material, processes or machinery likely to cause undesirable effects upon nearby or adjacent residential or commercial property.

General Industrial Zone is to accommodate Green, Orange A, Orange B types of industries of Department of Environment (DoE) prepared categories and Urban Area Plan designated light industries and general industries along with some other new types. Here the industries will not be noxious and heavy. DoE list of industries according to categories is attached as Annexure-IV.

Land Use Permitted

The following uses in the table are proposed to be applicable for the zone.

Table - 4.5: Land Use Permitted in General Industrial Zone

Aluminium products	Musical instruments
Artificial Fibre Production	Motor vehicles repairing works
Assembling and manufacturing of clocks and watches	Newspaper Stand
Assembling and manufacturing of electrical and Electronic home products etc.	Packaging Industries
Assembling of motor vehicles	Perfumes, cosmetics
Assembling of telephones	Pharmaceutical Industry
ATM Booth	Photocopying and Duplicating Services
Automatic rice mill.	Photographic Film Factory
Bakery	Pipelines and Utility Lines
Bank & Financial Institution	Plantation (Except Narcotic Plant)
Bamboo and cane goods	Police Box/Barrack
Book-binding	Power Loom
Bicycle Assembly, Parts and Accessories	Printing and writing ink manufacturing Industry
Blacksmith	Printing Press
Bus Passenger Shelter	Printing, Publishing and Distributing
Carpet and mat production	Processing : fish, meat and food
Cinema Hall	Processing and bottling of drinking water and carbonated drinks
Clinic and Pathological lab	Production of artificial leather goods
Chocolate and lozenge Factory	Production of Comb, hair band, hair clip etc.
Cinema Hall	Production of gold ornaments.
Clinic and Pathological lab	Production of Pin, board pin, U Pin etc.
Cold Storage	Production of powder milk/condensed milk/dairy.
Communication Tower Within Permitted Height	Production of shoes and leather goods
Confectionery Shop	Production of spectacles frames.

Dry-cleaning	Production of utensils and souvenirs of brass and bronze.
Edible Oil	Public Transport Facility
Electric cable	Repairing of refrigerators
Engineering Works	Restaurant
Fabric Washing Plant	Retail Shops/Facilities
Factory for production of chocolate and lozenge.	Rope and coir mat production
Fast Food Establishment/Food Kiosk	Salt Industry
Fire/Rescue Station	Salt production
Flour (large) Mill	Salvage Processing
Freight Transport Facility	Salvage Yards
Furniture Manufacture of wood/iron, aluminium, etc.	Satellite Dish Antenna
Galvanizing	Sawmill, Chipping and Pallet Mill
Garments and sweater Factory	Shelter (Passers By)
Glass factory	Shoes and leather goods production
Glue (excluding animal glue)	Soap
Gold ornaments Production	Social Forestry
Grinding/husking wheat, rice, turmeric, chilly, pulses - machine above 0 Horse Power	Sodium silicate Factory
Grocery Store	Spinning mill
Hotel, multi-storied commercial building.	Sports goods Production
Household Appliance and Furniture Repair Service	Starch and glucose factory
Ice-cream	Stone grinding, cutting and polishing
Jute mill	Tea processing
Lime	Television, Radio or Electronics Repair (No Outside Storage)
Lithographic or Print Shop	Tyre re-treading
Manufacturing of Artificial flower	Transmission Lines
Machine Sheds	Truck Stop & Washing or Freight Terminal
Manufacture of Agricultural tools, equipments and small machinery.	Utensils made of clay and china clay/sanitary wares (ceramics)
Manufacture of Industrial tools, equipment and machinery.	Utility Lines
Manufacturing of wooden vessel	Water Pump/Reservoir
Match Factory	Water Purification Plant
Medical and surgical instrument production	Weaving and handloom.
Meat and Poultry (Packing & Processing)	Wood Products
Metal utensils/spoons etc	Wood treatment
Mosque, Place of Worship	Wood/iron/aluminium Furniture production
Motorcycle Sales Outlet	Woodlot

Land Use Conditionally Permitted

The following uses may be permitted or denied in the zone after review and approval by the authority/committee following appropriate procedure.

Table - 4.6: Land Use Conditionally Permitted in General Industrial Zone

Amusement and Recreation (Indoors)	Musical instruments
Appliance Store	Outdoor Fruit and Vegetable Markets
Carpet and mat production	Outside Bulk Storage
Cinema Hall	Overhead Water Storage Tanks
Clinic and Pathological lab	Painting and Wallpaper Sales
Cork items Production	Paints and Varnishes
Cyber Cafe	Parking Lot
Daycare Center (Commercial or Nonprofit)	Parking Lot (Commercial)
Doctor/Dentist Chamber	Pen and ball-pen Factory
Electrical and Electronic Equipment and Instruments Sales	Photographic Lab (except ultra violet and infra red)
Employee Housing	Plantation (Except Narcotic Plant)
Energy Installation	Plastic & rubber goods (excluding PVC)
Fast Food Establishment/Food Kiosk	Private Garages
Garages	Production of artificial leather goods
Galvanizing	Re-packing of milk powder (excluding production)
Glass factory	Retail Shops Ancillary to Studio/Workshop
Glue (excluding animal glue)	Rope and coir mat production
Grinding/husking wheat, rice, turmeric, chilly, pulses - machine above 0 Horse Power	Salt Industry
Gold ornaments Production	Salvage Processing
Grain & Feed Mills	Satellite Dish Antenna
Incineration Facility	Sawmill, Chipping and Pallet Mill
Laundry	Sodium silicate Factory
Lithographic or Print Shop	Sports goods (excluding plastic made items)
Manufacturing of Artificial flower	Super Store
Match Factory	Tea packing (excluding processing)
Medical and surgical instrument production	Tire re-treading
Motor Vehicle Fuelling Station/Gas Station	Washing Plant
Motorcycle Sales Outlet	

Restricted Uses

All uses except permitted and conditionally permitted uses

d. Institutional Zone

Institutional Zones are designed to provide some institutional boundaries. This will help improving the socio-economic condition of the area by enhancing educational status.

Purpose

The purpose of the zone is mainly to provide locations for institutional uses such as libraries, public and private schools of special needs, colleges or universities, research centres, cultural academies etc. Housing facilities for the students, teachers, employees and their families within the compound are also allowed in the zone.

Land Use Permitted

The following uses in the table are proposed to be applicable for the zone.

Table - 4.7: Land Use Permitted in Institutional Zone

Addiction Treatment Center	Newspaper Stand
Art Gallery, Art Studio/Workshop	Nursery School
ATM Booth	Outdoor Religious Events
Automobile Driving Academy	Photocopying and Duplicating Services
Billboards, Advertisements & Advertising Structure	Post Office
Bus Passenger Shelter	Primary School
Child Daycare/Preschool	Professional Office
College, University, Technical Institute	Project Identification Signs
Communication Service Facilities	Property Management Signs
Communication Tower Within Permitted Height	Public Transport Facility
Confectionery Shop	Residential use ancillary to Institutions
Conference Center	School (Retarded)
Correctional Institution	Scientific Research Establishment
Cultural Exhibits and Libraries	Shelter (Passers by)
Cyber Cafe	Social Forestry
Dormitory	Specialized School: Dance, Art, Music & Others
Freight Transport Facility	Training Centre
General Store	Transmission Lines
Grocery Store	Utility Lines
High School	Veterinary School/College and Hospital
Hospital	Vocational, Business, Secretarial School
Lithographic or Print Shop	Water Pump/Reservoir
Mosque, Place of Worship	Woodlot
Multi-Storey Car Park	

Land Use Conditionally Permitted

The following uses may be permitted or denied in the zone after review and approval by the authority/committee.

