

**A PROCLAMATION TO PROVIDE FOR URBAN PLAN**

WHEREAS it is necessary to have an urban development plan that make interface and alignment with the existing and the anticipated urban growth and policies and strategies of the country;

WHEREAS the proliferation of urban centers due to prevailing rapid urbanization needs to be regulated and guided by sound and visionary urban plans to make the urban centers convenient for residence and work;

WHEREAS it is necessary to make urban centers of the country, center of development and growth though strengthening urban-rural and urban-urban linkage and by creating aligned and balanced urban development in the country;

WHEREAS it is vital to create a favorable condition for the public and the private sector beside the public bodies to fully participate in the process of urban plan initiation, preparation and implementation;

WHEREAS it is necessary to regulate and monitor the development undertakings in urban centers shall be based on urban plan and shall not be detrimental to the general wellbeing of the public as well as the protection of the natural environment;

WHEREAS it is necessary to follow up and provide technical support for infrastructure network development of urban centers to ensure that it is in accordance with urban plan.

NOW, THEREFORE, in accordance with Article 55(1) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

**PART ONE**

**GENERAL PROVISIONS**

**1. Short Title**

This Proclamation may be cited as the “Urban Plan Proclamation No. \_\_\_\_\_/2017”.

**2. Definitions**

In this Proclamation, unless the context otherwise requires:

- 1/ “infrastructure network” includes transport network line such as road, railway, airport, dry ports and other service facilities; water supply, drainage and sewer lines; telecom and communication facilities; energy and power supply facilities; and the like;
- 2/ “Ministry” means the Ministry of Urban Development and Housing;
- 3/ “person” means any natural person or juridical body;

- 4/ “plan” means a legal document supported by maps and text report to guide urban development and urban system to achieve the anticipated objective and prepared for a predetermined period of time within delineated planning boundary of a country, regional states, urban center or rural growth centers;
- 5/ “Regional State” means any region referred to in Article 47(1) of the Constitution of the Federal Democratic Republic of Ethiopia and includes the Addis Ababa and Dire Dawa city administrations;
- 6/ “rural growth center” means any locality with a population less than 2000, and serves as center to supply socio-economic services and serve as administration center for environs;
- 7/ “urban administration” means an organ established by law to exercise the powers and functions of urban administration;
- 8/ “urban administration boundary” means an urban area administration boundary, directly falls under the jurisdiction of the urban administration, where its boundary and coverage area may be similar with or wider than the urban plan boundary and encompasses spaces that does not have land use plan;
- 9/ “urban plan boundary” means an urban area plan boundary where land use plan prepared and implemented based on the delineated map of the urban plan for a determined planning period; its boundary and coverage area may be similar with or inside the urban administrative boundary;
- 10/ “urban center” means any locality having municipal administration or a population of 2000 or more, of which 50% of its labor force is primarily engaged in non-agricultural activities;
- 11/ “violation of plan” include unauthorized change and implementation of the approved land use plan functions and violations of other provisions;
- 12/ any expression in the masculine gender includes the feminine.

### **3. Scope of Application**

This Proclamation shall be applicable on national and regional urban development spatial plan; city-wide urban plan and sketch plan preparation and implementation.

### **4. Basic Principles**

Any process of urban plan preparation and implementation in accordance with this Proclamation shall consider the following basic principles:

- 1/ consideration of policies, strategies and programs which are prepared at national and regional levels;
- 2/ consideration of urban-rural and urban-urban linkages;

- 3/ leading urban plan preparation and implementation through public and stakeholders' active participation and ownership;
- 4/ preservation and restoration of archeological, historical and heritages as well other natural resources that need due attention;
- 5/ consideration of continuity of sustainable socio-economic life of the displaced citizens as a result of development at urban expansion and urban redevelopment areas in the process of urban plan preparation and implementation;
- 6/ consideration of optimal densification so as to use land efficiently;
- 7/ consideration of making urban centers resilient to climate changes, clean from pollution and furnished with green infrastructure.

## **PART TWO**

### **BOUNDARY OF URBAN, BASE MAP AND HIERARCHY OF PLAN**

#### **5. Boundary of Urban Centers**

- 1/ Urban centers shall have their own distinct and demarcated urban administrative boundary which is the same with urban plan boundary or with wider coverage area than urban plan boundaries.
- 2/ Urban administrative boundary of urban center shall be delineated through creating common understanding among urban administrations and other pertinent adjusted administrative bodies.
- 3/ If delineation of urban plan boundary of urban center is not possible pursuant to sub-article (2) of this Article, concerned higher administrative bodies shall give decision.

