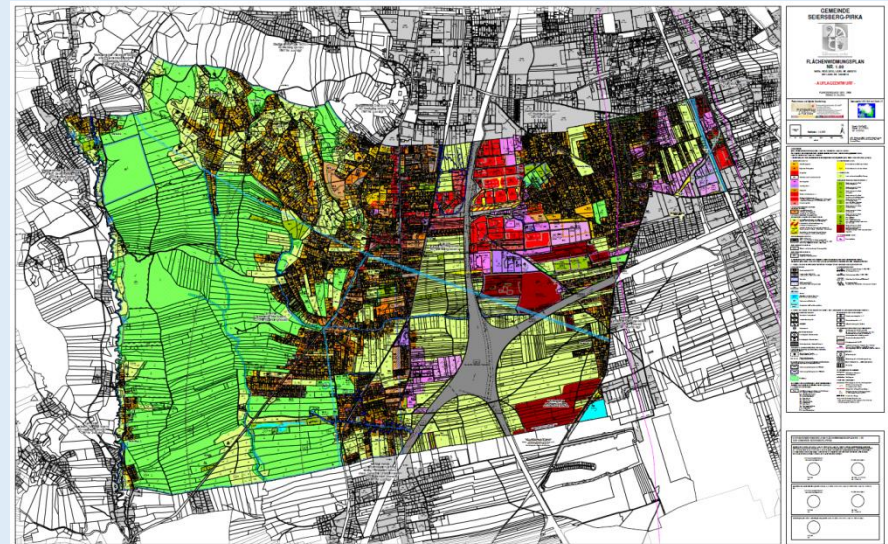
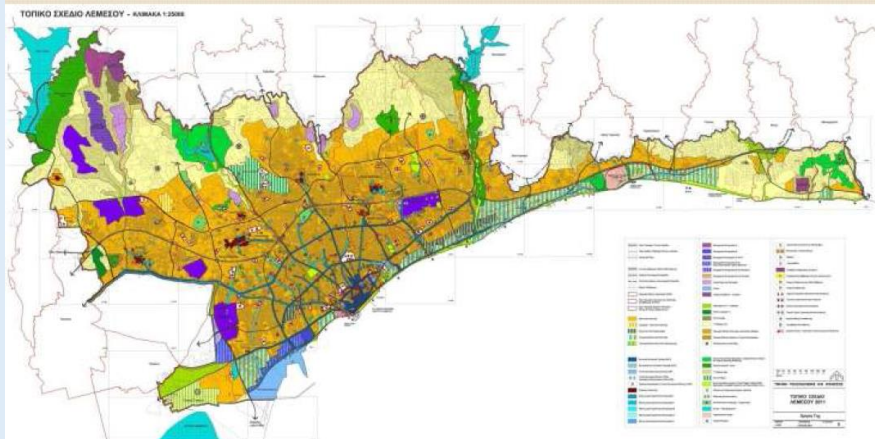


# Permitting and Building Control Procedures

## 4.2 Zoning and Planning

Limassol Local Plan - Land uses



Christine Schwabinger

## 4.2.1 Introduction – results of final report

- Review of TCP law from Cyprus with all amendments, regulations and parts of Streets and building regulations
- Interim report
- Ideas and suggestions from stakeholders and working group from 2nd and 3rd mission
- Experiences from expert in working with Austrian (Styrian) planning law
- Experiences from working in european projects about spatial planning
- Literature and law review concerning planning instruments from Austria, Germany and Sweden

## 4.2.1 Introduction – results of final report

- More or less radical change of law is wanted (needed)
- Structural change, readable law,
- Proposal for table of content of a new law
- Comparison of other European planning laws
- Advantages – disadvantages
- Short, middle and long term changes
- Proposals for additional planning instrument(s)
- Fasten the process, decrease number of checking authorities
- Proposal of reducing planning permits

