



Supplementary note on the Peer review of the 2025 Draft Building By-law for Amman, Jordan

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The Peer review of the 2025 Draft By-law on Building Permits and Construction Oversight for Amman, Jordan ("Draft Building By-law") discusses the By-law's legislative, technical, and operational aspects in detail. This note provides comments that supplement the report and highlight key issues that the municipality is recommended to take into consideration in the proposed regulation.

Legislative relationships

Relationship with Planning and Zoning By-law: The *Draft Building By-law's* relationship with the *Draft Planning and Zoning By-law* has yet to be established clearly in both its scope and reflected in its provisions. As zoning and building regulations have been under one combined by-law for the past decades, splitting them into two by-laws, as is currently being suggested, needs to ensure that their provisions still speak to each other. Think of this legislative splitting of the two by-laws into *two twin by-laws*, not *two separate by-laws*. As a result, it is recommended that a general provision be included at the end of the *Draft Building By-law* stipulating that the two by-laws be read in tandem, and the same be reflected in the *Draft Planning and Zoning By-law*. On a more detailed level, both by-laws need to be further harmonised in the language of their provisions. This applies to consistency in using key terms and provisions and avoiding term duplication (among other aspects). Consider the issue of density, for example. In terms of definitions, there are two definitions of density in the *Draft Planning and Zoning By-law*, which are repeated in the *Draft Building By-law*. There is no definition in either for the 'density formula whilst it is mentioned in the *Draft Building By-law*. In terms of provisions and scope, the scope of each by-law's (collaborative) input and coordination over density provisions remains unclear in each by-law.

Relationship with Professional Licensing Law: The *Draft Building By-law* provisions discuss building licenses and permits at length. This is reflected in its full name: the *Draft Building Permits and Construction Oversight By-law*. Its legislative relationship with the *Law of Professional Licensing within the Boundaries of the Greater Amman Municipality No. 11 for 2022*, however, is unclear as the law is not mentioned in any of its articles.

Processual processes

Integration of process of planning regulation and building regulation: As the two by-laws shall work in tandem, operational processes within both should be harmonious and not result in operational silos. As operational aspects stand, it is unclear how the Greater Amman Municipality (GAM) shall operate in processing applications that require joint zoning and building input. The

operation and coordination between both zoning and building departments is unclear under the new internal governance setup both by-laws are proposing. The internal governance setup remains general. Following this, it is recommended that all processes outlined in both by-laws be revised in parallel to examine how the two by-laws are operationalised and changing current-day-to-day processes for development and licensing applications. This revision can help identify the anticipated operational efficiencies that can be introduced, redundancies that can be removed, or deficiencies that can be corrected.

Instatement of a Specialised Internal Unit: As part of the new governance changes, a specialised internal authority is instated as a key body that processes applications. The mandate of the Specialised Internal Unit stipulated across both the *Draft Planning and Zoning By-law* and the *Draft Building By-law* needs thorough reconsideration for multiple reasons. First, the Specialised Internal Unit is established under the *Draft Planning and Zoning By-law* as a body under the Planning and Economic Development Sector (which houses both the Planning Directorate and the Licensing Directorate). However, it has a heavy inclination towards planning applications with no explicit, verbatim mention of its role in licensing applications. Furthermore, there is no clarity as to whether the Specialised Internal Unit is in fact two separate units, one for each of the directorates under the Planning and Economic Development Sector or a single unit for both directorates. The unit has been separately defined in the *Draft Building By-law* without listing its responsibilities under one explicit article similar to the *Draft Planning and Zoning By-law*. Second, the *Draft Building By-law* mentions the Specialised Internal Unit powers, including issuing certificates, in scattered provisions. In case the unit is one joint unit, there is no reference to these powers under the *Draft Planning and Zoning By-law*. In case it is a separate unit, there needs to be clarification regarding the relationship between the two units. Third, in case the Specialised Internal Unit is a single, joint unit, there is uncertainty regarding the representation of the Licensing Directorate under the team membership as the *Draft Planning and Zoning By-law* ties the unit with the Planning Directorate and is silent on the involvement of the Licensing Directorate. These outlined issues are risky for multiple reasons: (a) they legally institute operational silos when applying both by-laws rather than instituting a clear collaborative relationship between both directorates (which is an issue of concern with splitting the currently active Zoning and Building By-law into two separate, rather than twin, regulations), (b) the ambivalent role of the Licensing Directorate in a potentially separate Specialised Internal Unit can affect efficiency in processing applications, and (c) they increase miscommunication between the two directorates especially regarding applications that require joint input. Accordingly, it is recommended that this uncertainty be clarified in both by-laws through several measures by elaborating and revisiting all provisions concerning the Specialised Internal Unit's role across both by-laws to account for the issues raised here.