#### **6. Base Map**

- 1/ Base map shall portray the topographic features of a particular area, basically information of man-made and natural features.
- 2/ Updated base map shall be prepared using modern surveying tools and technologies for the preparation of any urban plan.
- 3/ Base maps preparation shall have uniformity and aligned with the national geodetic network system.
- 4/ Secure ground control points to be used of base map preparation shall be fixed in different places with optimal number and density.

#### **7. Hierarchy of Plan**

In accordance with this Proclamation there shall be the following hierarchies of plans:

- 1/ national urban development spatial plan;
- 2/ regional urban development spatial plan;
- 3/ city-wide plan;
- 4/ sketch plan.

## **8. National Urban Development Spatial Plan**

- 1/ National urban development spatial plan is a type of plan portrays national level urban development and urban system and shall have the following components:
  - a) major development corridors, the country's urban system, land use system of the country based on national policies, strategies and programs;
  - b) urban-rural and urban-urban linkage;
  - c) development potential resources, industrial sites, infrastructure networks, growth poles, water bodies, forests, mineral sites, heritage and tourism areas and the like;
  - d) continental and international integration explanatory notes;
  - e) documents supported by maps and text reports.
- 2/ Any national urban development spatial plan shall be valid for a period of 20 to 40 years from the date of its approval.

## **9. Regional Urban Development Spatial Plan**

- 1/ Regional urban development spatial plan is a type of plan portrays the regional urban development and urban system and it shall have the following components:
  - a) major development corridors, regional urban system and future land use system of the region based on national and regional policies, strategies and programs;
  - b) urban-rural and urban-urban linkage;
  - c) development potentials resources, industrial sites, infrastructure networks, growth poles, water bodies, forests, mineral sites, heritage and tourism areas and the like at regional level;
  - d) inter-regional integration explanatory notes;
  - e) documents supported by maps and text reports.
- 2/ Any regional urban development spatial plan shall be valid for a period of 20 to 40 years from the date of its approval.

**10. City-wide Plan and Detail Implementation Plans**

- 1/ City-wide plan are plans prepared at urban level and contain the following types plan:-
  - a) structure plan;
  - b) strategic plan;
  - c) basic plan;
  - d) sketch plan
- 2/ Detailed implementation plans, that are to be used to implement the structure or strategic plans, contain the following types plan:-
  - a) neighborhood development plan;
  - b) urban design.

**11. Structure Plan**

- 1/ A structure plan shall be prepared for urban centers having population number more than 100,000 and it shall have the following components:
  - a) balanced social, economic, physical and environmental growth;
  - b) linkage of the urban center with its nearby rural hinterlands and other urban centers;
  - c) the magnitude and growth direction of the urban center;
  - d) principal land use functions; roads and other infrastructural networks;
  - e) institutional setup, budget and the implementation scheme;
  - f) have documents supported by maps and text reports.
- 2/ During the preparation of structure plan, as a showcase, at least two neighborhood development plans shall be prepared in two sections of the urban center.
- 3/ Any structure plan shall be valid for a period of 10 years from the date of its approval.

**12. Strategic Plan**

- 1/ A strategic plan shall be prepared for urban centers with population of 20,000 to 100,000 and it shall have the following components:
  - a) balanced social, economic, physical and environmental growth;
  - b) linkages of the urban center with its nearby rural hinterlands and other urban centers;

- c) the magnitude and growth direction of the urban center;
- d) principal land use functions; roads and other infrastructural networks;
- e) detailed urban institutional setup, budget and the implementation scheme;
- f) documents supported by maps and text reports.

2/ During the preparation of strategic plan, as a showcase, one neighborhood development plan shall be prepared.

3/ Any strategic plan shall be valid for a period of 10 years from the date of approval.

### **13. Basic Plan**

1/ A basic plan, which is directly to be implementable without the need for neighborhood development plan, shall be prepared for urban centers with population of 2000 to 19,999 and contain the following components:

- a) detail socio-economic studies;
- b) detail land use functions; roads and other infrastructure networks;
- c) linkages of the urban center with its nearby rural hinterlands and other urban centers;
- d) the magnitude and growth direction of the urban center;
- e) institutional setup, budget and the implementation scheme;
- f) documents supported by maps and text reports.