Table - 4.8: Land Use Conditionally Permitted in Institutional Zone

Auditorium, Meeting Halls, and Conference Facilities, Convention	Gallery/Museum
Bank & Financial Institution	Garages
Barber Shop	Indoor Theatre
Boarding and Rooming House	orphanage
Coffee Shop/Tea Stall	Outdoor Cafe
Counseling Services	Parking Lot
Courier Service	Pipelines and Utility Lines
Daycare Center (Commercial or Nonprofit)	Plantation
Doctor/Dentist Chamber	Postal Facilities
Drug Store or Pharmacy	Psychiatric Hospital
Fast Food Establishment/Food Kiosk	Stationery Store or Newsstand
Flowers, Nursery Stock and Florist Supplies	

Restricted Uses

All uses are restricted except permitted and conditionally permitted uses.

e. Mixed Use Zone (Residential–Commercial)

Mixed-use (Residential-Commercial) development shall mean a development consisting of one or more lots developed as a cohesive project and designed with a blend of various compatible uses such as commercial and residential. These land use areas will contain residential and limited commercial activities only such as small retail, general store, food kiosk etc.

Purpose

Commercial uses within the Mixed Use zone should be restricted to those uses that have a minimal amenity impact on adjoining uses and surrounding residential use. The main purposes of this type of landuse classification are:

- To provide for a mixed use development centre in conjunction with the development plan for the overall development, and to provide for high-density residential development, and to identify, reinforce, strengthen and promote urban design concepts and linkages with the existing town centre activity areas so that the pressure on vacant land are minimized.
- The aim is to develop a zone scale retail development in a mixed use centre by densification of appropriate commercial and residential developments ensuring a mix of commercial, recreational, community, educational, civic, cultural, leisure, residential uses, urban streets and urban open spaces, while delivering a quality urban environment which will enhance the quality of life of resident, visitor and workers alike.
- Provide for a range of commercial and service activities at a scale that will protect the planned hierarchy of commercial centres and the city's preferred locations for office development.

Land Use Permitted

The following uses in the table are proposed to be applicable for the zone.

Table - 4.9: Land Use Permitted in Mixed Use Zone (Residential-Commercial)

Accounting, Auditing or Bookkeeping Services	Employee Housing
Addiction Treatment Center	Fabric Store
Agricultural Sales and Services	Fast Food Establishment/Food Kiosk
Antique Store	Funeral Services
Apartments	General Store
Appliance Store	Grocery Store
Art Gallery, Art Studio/Workshop	Guest House
Artisan's Shop	Hospital
Assisted Living or Elderly Home	Housing Projects
ATM Booth	Individual Housing
Auditorium, Meeting Halls, and Conference Facilities, Convention	Jewelry and Silverware Sales
Auto Leasing or Rental Office	Landscape and Horticultural Services
Automobile Driving Academy	Mosque, Place of Worship
Automobile Wash	Newspaper Stand
Bakery or Confectionery Retail	Nursery School
Bank & Financial Institution	Photocopying and Duplicating Services
Barber Shop	Pipelines and Utility Lines
Bicycle Shop	Primary School
Billboards, Advertisements & Advertising Structure	Project Identification Signs
Billiard Parlor/Pool Hall	Property Management Signs
Blacksmith	Public Transport Facility
Boarding and Rooming House	Resort

Book or Stationery Store or News Stand	Rickshaw/Auto Rickshaw Stand
Bus Passenger Shelter	Satellite Dish Antenna
Child Daycare/Pre-school	Shelter (Passers By)
Children's Park	Shoe Repair or Shoeshine Shop (Small)
Cleaning/Laundry Shop	Slaughter House
Commercial Recreational Buildings	Social Forestry
Communication Service Facilities	Social organization
Communication Tower Within Permitted Height	Software Development
Community Center	Special Dwelling
Condominium or Apartment	Toys and Hobby Goods Processing and Supplies
Confectionery Shop	Training Centre
Correctional Institution	Transmission Lines
Courier Service	Utility Lines
Cyber Cafe	Vehicle Sales & Service, Leasing or Rental
Daycare Center (Commercial or Nonprofit)	Warehousing
Doctor/Dentist Chamber	Water Pump/Reservoir
Dormitory	Woodlot

Land Use Conditionally Permitted

The following uses may be permitted or disallowed in the zone after review and approval by the authority/committee.

Table-4.10: Land Use Conditionally Permitted in Mixed Use Zone (Residential-Commercial)

Agricultural Chemicals, Pesticides or Fertilizers Shop	Graveyard/Cemetery
Amusement and Recreation (Indoors)	Health Office, Dental Laboratory, Clinic or Lab
Beauty and Body Service	Hotel or Motel
Broadcast Studio/Recording Studio (No Audience)	Household Appliance and Furniture Repair Service
Building Maintenance/Cleaning Services, No Outside Storage	Indoor Amusement Centers, Game Arcades
Building Material Sales or Storage (Indoors)	Indoor Theatre
Coffee Shop/Tea Stall	Lithographic or Print Shop
Commercial Office	Market (Bazaar)
Computer Maintenance and Repair	Musical Instrument Sales or Repair
Computer Sales & Services	Optical Goods Sales
Concert Hall, Stage Shows	Outdoor Café
Conference Center	Outdoor Fruit and Vegetable Markets
Construction Company	Painting and Wallpaper Sales
Construction, Survey, Soil Testing Firms	Paints and Varnishes
Cottage	Patio Homes
Counseling Services	Photofinishing Laboratory & Studio
Craft Workshop	Plantation
Crematorium	Poultry
Cultural Exhibits and Libraries	Printing, Publishing and Distributing
Department Stores, Furniture & Variety Stores	Project Office
Drug Store or Pharmacy	Psychiatric Hospital

Energy Installation	Radio/Television or T&T Station With Transmitter Tower
Fitness Centre	Refrigerator or Large Appliance Repair
Flowers, Nursery Stock and Florist Supplies	Restaurant
Freight Handling, Storage & Distribution	Retail Shops/Facilities
Freight Transport Facility	Retail Shops Ancillary To Studio/Workshop
Gaming Clubs	Sporting Goods and Toys Sales
Garages	Sports and Recreation Club, Firing Range: Indoor
Garden Center or Retail Nursery	Telephone Exchanges
Government Office	Television, Radio or Electronics Repair (No Outside Storage)

Restricted Uses

All uses are restricted except permitted and conditionally permitted uses.

f. Urban Residential Zone

Urban Residential Zone is intended primarily for housing development but may also include a range of other uses particularly those that have the potential to foster the development of new residential communities such as schools, small shops, doctors' chambers, open space like play fields and so on. Limited commercial facilities within this zone shall be planned and developed as an integral retail or business unit which, comply with the planned mixed-use concept of the Urban Area Plan.

Purpose

The prime objective of this zone is to provide the space for living as well as to meet the daily needs of the residents. The main purposes of the zone are:

- To provide for residential development, associated services and to protect and improve residential amenities.
- To improve the quality of existing residential areas and strengthen the provision of local community services and amenities.
- To control unscheduled development on individual lots or tracts, promote economical and efficient landuse.
- To provide for a variety of housing types and densities to meet current and future residential needs.
- To provide an appropriate mix of house sizes, types and tenures in order to meet household needs; to promote balanced communities; and to promote higher densities in the development centre to facilitate day and evening activity and ensure a 'living' centre.

The urban areas that are already densely and haphazardly built are termed here as Spontaneous Residential Zone. These zones primarily support living with some civic facilities. The main purpose of this landuse zone is to provide enough space for residence. There will have some supporting uses, too, for the residents.

The areas that have some scope to develop as a planned area are declared as Planned Residential Zone. In Planned Residential Zone, there will have a variety of supporting uses such as small retail, parking, post box etc with primarily residential use. Planned residential area in the neighbourhood form should be followed for new urban development.