Development rights

Alteration of development rights in apartment buildings: The *Draft Building By-law* proposes a significant change to development rights granted for apartment buildings (multi-unit residential buildings). These multi-unit apartment buildings have a certain typology that has been used to develop a large swath of such buildings. These buildings are typically 4 floors high on plots with no slope. They can include extra below-grade floors in cases of plots lying on sloped land. The rooftops of these buildings have been a main form of controversy among different stakeholders since there have been strong pushes towards granting developers the right to legalise many violations in which structures have been flipped into a fifth floor. After long deliberations, with the Prime Ministry's involvement, the regulations of rooftops have been set out through consensual agreements among stakeholders under the revised *Building and Planning By-law* of 2019. The cancellation of a front set back may seem like a simple change, but it has large ramifications as it would set a path for constructing a fifth floor within existing buildings which aren't necessarily adept for expansions, or new construction in stable areas, and reverse consensus on a contentious issue.

Typological and architectural aspects

Introduction of housing typologies: The *Building By-law* charts two types of housing typologies: stand-alone buildings (villas) and multi-unit buildings (apartment buildings). These house types are charted in the definition with no further subsequent provisions in the draft regulation. Given Amman's continuous expansion, it would be worth considering the regulation of new housing typologies, including semidetached housing buildings, row housing, and so forth. If applied, this would reflect in both the *Planning and Zoning By-law* and the *Building By-law*. While the existing built-up building stock in Amman already exhibits some of these typologies, its usage is limited and requires special regulation. Introducing new typologies shall contribute to more economic methods of utilising land.

Architectural and aesthetic considerations: The *Draft Building By-law* still needs to provide architects with sufficient freedom to accommodate creativity. This includes considering the implications of introducing a more liberal use of the floor-area-ratio (FAR) as a tool to control development. Additionally, the implications of architectural elements, colours, and materials regulated in the *Draft Building By-law* should be assessed for their practicality for architects wishing to incorporate creative forms of building design. For example, overhead shades for car parking spots are mandated as slated surfaces wherein certain architectural design aesthetics – such as minimalist architectural design – may result in architects finding themselves restricted by such a definition. Also, there are no provisions for these shades.

Heritage buildings and building retrofit and regeneration: There are economic opportunities and social benefits in retrofitting buildings and regenerating the old building stock. These include the upgrading and reusing of abandoned or dilapidated buildings in the city core and other areas to ensure neighbourhoods remain lively and the existing building stock is used efficiently. While the *Draft By-law* provides some provisions regarding heritage buildings, these remain minimal and are shy on addressing the city's increasing old building stock. It is recommended that the *Draft By-law* establishes a City Heritage Building Register that specifies the different building designations graded according to historical and heritage significance. This would build on the GAM's earlier efforts towards developing the register and provide legally backed tools for GAM to enforce.

Harmonious building uses

Licensing compatible uses versus incompatible uses: A key aspect to provide coherent and liveable urban areas is to ensure uses within the areas at large, within land plots, and within single building structures, are compatible. While general uses are outlined under the provisions of the *Draft Planning and Zoning By-law*, licenses are under the purview of the *Draft Building By-Law*. Licenses are also stipulated under the *Law of Professional Licensing within the Boundaries of the Greater Amman Municipality No. 11 for 2022* (as mentioned earlier in the note). Primary uses, secondary uses, and incompatible/nonconforming uses are recommended to be included under the *Draft Building By-Law*. This will ensure that GAM has control over uses that should not be located simultaneously in buildings for various aesthetic, economic, operational, and safety reasons.

Sustainability in building stock

Ensure accommodation of climate resilience considerations: Given that buildings play a key role in catering to climate resiliency in cities, it is recommended that the *Draft Building By-law* factor in the integration of climate-resilient elements in building design and the licensing of these elements (for example, greywater systems, etc.). This shall promise to enable more widespread uptake of sustainable building solutions beyond the *Jordan Green Building Guide* (prepared by the Jordan National Building Council), which is not a municipal regulation.

Representation and inclusivity

Involvement of city residents: The *Draft Building By-law*, together with its related regulation—the *Draft Planning and Zoning By-law*—marginalise the involvement of city residents in city developments of interest by the cancellation of elected members from the membership of Local Committees. These committees, previously present in each municipal district, provided a platform for residents to participate in decision-making through their elected municipal representatives. While reasons for the cancellation of Local Committees were made on the grounds that these committees focus on purely technical reviews, it is recommended that alternative mechanisms for community engagement, under an advisory capacity or otherwise, be developed. [See also discussion and recommendations in this regard in the [Peer review of the 2025 Draft Planning and Zoning By-law for the City of Amman, Jordan](#) report.]