2/ Any basic plan shall be valid for a period of 5 to 10 years from the date of its approval.

### **14. Neighborhood Development Plan**

1/ Neighborhood development plan is detail implementation plan prepared to implement structure or strategic plans of urban centers, and shall contain the following components:

- a) detailed land use, building height, density of the site, the nature of roads and infrastructure network;
- b) housing typology and organization of the neighborhood;
- c) urban sites that need renovation and upgrading as well as detail social, economic, physical and environmental studies;
- d) institutional setup, budget and the implementation scheme;

- 2/ Any neighborhood development plans that are prepared adjacently at the same time or otherwise shall create alignment and compatibility with each other.
- 3/ The neighborhood development plan shall serve in conformity with validity period of the structure plan or strategic plan.

**15. Urban Design**

- 1/ Urban design shall be prepared based on neighborhood development plan and shall have the following components:
  - a) building set-up and height;
  - b) construction inputs of buildings and paintings;
  - c) elements that could beautify public spaces, settings of roundabouts, monuments;
  - d) transport and other service provision facilities.
- 2/ Urban design shall be prepared in core areas of the city that have major significant contribution for social, economic, cultural, greenery development of the urban with a view of making sites attractive.
- 3/ Urban design shall serve in conformity with validity period of the neighborhood development plan.

**16. Sketch Plan**

- 1/ Sketch plan shall be prepared for rural growth center with population of less than 2000 and shall have the following components:
  - a) general growth direction of a given rural growth center;
  - b) major land use functions;
  - c) roads and other infrastructure networks.
- 2/ Sites selected for rural growth center shall have a soil type conducive for construction, be accessible to water sources, not dispose of fertile arable land and shall be appropriate centers for surrounding rural areas.
- 3/ Any sketch plan shall be valid for a period of 5 to 10 years from the date of its approval.

**PART THREE**

**URBAN PLAN PREPARATION AND IMPLEMENTATION**

**17. Urban Plan Initiation and Preparation**

- 1/ Dwellers, stakeholders or any concerned body may initiate the preparation of urban plan or detailed implementation plan.

- 2/ Adequate awareness creation activity shall be conducted to urban dwellers and stakeholders on desired objective, before commencement of any urban plan preparation.
- 3/ An initiation for urban plan preparation shall be implemented when it is approved by an authorized body.
- 4/ During urban plan preparation there shall be a distinct and independent infrastructure network system plan along with explanatory report.
- 5/ Development activities carried on may be suspended by authorized body when public interest requires change of land use function during urban plan preparation.
- 6/ Any person whose development activity is suspended pursuant to sub-article (5) of this Article shall be treated by appropriate compensation laws.

**18. Approval of Plans**

- 1/ National urban development spatial plan shall be approved by the Federal Government.
- 2/ Regional urban development spatial plan shall be approved by Regional State.
- 3/ City-wide urban plan and detail implementation plan shall be approved by urban councils.
- 4/ Notwithstanding the provision of sub-article (3) of this Article, plan that have no urban councils or rural growth center' sketch plan shall be approved by concerned woreda council.

**19. Publicity of Approved Plans and Copy provision**

- 1/ Approved plans or detailed implementation plans shall be widely familiarized to the public by using any available means of communication.
- 2/ Approved plans or detail implementation plans shall be delivered to concerned bodies.
- 3/ Copies of the approved plans or detail implementation plans shall be provided upon request to any person who has interest in the plan.

**20. Implementation of Plans**

- 1/ There shall be clear directives and working procedures to support the implementation of plans or detail implementation plans.
- 2/ Necessary budget, human resource, logistics and technology shall be fulfilled to implement approved plan.
- 3/ Development of infrastructure network shall be based on the approved plan of the given urban center.



**21. Revision and Modification of Plans and Detail Implementation Plans**

- 1/ Plans may be revised before expiry of its validity period by presenting to the authorized body and upon getting permission.
- 2/ Any approved plan shall be revised before expiry of its validity period and immediately be replaced by the new plan upon expiry of its validity period.
- 3/ If revision of plans work is not completed, in accordance to sub-article (2) of this Article, a body approved the plan before, may extend the existing plan implementation period for not more than two years.
- 4/ If land use function change is found necessary for the public interest, modification of land use function is possible by presenting the plan to the authorized body and upon getting permission.