The neighbourhood is a walkable community in human scale, with a frequently interconnected street network which weave a mix of housing types, and small local scale retail and service uses that serve the local population. The services designed here are in walking distances considering the day to day needs. Service standards for neighbourhood level have been mentioned in the previous chapter. For purposes of administering the DAP Permitted Landuses in the neighborhood, the design specification, standards and guidelines about the area and number must be maintained.

Land Use Permitted

The following uses in the table are proposed to be applicable for the zone.

Table - 4.11: Land Use Permitted in Urban Residential Zone

All Types of Residential House	Grocery Store
Apartment Housing	High School
Artisan's Shop	Housing Projects
Assisted Living or Elderly Home	Household Appliance and Furniture Repair Service (No Outside Storage)
ATM Booth	Landscape and Horticultural Services
Barber Shop	Memorial Structure (Ancillary)
Bill Payment Booth	Monument (Neighborhood Scale)
Boarding and Rooming House	Mosque, Place of Worship
Book Stall	Newspaper Stand
CBO Office	Nursery School
Child Daycare/Pre-school	Orphanage
Children's Park (Must Have Parking)	Photocopying and Duplicating Services (No Outside Storage)
Cleaning/Laundry Shop	Pipelines and Utility Lines
Communication Service Facilities	Playing Field
Communication Tower Within Permitted Height	Primary School
Community Center	Private Garages (Ancillary Use)
Condominium or Apartment	Project Identification Signs
Confectionary Shop	Property Management Signs
Cottage	Public Transport Facility
Cultural Exhibits and Libraries	Retail Shops/Facilities
Cyber Cafe	Satellite Dish Antenna
Daycare Center (Commercial or Nonprofit)	Shelter (Passers By)
Departmental Stores	Shoe Repair or Shoeshine Shop (Small)
Doctor/Dentist Chamber	Special Dwelling
Dormitory	Specialized School: Dance, Art, Music, Physically Challenged & Others
Drug Store or Pharmacy	Stationery Store
Dwelling	Temporary Pandle for Permitted Function
Eidgah	Temporary Tent
Employee Housing (Guards/Drivers)/Ancillary Use	Transmission Lines
Fast Food Establishment /Food Kiosk	Urban-Nature Reserve
Fitness Centre	Uses in Neighborhood Center* (Where Neighborhood Center exists)
Flowers, Nursery Stock and Florist Supplies	Water Pump/Reservoir
Gaming Clubs	Woodlot
General Store	
*Permit of Neighborhood Center Facilities in absence of formal neighborhood should be subject to Landuse Permit Committee	

Land Use Conditionally Permitted

The following uses may be permitted or disallowed in the zone after review and approval by the authority/committee following appropriate procedure while the application meets the criteria mentioned in the requirement.

Table – 4.12: Land Use Conditionally Permitted in Urban Residential Zone

Addiction Treatment Center	Graveyard/Cemetery
Amusement and Recreation (Indoors)	Guest House
Art Gallery, Art Studio/Workshop	Market (Katcha Bazaar) Place
Automobile Driving Academy	Neighborhood Co-Operative Office
Beauty and Body Service	Optical Goods Sales
Billiard Parlor/Pool Hall	Outdoor Cafe
Building Maintenance/Cleaning Services, No Outside Storage	Overhead Water Storage Tanks
Bus Passenger Shelter	Paints and Varnishes Store
Coffee Shop/Tea Stall	Parking Lot
Community Hall	Patio Homes
Correctional Institution	Photofinishing Laboratory
Courier Service	Plantation (Except Narcotic Plant)
Crematorium	Police Station
Electrical Sub Station	Post Office
Emergency Shelter	Postal Facilities
Energy Installation	Row House
Fire Brigade Station	Slaughter House
Flood Management Structure	Sports and Recreation Club
Fruit Markets	Static Transformer Stations
Funeral Services	Telephone Sub Station
Furniture & Variety Stores	Temporary Rescue Shed
Garages	Tennis Club
Garden Center or Retail Nursery	Tourist Home or Resort

Restricted Uses

All uses are restricted except permitted and conditionally permitted uses.

g. Water body

Water body serves the natural flow of water along their alignment.

Purpose

The zone intends to preserve flow and level of water across all seasons along their natural alignment. DMDP area is covered by a network of natural water body including river, canal and pond. To promote and provide environmentally safe and sound living for the people of the area and for the future generation, water body has an immense importance. Water body should be preserved not only for environmental concern but also for active and passive recreation purposes.

Land Use Permitted

The following uses in the table are proposed to be applicable for the zone.

Table - 4.13: Land Use Permitted for Water body

Aquatic Recreation Facility (Without Structure)	Utility Lines
Fishing Club (Non-structural)	Water Parks

Land Use Conditionally Permitted

The following uses may be permitted or denied in the zone after review and approval by the authority/committee.

Table - 4.14: Land Use Conditionally Permitted for Water body

Marina/Boating Facility	Water based Recreation
-------------------------	------------------------

Restricted Uses

All uses are restricted except permitted and conditionally permitted uses.

4.6.4 Special Functional Options

Besides above categories of land use, some situations are not so infrequent in nature. Successful control of development needs specific regulations for handling such functional options too.

New Use

Suppose a new electric substation needs to be installed in a residential neighborhood to cover the additional load. The plot in which it is to be installed is of course, earmarked as urban residential land use. But since this facility is not permitted within the urban residential zone, this electric substation cannot be legally installed in the zone unless the landuse of the plot is altered to allow it. This process of changing the permitted use of a particular plot or land parcel to allow uses not presently permitted in the corresponding land use zone is termed as New Use. Conversion of the permitted use to accommodate a new function shall require formal permission of the Nagar Unnayan Committee (NUC).

Nonconforming Use

Some functions, structures or facilities may have been in the area prior to land use zone declaration and the facility does not conform to the new land use zone. Considering the degree of incompatibility or the adverse impact on the surrounding landuse, such functions, structures or facilities have been termed as non-conforming to the permitted facilities of the zone. Nonconforming use/function, structure or facility may either be legal or illegal depending on the plan permit status but in either case they have to be discontinued in the corresponding zone and may be relocated in the prescribed zone in due course.

Basic Nonconforming Elements

Any nonconforming facility is comprised of one or a combination of two or three of basic nonconforming elements in varying combinations, namely, use/function, structure and development over the site. In case of relocation of many nonconforming use/functions, especially foot loose industries such as RMGs and RKGs, packaging industries, small engineering works etc., structure need not to be demolished since it can house zone permitted functions and continue. Few industries and plants such as chemical industries, re-rolling mills, brick fields etc., may require demolition of structures or plants that are meant specifically for that facility. Besides these, some nonconforming developments, such as landfill in flood flow, water retention area and agricultural zones requires clearing of landfill materials to restore uninterrupted flow of annual flood water, to maintain design capacity for water retention and to safeguard food security respectively.

General Regulatory Provisions

The continued existence of nonconformities is inconsistent with the purposes for which the “zoning” of the area has been worked out and thus, the gradual elimination of such nonconformities is generally desirable.

The following provisions shall apply to all uses/functions, structures and/or developments set forth as nonconforming to

the respective zone as per this Zoning Regulation.

- There must be a time frame of up to 5 years within which the non conforming uses have to be relocated to places where those specific uses are permitted according to this regulation. This time frame for relocating a particular non conforming use will be determined by RAJUK subject to approval by the Nagar Unnayan Committee (NUC). However, the time frame may vary depending on that particular use but shall not exceed five years unless decided otherwise by the Nagar Unnayan Committee.
- RAJUK shall formulate strict conditions for nonconforming facilities restricting enlargement, alteration, expansion, restoration of those uses within interim period till its relocation to permitted zone.
- RAJUK shall closely monitor non conforming facilities to guard against non-compliance of the abiding conditions and also to ensure relocation to permitted zone. In case of non compliance in terms of conditions or of relocation to permitted location within set time frame, action to ensure immediate discontinuation or to restrict the facility or to relocate it in the permitted zone shall be initiated by RAJUK.
- To expedite relocation of nonconforming facilities to permitted zones, imposing higher tax for continuation in the present location as opposed to incentives in the form of subsidy, tax holiday etc. if relocated to the prescribed zone may be actively considered by the government.

Identification and Registration of Non-conforming Uses and Structures

All uses and structures existing at the effective date of this Regulation which do not conform to the requirements set forth in this Regulation, or any amendments thereto, should be identified and registered by RAJUK. Failure or negligence of the authority to identify or register uses or structures which are non-conforming as defined in this Regulation or subsequent amendments does not exempt such use or structures from the applications of this Regulation.

Continuation of Non-conforming Uses and Structures

Any non-conforming use or structure may be continued up to their time frame, provided such use or structure:

- (1) Shall not be moved to another location where such use or structure would be non-conforming.
- (2) Shall not be changed to another non-conforming use or structure without approval of NUC and then only to a use or structure which, in the opinion of the NUC is of the same or of a more restricted nature in accordance with the restrictions above.
- (3) Shall not be re-established if such use or structure has been discontinued for any reason for a period of twelve (12) months or more, or has been changed to, or replaced by, a conforming use or structure. Intent to resume a non-conforming use shall not confer the right to do so.
- (4) Shall not be restored for other than a conforming use after damage from any cause, unless the non-conforming use or structure is reinstated within twelve (12) months of such damage; if the restoration of such structure is not completed within the said twelve (12) month period, the non-conforming use of such structure shall be deemed to have been discontinued, unless such non-conforming use is carried on without interruption in the undamaged portion of such structure.

Maintenance

Maintenance of a building or other structure containing or used for a non-conforming use will be permitted when it includes necessary non-structural repairs and incidental alterations which do not extend or intensify the non-conforming building or use.

Reconstruction

A non-conforming use which has been damaged by fire, explosion, or an act of God, to the extent of sixty (60%) percent of its reproduction value at the time of damage shall be restored in conformity with the current regulations of the zone in which it is located. When damaged by less than sixty (60%) percent of its reproduction value a non-conforming use may be repaired or reconstructed and used as before the time of damage, provided such repairs or reconstruction are started within one (1) year from the date of such damage.

Discontinuance or Abandonment

A non-conforming structure occupied by a non-conforming use may be re-occupied by a conforming use following relocation of the nonconforming use. If a non-conforming use is abandoned for a period of two (2) years, any future use of

the premises shall be in conformity with the provisions of this Regulation and shall not again be used except in conformity with the current regulations of the zone in which it is located.

Unsafe Structure

Any non-conforming structure or portion thereof containing a non-conforming use is allowed to undergo routine and ordinary maintenance, repairs or replacement of non-load bearing walls, fixtures, wiring, or plumbing, provided that the floor area and floor height shall not be increased. However, only in case the structure/s or a portion thereof declared to be unsafe by any official in charge of protecting public safety, strengthening or restoring of any building or part thereof to make it safe upon order of such official shall be allowed. But in such cases it will require approval of the Nagar Unnayan Committee.

Termination and Removal of Non-Conforming uses, Structures or Developments

Uses, structures or developments of land listed as non-conforming shall be brought into compliance with the Zoning Regulation or be completely removed from the premises on or before the expiry within maximum five year period.

4.6.5 Principal Use and Accessory Use

Use of any facility may be categorized under two broad heads: Principal Use and Accessory Use. Any use may be principal in one zone while accessory in another or vice versa. Also, same use may simultaneously be principal and accessory in the same zone based on the nature of facility that house it. Principal Use indicates functions which the facility is primarily intended for. The Academic Building in a school is definitely its principal use. But an entire primary school would fall under accessory use category when it is located in the university complex to facilitate children of the teachers and officials working there. Ancillary functions of any facility are grouped as accessory use. A garage of a residence is an accessory use. But multi storied commercial parking in motijheel is definitely its primary function.

4.7 Development Permit

Development Permit is the most important function of RAJUK and for that matter of any City Development Authority. DAP will have no bearing unless development can be channelized to its desired direction through effective permit procedure. DAP has developed its plan using GIS database and other advanced computer software of world standard. Urban Planners to make use of the database is now available in the country. This combination provides RAJUK the unique opportunity to make its plan permit procedure fast, well managed and transparent. This is also in line with the idea of digital Bangladesh.

a. Computerization of the Permit procedure

Maintaining information of all the development activities within the DMDP jurisdiction is a mammoth task and maintain them in the present manual method is neither possible nor necessary. Consultant recommends development of customize software for the purpose. Necessary software experts are available locally. The system would prove worthwhile by saving in the form of time, cost, ease of management, ease of upgrading of information, control of corruption and so forth.

b. Land Use Permit

RAJUK has the legal responsibility to develop plan for the well-being of the citizens within its jurisdiction and implement the same by channelizing all developments through appropriate control mechanisms. Issuance of Plan Permit to private plot owner/s or developers working with the consent of the owner/s that comply the set regulations constitute the most part of development control activity conducted by RAJUK. In the following paragraphs the structures of the proposed Land use Control Authority has been elaborated considering that RAJUK shall be strengthened adequately and in that situation Planners' ranks would be as under [in light of the Sthapatya Adhidaptar]:

- Chief Town Planner
- Additional Chief Town Planner
- Deputy Chief Town Planner
- Assistant Chief Town Planner
- Assistant Town Planner

Structure of Land Use Permit Authority

The Land Use Permit Authority shall be comprised of three vertically linked tiers:

- At the entry level Land use Permit Planner [LPP]
- At the mid level Land use Permit Committee [LPC] to control LPPs, clarify legal provisions regarding land use permit decisions on a case to case basis, and
- At the top level Nagar Unnayan Committee comprised of representatives from planning departments, professional institutions, eminent scholars and citizens of the city.

Figure No. 4.1 shows the tiers along with their inter links.

Land Use Permit Planner

Land Use Permit will be issued with the sign of Land Use Permit Planner [LPP] appointed by the Chairman, RAJUK from among the Planners not below the rank of Assistant Town Planner. Land Use Permit issued by the LPP/s shall be null and void, even it signed, unless the use sought for is permitted in the land Use options of the respective zone that contains the plot.

To cover the vast DMDP area under RAJUK jurisdiction, Paurashava Planners [PP] working in the Paurashavas within the DMDP area, in addition to RAJUK's main stream LPPs, may be delegated with the power to act as LPP and issue Plan Permit and control development within the provision of DAP on RAJUK's behalf. He/she must have needful Inspectors and GIS facility with logistics and knowledgeable personnel to operate so as to accomplish such responsible job. For all plan permit activities PPs shall be accountable to, controlled by and act in close communication with Land Use Permit Committee at RAJUK.

Land Use Permit Committee

At the mid-level Land Use Permit Committee [LPC] shall function for effective control of LPPs [both main stream and Paurashava and to clarify legal provisions regarding land Use permit decisions on a case to case basis. LPC shall be a maximum seven member committee headed by RAJUK's Chief Town Planner [CTP]. LPC Members shall be not below the rank of Assistant Chief Town Planner while Deputy Chief Town Planner, Development Control shall act as the Member Secretary of this Committee. The activities of LPC will include

- Clarify the legal provisions for the LPPs as per their request.
- Make recommendations in case of New Use or Conditional Use and send it to the Nagar Unnayan Committee [NUC] for decision.
- Earmark plot numbers under non-conforming uses and notify the owners about the time span to relocate the facility, procedure and conditions that must be strictly maintained to avoid immediate eviction.