**PART FOUR**  
**POWERS AND DUTIES OF DIFFERENT ORGANS**

**22. Powers and Duties of the Ministry**

Without prejudice to the powers and duties provided under other laws, the Ministry shall have the powers and duties to:

- 1/ follow up the proper implementation of this Proclamation, regulations and directives issued pursuant to this Proclamation all over the regions; and provide support to rectify where problems exist.
- 2/ follow up provision of technical and capacity building support to regions.
- 3/ follow up and support institutions working on plans.

**23. Powers and Duties of Regional States**

Without prejudice to the powers and duties provided under other laws, each Region State shall have the following powers and duties:

- 1/ direct and coordinate its entire activities in accordance with this Proclamation and establish conducive organizational structure;
- 2/ prepare its regional urban development spatial plan in conformity with the national urban development spatial plan;
- 3/ may issue its regional laws in conformity with this Proclamation.

**24. Power and Duties of Urban Administration**

Without prejudice to the powers and duties provided under other laws, each urban administration shall have the following powers and duties:

- 1/ prepare or cause the preparation of city-wide urban plans or detail implementation plans in conformity with the regional and national urban spatial development plans, as may be appropriate;
- 2/ prepare implementation strategies to implement approved city-wide urban plans or detail implementation plans;
- 3/ monitor and evaluate preparation and implementation of city-wide plans;
- 4/ direct and coordinate its entire activities in accordance with this Proclamation and establish necessary organizational structure.

**25. Power and Duties of Woreda Administration**

Without prejudice to the powers and duties provided under other laws, each woreda administration shall have the following powers and duties:

- 1/ follow up and support plan preparation and implementation for urban centers, which are accountable to the Woreda, and rural growth centers;
- 2/ prepare plans for urban centers which have no urban council and sketch plans for rural growth centers;
- 3/ after approval, in accordance to sub-article (2) of this Article, cause the preparation of implementation strategy and conducive organizational structure to implement approved plans or sketch plans.

**PART FIVE**  
**MISCELLANEOUS PROVISIONS**

**26. Penalty**

- 1/ Any officer or employee who is in charge of implementing this Proclamation and regulations and directives issued hereunder with the intent to obtain for himself or to procure for another person undue advantage:
  - a) implements plans which has not been approved by an authorized body or implement plans after laps of expiry period or implement any suspended plan shall, without prejudice to the nullification implemented plan, be punished with rigorous imprisonment of 3 to 7years and with a fine from Birr 50, 000 up to Birr 100,000;
  - b) involves in the act of violation of an approved plan or induces violation or who provides distorted information with the intent of causing violation on approved plan, shall be punished with rigorous imprisonment of 5 to 10 years and with a fine from Birr 50,000 up to Birr 150,000;
  - c) verifies or cause rectification of plans or detail implementation plans which is not prepared pursuant to law or procedurally in accordance with the established working standards and criteria shall be punished with rigorous imprisonment from 3 to 5 years and with a fine from *Birr* 10,000 up to *Birr* 50,000.

- 2/ Any person with the intent to obtain for himself or to procure for another person undue advantage, involves in the act of violation of plan or induces violation or who provides distorted information with the intent of causing violation on plan or present false document shall be punished with rigorous imprisonment from 3 to 10 years and with a fine from *Birr* 50,000 up to *Birr* 100,000.

**27. Duty to Cooperate**

Any person shall have the duty to cooperate for the implementation of this Proclamation.

**28. Repealed and Inapplicable Laws**

- 1/ Urban Planning Proclamation No. 574/2008 is hereby repealed.
- 2/ No law or customary practice shall, in so far as it is inconsistent with the provisions of this Proclamation, be applicable with respect to matters covered under this Proclamation.

**29. Power to Issue Regulation and Directive**

- 1/ The Councils of Ministers may issue regulation for the implementation of this Proclamation.
- 2/ The Ministry may issue directives to implement this Proclamation and regulations issued pursuant to sub-article (1) of this Article.

**30. Effective Date**

This Proclamation may enter into force on the date of its publication in the *Federal Negarit Gazette*.

Done at Addis Ababa, this ----day of April, 2017

MULATU TESHOME (Dr.)  
PRESIDENT OF THE FEDERAL DEMOCRATIC  
REPUBLIC OF ETHIOPIA