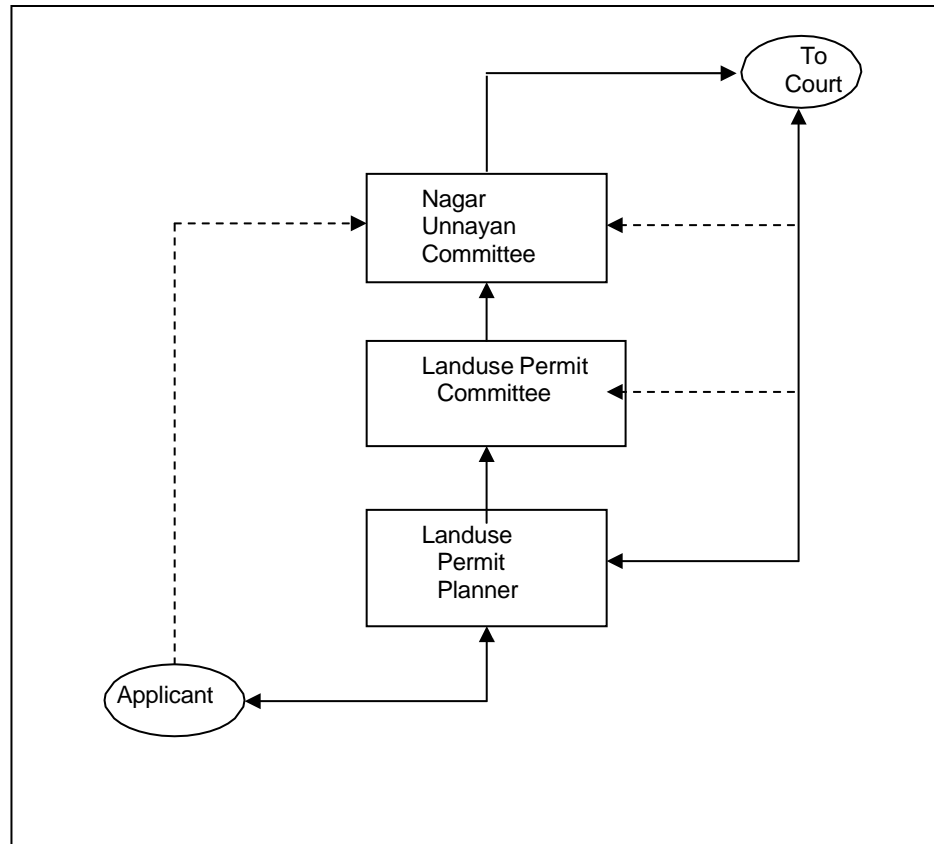


Figure - 4.1: Structure of Land Use Permit Authority Showing Linkages

Nagar Unnayan Committee

Nagar Unnayan Committee [NUC] shall be the supreme authority regarding Land Use Permit within RAJUK jurisdiction. The Members of the Nagar Unnayan Committee are (not as per the protocol):

- Head : Secretary, Ministry of Housing and Public Works, GoB
- Members : Chairman, RAJUK
: Head, Department of URP, BUET
: President, BIP
: President, IAB
: Chief Town Planner, Dhaka City Corporation
: Mayors, Paurashavas [within RAJUK jurisdiction]
: Chief of Concerned Line Agencies
: Three Eminent citizens of Dhaka
- Member Secretary : Chief Town Planner, RAJUK

NUC shall be well supported by a secretariat and shall be empowered both authoritatively and financially to carry out study and/or survey, arrange public hearing, round table conference, seminar, or if necessary, engage experts.

NUC shall decide whether the proposed New Uses should be permitted or denied; in case of Conditional Permit impose the conditions to comply; accept variances for specific cases and so forth. Besides, NUC shall decide strict conditions to nonconforming uses and the action against its violation if so happens.

Land Use Permit Option

For a plot seeking land Use permit there can be three possible options:

- Land Use permitted
- Land Use conditionally permitted, or
- Land Use restricted

Land Use Permitted

Land use that unconditionally permitted in the zone are listed in this category. When permission is sought for a residential land use on a plot earmarked as urban residential zone then it falls under this category.

Land Use Permitted with Condition

Land Use that generally not incompatible or harmful for the community but whose number, location or specific use nature may pose threat to community's life style, privacy, safety or security etc. then the land use is permitted but with a condition to fulfill so that the potential threat is avoided. For example, in a Residential-General Industrial Mixed use zone a request is made seeking land use permit for a composite textile mill with a dyeing unit. Since the use is compatible in the zone except for the release of noxious effluent to the surrounding, the permit may be issued with a condition to exclude the dyeing unit in order to get land use permit. Now, following the formal agreement by the applicant to comply the condition the permit is issued against the plot. A list of such conditional uses is maintained in this category.

Land Use Restricted

Land Use that is harmful for the community are restricted by law. Such harmful land Use is listed in this category. A cinema hall in a neighborhood may be cited as an example under this category. But for convenience, any use not listed in the permitted and conditionally permitted use category is considered as restricted for the zone.

4.8 Land Use Permit Procedures

Land Use permit procedure is a product of a number of interlinking activities. The whole process has been shown in a flow diagram for clearer understanding in Figure 4.2.

The procedure is commenced with the submission of formal application by the applicant to the Chairman of RAJUK. The applicant must submit along with other information and documents a mauza map showing his plot including plot no, mauza name etc. The concerned official designated as Land Use Permit Planner (LPP), will then check the compliance of the land use desired by the applicant with the land use zone containing his plot and the uses permitted therein.

Four situations may be possible:

- Desired Use is listed as Permitted in the zone
- Desired Use overlaid
- Desired Use is listed as Conditionally Permitted in the zone, and
- Desired is not listed under any of the categories and may be permitted as New Use

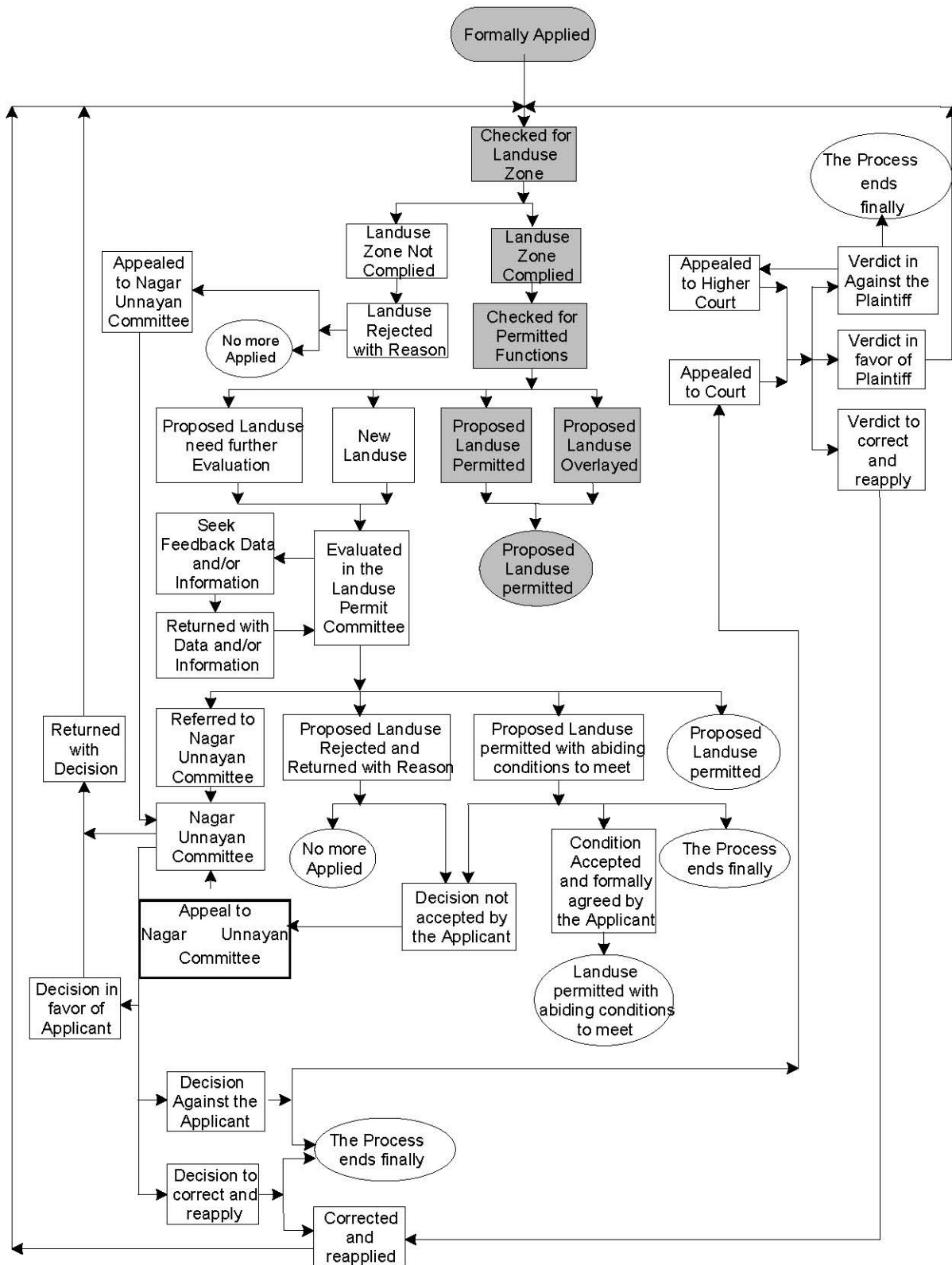


Figure - 4.2: Flow Diagram Showing Activity Linkage of Land Permit Procedure

If the desired use is listed as Permitted or Overlaid then it will be permitted without any question. If the desired use is listed as Conditionally Permitted the LPP would refer it to the LPC for further action.

In case of desired use not found in the permitted or conditionally permitted lists of the zone, the LPP shall reject the desired land use as it is not allowed in the zone. At this stage if the rejection decision taken by the LPP is not satisfactory to the applicant, he/she can appeal to the NUC. If the decision of the NUC goes in favor of the applicant, LPP shall then issue the permit. NUC may also ask the applicant to make some modifications to make his/her claim appropriate for approval. The applicant may comply accordingly and apply afresh.

If the applicant is not satisfied with the decision of the NUC he/she may go to the court for decision. If the LPP is convinced that the desired use should be allowed for the greater interest of the people and therefore deserves to be considered under New Use category, he may recommend it to the LPC furnishing reasons in favour. The LPC if convinced by the reasoning will send the case to the NUC with recommendation to permit desired landuse in the New Use category. Following necessary study and investigation if the NUC is also convinced about permitting the use as recommended by the LPC, they may decide so and authorize the LPP to issue permit for the desired land use in the New Use category.

a. Field Level Vigilance

Development cannot be channelized as per the plan unless an effective control at the field level is achieved. Due to unhealthy concentration of political, administrative, financial and even judicial power in the capital city, almost entire in-migrant population from all over the country rush to Dhaka to try their luck. This is the root cause of all the problems Dhaka has been and will be facing. Land value and rent of space within the city soaring sky high exerting tremendous development pressure that tempts opportunists to fill out low lying areas completely disregarding its legality provisions set by the plan. Land classified in the plan as agriculture, flood flow or retention pond is indiscriminately filled out for making plots every day. Such environmentally catastrophic activities must be guarded to save the city through effective Field level vigilance. And as a custodian of DAP the responsibility falls on to RAJUK's shoulder.

Another kind of damage to plan takes place at the implementation level in the form of illegal structures, unauthorized structures, deviation from the approved plan and so forth. These too need close vigilance from RAJUK's end.

Vigilance is very vital for identification of overlay and non-conforming structures and to ensure their compliance to the plan permitted use. Consultants recommend a large, strong, committed and effective department with appropriate personnel and logistics to guard against all such evil activities.

b. Interaction with People

Plans and Reports furnish various information that has direct bearing on the people since they need to follow the guidelines provided in these documents while developing their parcel of land/s. Presently RAJUK makes it difficult for the common people to collect information that are necessary for various development ventures on their land parcel/s. This hiding attitude makes way for unplanned developments and people feel reluctant to come to RAJUK for plan permit. But in reality availability of information has a vital role to play towards effective plan implementation.

Planning Department of RAJUK should have close interaction with the citizen of Dhaka in order to make people aware of the benefits of a good plan which in turn steer people's social responsibility to promote plan implementation and resist contraventions. A specific Interactive Cell is recommended to be put to operation in this respect with following objectives:

- Listen to people informing about contraventions, deviations to approved plans, damage to planned developments, obstruction to flow of water or filling out of retention areas for personal or group benefits and inform them about the remedial measures taken and thereby encouraging inclusion of people in guarding the implementation of the plan.
- Apprise the citizens about the planning and landuse management related legislation and zoning regulations.
- Investigate and report to the higher authority about complaints made by the citizens about plan violation, violation of landuse of a zone and miscellaneous complaints.
- Provide pre-application advice to residents, consultants and developers about landuse management issues and application procedures for the submission of development applications.

- Interact with communities, especially spontaneously developed ones, lacking specific needs and provide them with proper planning guidance to overcome them through collective efforts.

Such interactive windows may be opened at convenient locations. Thus, making the services available at the door steps of the citizens. Answers to frequently asked questions may be provided in the internet. Besides, these may be publicized in the print and electronic media time to time.

RAJUK should immediately open up in all possible ways to reach people and earn their confidence.

Chapter- 5

PROJECT PLAN

5.1 Introduction

This section has been designed to provide a ready reference for approximate financial involvement of each and individual projects for the concerned development agencies.

5.2 Description of the Projects

In this cost estimation a general rate for the construction works have been followed, while different rates for land acquisition considered for different places corresponding to land values which ranges from Tk. 50.000 to 5 lakhs per katha.

For land development 5 feet to 15 feet filling have been considered depending on land level. The rate per m3 of filling considered Tk. 476/-. The rate for road, side walk and drain construction per m3 considered Tk. 7120/-, 580/- and 1412.41/- respectively. Te demolition cost per m3 considered Tk. 247/-. While structure compensation per m3 considered Tk. 15,000 (average).

For any projects say widening of existing road, widening of khal, new road, part etc. a series of steps have to be taken which are as follows:

- Land demarcation on the ground
- Land acquisition
- Demolition of building Structures
- Structure compensation
- Land development/earth work
- Re-excavation of khal
- Physical construction

According to the nature of projects, the whole or part of above activities will be applicable, besides, the cost involvement for implementation will be depends on the implementation policies. If the implementation followed by "guided Land Development" policy then the cost involvement will be differ.

5.3 Indication of Project Cost

To implement the project road construction cost will be slightly high because south-east part is slightly low land where several water bodies are exists. Besides, maximum demolition cost and cost of structure compensation will be required to widen the existing east-west roads.

Name of the Project	: 300 feet wide Embankment Road (proposed)
Location	: The geographic location of project is lies approximately between 23 degree 53 minute North Latitude and 90 degree 25 minute East Longitude. This is an East-West elongated road which lies at east side of New Airport road on the south bank of Tongi Khal under Abdullah pur, Faydabad and Uttarkhan mouzas of Dakshin khan and Uttar khan Unions of Cantonment and Gulshan Thanas.
Purpose of the Project	: It will be a part of Eastern by pass road which will divert Northern and Western traffic via Eastern by pass road to Narayanganj and other southern part.
Total Length	: 2709.44m
Width	: 30.5 m
Total Cost of the project	: 147.77 crore

Implementation

Period : Starting year is 2015 and will be continued up to three years.

Man power

Requirement

: **1. Land Acquisition & Structure Compensation personnel**

(To assist and coordinate with DC's L.A section)

- 2 Surveyors
- 1 Resettlement Officer

: **2. Road Construction personnel**

- 2 Sub-Assistant Engineers
- 1 Assistant Engineer
- 1 Executive Engineer/SD
- 1 Project Director/SE

Cost-benefit analysis

: There are several benefits to be obtained, both social and economic, from the construction of new roads & drainage of this Project. All benefits are not possible to be exactly quantified in monetary values.

The expected benefits from road construction include shortening of distance which leads to savings in travel time, savings in vehicle operating costs and safer conditions for road users. In addition, there are benefits from increase in value of adjoining land, increase in trade & business, and increased urban development, e.g., of housing and economic activities. However, the EIRR is likely to be much higher for this project if all those benefits are quantified.

Indication of project cost of other projects in the project area is given below:

a. Structure Plan Road – Proposed 100' (7032.00 m)

a.	Land acquisition cost	Tk. 7 Lac. per Katha	1050718.696 (Katha)*7 = 7355030.87
b.	Land development cost	Tk.187.00 per m ³	240.64
c.	Road construction, side walk & drain	Tk.9112.41per m ³	11726.36
d.	Demolition cost of structure	Tk. 247.00 per m ³	317.85
e.	Compensation cost of structure*	Tk.15000.00 per m ³ (av.)	(L.S) 400.00

b. Airport Parallel Road – Proposed 80' (6728.33 m)

a.	Land acquisition cost	Tk. 10 Lac. per Katha	804275.5545 (Katha)*10 = 8042755.54
b.	Land development cost	Tk.187.00 per m ³	184.20
c.	Road construction, side walk & drain	Tk.9112.41per m ³	8975.97
d.	Demolition cost of structure	Tk. 247.00 per m ³	243.30
e.	Compensation cost of structure*	Tk.15000.00 per m ³ (av.)	(L.S) 1000.00

c. New Road Proposed 40' (2832.19 m)

		Rate	Taka in Lac
a.	Land acquisition cost	Tk. 7 Lac. per Katha	169273.8898(Katha)*7 = 1184917.229
b.	Land development cost	Tk.187.00 per m ³	38.77
c.	Road construction, side walk & drain	Tk.9112.41per m ³	1889.15
d.	Demolition cost of structure	Tk. 247.00 per m ³	51.21
e.	Compensation cost of structure*	Tk.15000.00 per m ³ (av.)	-----

d. Banorupa Road – Proposed 60' (1558.56 m)

a.	Land acquisition cost	Tk. 7 Lac. per Katha	139727.6562 (Katha)*7 = 978093.5935
b.	Land development cost	Tk.187.00 per m ³	31.98
c.	Road construction, side walk & drain	Tk.9112.41per m ³	1558.55
d.	Demolition cost of Structure	Tk. 247.00 per m ³	42.25
e.	Compensation cost of Structure*	Tk.15000.00 per m ³ (av.)	-----

e. Fayedabad - Beribadh Road – Widening of Existing Road 80' (2418.54 m)

a.	Land acquisition cost	Tk. 10 Lac. per Katha	216826.3818(Katha)*10 = 2168263.82
b.	Land development cost	Tk.187.00 per m ³	49.63
c.	Road construction, side walk & drain	Tk.9112.41per m ³	2418.53
d.	Demolition cost of structure	Tk. 247.00 per m ³	65.56
e.	Compensation cost of structure*	Tk.15000.00 per m ³ (av.)	(L.S) 1600.00

f. Shah Kabir Road Road – Widening of Existing Road 80' (2633.05 m)

		Rate	Taka in Lac
a.	Land acquisition cost	Tk. 10 Lac. per Katha	236057.5821(Katha)*10 = 2360575.82
b.	Land development cost	Tk.187.00 per m ³	54.03
c.	Road construction, side walk & drain	Tk.9112.41per m ³	2633.04
d.	Demolition cost of structure	Tk. 247.00 per m ³	71.37
e.	Compensation cost of structure*	Tk.15000.00 per m ³ (av.)	(L.S) 1700.00

g. Shah Latif Road Road - Widening of Existing Road 80' (2429.67 m)

a.	Land acquisition cost	Tk. 10 Lac per Katha	217824.206(Katha)*10 = 2178242.06
b.	Land development cost	Tk.187.00 per m ³	4986018.134
c.	Road construction, side walk & drain	Tk.9112.41per m ³	2429.66
d.	Demolition cost of structure	Tk. 247.00 per m ³	65.86
e.	Compensation cost of structure*	Tk.15000.00 per m ³ (av.)	(L.S) 1700.00

h. Asokana Road - Widening of Existing Road 80' (2345.96 m)

a.	Land acquisition cost	Tk. 10Lac. per Katha	210319.4567(Per katha)*10 = 2103194.56
b.	Land development cost	Tk.187.00 per m ³	48.14
c.	Road construction, side walk & drain	Tk.9112.41per m ³	2345.95
d.	Demolition cost of structure	Tk. 247.00 per m ³	63.59
e.	Compensation cost of structure*	Tk.15000.00 per m ³ (av.)	(L.S) 1600.00

i. Kawla Bazar Road - Widening of Existing Road 40' (1938.41 m)

		Rate	Taka in Lac
a.	Land acquisition cost	Tk. 10 Lac.per Katha	57927.29316 (Per Katha)*10 = 579272.93
b.	Land development cost	Tk.187.00 per m ³	13.27
c.	Road construction, side walk & drain	Tk.9112.41per m ³	646.49
d.	Demolition cost of structure	Tk. 247.00 per m ³	17.52
e.	Compensation cost of structure*	Tk.15000.00 per m ³ (av.)	(L.S) 1000.00

j. Khilkhet - Namapara Road - Widening of Existing Road 40' (2111.44 m)

a.	Land acquisition cost	Tk. 10 Lac. per Katha	63098.10817 (Per Katha)*10 = 630981.08
b.	Land development cost	Tk.187.00 per m ³	14.45
c.	Road construction, side walk & drain	Tk.9112.41per m ³	704.20
d.	Demolition cost of structure	Tk. 247.00 per m ³	19.09
e.	Compensation cost of structure*	Tk.15000.00 per m ³ (av.)	(L.S) 1100.00

* The Compensation cost depends on the type of implementation. If the project is financed by International Donor e.g. World Bank or Asian Development Bank, then the Compensation cost will be higher than GoB financed project.

Chapter- 6

FOLLOW UP ACTION

6.1 Introduction

From past experience it has been observed that development plans prepared for planned development and development control have been neglected and piece-meal type development schemes were undertaken resulting in total chaos in urban living. It is unfortunate that town planning is not a part of our cultural practices. Individuals love to go at will without respect to planning norms. As such, it is essential that some sort of awareness is to be built among the people to follow the plan. On the other hand the respective authorities should become sincere and dedicated to implement the plan. In order to accomplish the goal set forward in the plan, some follow up actions are required.

6.2 Follow up Actions

6.2.1 Awareness Building

It has been mentioned that town planning has not become a part of our cultural practice. This is mostly due to ignorance about the benefit of planned development and the evils of haphazard/sprawl development. By propagating and directly contacting with people, this problem can be solved. Easy and free availability of plan document also enables people to become aware of the plan and thereby follow the guidelines. As such RAJUK should take initiatives so that the plan document would be available easily and at minimum cost.

6.2.2 Willingness of the Authorities to Implement the Plan

RAJUK on adoption of the planning document should show its intent to implement the plan through effective control measures. This calls for equipping it with necessary logistic and efficient manpower. To secure the RoW of proposed roads according to the Detailed Area Plan, RAJUK must not grant permit for development of those plots for any thing but road. It may take years for the implementation of the plan, as such if the proposed right of ways are not secured, these will be lost. It will result in serious circulation problem within the entire area.

6.2.3 Revision of Existing and Formulation of New Legal Provisions Relevant to DAP

First of all, a National Urban Policy should be formulated to guide the urban development of the country. Then a review of the existing acts and regulations in vogue for development and development control is required in order to make them compatible with the dynamic society. Particular mention may be made of the Town Improvement Act which empowers RAJUK to prepare Master Plan. Nowadays, Master Plan concept has become obsolete and three tier development plans in the form of Structure Plan, Urban Area Plan/Development Management Plan and Detailed Area plans are prepared through out the world. This has to be accommodated in the Town Improvement Act.

Recommendations have been made to implement DAP through Action Area Plans with people's participation. This is a new concept for Dhaka. Hence it requires legal coverage and thereby it is necessary to enact new law for this purpose. In the process following acts are required to be reviewed:

- Town Improvement Act, 1953
- Building Construction Act, 1952

Formation of new policy and acts:

- National Urban Policy
- New Acts for Land development through:
 - Land Readjustment/Redevelopment/ Urban Renewal Techniques

6.2.4 Identification and Preparation of Policies for Non Conforming Uses

There have been many uses in various areas which do not conform to the Land use according to the Dhaka Structure Plan 1995-2015. Some of these have been identified as non conforming use and many of them have remained unidentified. RAJUK will have to take the initiative to identify and take necessary action against those uses as well as structures on case to case basis.

Similarly there have been many structures constructed in different places which do not conform to the Landuse of the area. These have been identified as non conforming use. Non-conforming use structures have to be relocated and structure use has to be changed to conforming uses according to the Landuse of the area. The authority should take immediate remedial measure in this respect. To implement these, legal coverage has to be included in the Town Improvement Act 1953 and other relevant acts and regulation.

6.2.5 Preparation of Action Area Plan

Mere preparation of Detailed Area Plan will not be sufficient. Securing Right of Way for circulation network and utility corridor needs huge funds which cannot be met from public exchequer. To minimize the cost of development, RAJUK should involve the land owners in the development process. This can be achieved by declaring some of the developing corridors as concession for development through people's participation where land-owners will become development partners and share the development cost through voluntary contribution of a portion of their land. RAJUK has to prepare Action Area Plan for those areas utilizing development techniques like Guided Land Development or Land Readjustment. RAJUK has to show strong determination and willingness as this is a very difficult task to accomplish involving hundreds of people. RAJUK has to increase its efficiency and do the work at the appropriate time. Some patches of land for Action Area Plan has been identified in different colors in Map No. 4.1.

6.2.6 Resolving Duality of Power in Granting Planning Permit

The Local Government Ordinance empowers the local government institutions (like Paurashava or Upzila Parishad) to issue plan permits. On the other hand, according to the Town Improvement Act, RAJUK is the authority within its jurisdiction area to grant building plan permits. This has given rise to duality in the performance of development control function resulting in chaos as RAJUK and local government institutes follow different rules. This issue should be resolved immediately.

6.2.7 Decentralization of RAJUK Function

RAJUK zonal offices should be more powerful and zonal offices should be set up at City Corporation, Paurashava and Upazila levels, if not at union level. The zonal offices should be given appropriate authority to enable them to handle development control function adequately.

6.2.8 Bringing Potential Areas for Urban Growth under Municipal Authority

There are many areas within RAJUK's jurisdiction without municipal authority coverage which makes management of utility provision very much difficult. Although these areas are under the authority of different Union Parishads, the Union Parishads are not capable enough or are not empowered to provide utility services to the inhabitants. These areas should be brought under municipal coverage both for utility management as well as effective development control.

6.2.9 Strengthening Planning Department of RAJUK

RAJUK's Planning Department especially Plan Preparation and Implementation wing should be equipped with sufficient number of qualified planners and logistics to enable them monitoring the development trend within the RAJUK area. This will help them effectively guide developments in preferred areas of urban expansion. Unfortunately, it is found that proposed RAJUK organogram recommends non-planners to men the Plan Preparation wing and Chief Town Planner placed below the status of Chief Engineer.

6.2.10 Co-ordination Among Related Authorities/Agencies

RAJUK should take initiative to foster better co-ordination among the stakeholders especially line agencies. Through this, RAJUK will be able to stop unauthorized construction by public sector agencies.

6.2.11 Enforcement of Law for Restoring Plan

There are many Acts and regulation for development and development control. Unfortunately there is no application of these Acts and regulation. In absence of enforcement, plan violation has become very common. As such efforts have to be made to ensure application of the existing acts and regulation in order to strengthen development control function.

6.2.12 Provision of Penalty for Plan Violation

There should be provision of punishment for violation of the plan provision by individuals as well as development and public sector agencies. Violation of planning provision makes it difficult to implement the plan properly.

6.2.13 Plan Review

RAJUK should take initiative to review the performance and functioning of the plan during the planning period. It should also make arrangement for regular updating of the plan. Provision should also be made to prepare fresh plans on expiry of a plan period.

6.2.14 Archiving of Planning Documents

The planning documents that are deposited in RAJUK should be stored at a secured and safe place and the documents should be uploaded in website because these are public property and uploading in web will prevent unauthorized alteration of the plan, too.

6.2.15 Computerization of Development Control Process

Through DAP the authority has been able to develop a very rich data base using advanced computer software prepared by the local experts. This indicates that the whole process of development control function can be operated through development of suitable computer software. On the other hand dissemination of information can be done efficiently through computer based system. Moreover, computerization of the development control process will help the authority in efficient, safe and reliable record keeping in a cost effective manner. As such, RAJUK should embark on computer based development control system through development of suitable computer software in this respect.

Chapter- 7

CONCLUSION

7.1 Conclusion

The Final Report speaks about the arrangements of the detailed development proposals and land use proposals of the Detailed Area Plan (DAP) for Airport-Demra Bypass Area (Location-6). This report proceeds with laying down the policy framework for preparation of the integrated plan and proposals for the most critical issues of the DAP area. Policy and proposals are mainly based on Structure Plan (1995-2015), policies and recommendations integrated with public and private sector commitments and opinions of the stakeholders. In some cases where the recommendations came in conflict with the changed situation or have been found unsuitable, necessary modifications were carried out. The proposals have been prepared in detailed showing them in specific way through land use plans and development proposals.

The road network proposals show the primary, secondary and local roads. Existing and new urban area have been pointed out in this report. The primary road which have been proposed in the Structure Plan also considered in this DAP. Some secondary roads for examples, Fayedabad-Beribadth road, Shah Kabir road, Shah Latif road, Asokana road, Kawla Bazar road and Khilkheth Namapara road are proposed for widening. Access roads which will be developed simultaneously according to the requirements of the locality.

Effective implementation of the DAP is the most important part of the total planning process. The process of execution needs to be carried out with care and efficiency in order to produce the best results. As the plans encompass almost all aspects of urban development, physical aspects to social aspects, it is necessary that all the stakeholders should be involved in carrying out the implementation of the plan proposal. Implementation of large number of development projects under the DAP, would require strong and capable management body.

The custodian of the DAP for DMDP area is RAJUK. Therefore, execution of substantial part of the DAP proposals will depend on RAJUK and it will also be in overall charge of controlling and monitoring the execution progress. So, the planning department of RAJUK has to be appropriately well and qualified staffed. For effective implementation of the DAP proposal, Planning Commission at national level must ensure that within the DAP area, no project will be approved which is contrary to the provisions of the approved DAP or fund allocated should not be done without clearance of RAJUK.