## 4.2.2 Planning systems, instruments and procedures in Austria, Germany and Sweden

Acts/regulations	Austria	Germany	Sweden
National act/code	<p>No</p> <p>ÖROK: Austrian Conference on Spatial Planning coordinates the spatial planning for Austria</p> <p>Hierarchical system</p>	<p>Yes</p> <p><b>Federal Spatial planning act (2008)</b></p> <p>Framework legislation for Germany, principles, definitions and environmental assessment issues</p> <p>Hierarchical system</p>	<p>Yes but municipal planning is an extended autonomy from state</p> <p>Planning acts for changes of land use and physical environment <b>1987</b>:</p> <ul style="list-style-type: none"> <li>-Natural resource act</li> <li>-Environment code</li> <li>-<b>Planning and Building Act</b></li> </ul> <p>General requirements and regulations, hierarch. system</p>
<i>National plan</i>	<i>no</i>	<i>Possible (overall infrastructure etc.)</i>	<i>No but comprehensive plan (general overview)</i>
State act	<p><b>Spatial planning acts</b> (laws) and or building codes, acts (According to Article 15 of the federal constitution) <b>Spatial planning law Styria 2010</b>, version of 2015</p>	<p>Principles and binding goals in spatial structure plans</p>	<p>Inter-municipal coordination for preparation of municipality plans</p>
<i>State plan (Landesplan)</i>	<i>no</i> , but a State development programme e.g. Styria	<i>Yes – state development plan</i>	<i>No</i>

## 4.2.2 Planning systems, instruments and procedures in Austria, Germany and Sweden

Acts/regulations	Austria	Germany	Sweden
Regional act	<b>Regional development concept</b> for the regions (binding)	Objectives and intentions of regions	Regional planning to coordinate municipal planning
Regional plan	Yes in some states	Yes sometimes	Yes e.g. in Stockholm area (for areas covering several munic.)
Municipality/local level	in charge of the spatial planning of their area	<b>Federal building code</b> (1960) version of 2015, munic. are in charge	in charge of the spatial planning
<i>Planning instruments:</i>	<i>Local development concept, development plan and general principle plan for building reg.</i>	<i>Urban development plan</i>	<i>Structure Plan</i>
	<i>Land use map/plan</i>	<i>preparing land use plan</i>	<i>Special area regulation/detailed development plan</i>
	<i>Zoning map</i>	<i>Binding land use plan</i>	<i>Property regulation plan</i>

## 4.2.3 General settings of the structure of the law – proposals

- Radical change of law, complete TCP law (all instruments)
- Top down structure for planning instruments
- Definitions in law at beginning
- Installing working groups for content of law
- Basic principles in law (concerning landscape, environment, climate issues,.....)
- Implementation of provisions according to European directives (environmental assessment proof)
- Guidelines for specific topics, training guidelines
- Building and construction issues deleted from TCP law

## 4.2.4 Planning Instruments - proposals

- Island plan, national plan (and or regional plan) as a general overview, with general recommendations, avoiding too much political influence on munic. level
- Top down planning systems (binding!)
- Local plans in Cyprus are high quality plans
- Zoning map (maybe less detailed)
- Detailed zoning map (for some areas)
- Area scheme (advantage-disadvantage) → as a kind of fast change of a planning area
- Statement of Policy with stricter regulations – like open space regulations
- Outline Planning Permissions (where no local maps), issues like landuse, density, provisions of adequate infrastructure on a masterplan basis – as a certain degree of certainty to applicant, for large scale and special projects

## 4.2.5 Who is the planning – who is the checking authority? - proposals

- Chamber of architects gives guidelines for minimum time of practise of planners (3-5 years e.g.)
- Updating knowledge by training (handbook)
- Experts in planning authorities need a regular training and seminars on planning
- Statements to planning issues from different departments in the same time (4-8 weeks)
- Reducing the amount of planning authorities
- Time set in which authorities needs to fininish the review of plans



## 4.2.6 Procedures, planning permission - proposals

- Separating local plans, zoning maps and having detailed zoning maps (for bigger areas)
- Double checking of authorities is positiv, but should be done at same time
- In many European countries no planning permit needed for small projects (?)
- Touristprojects: coordination between planning and touristic department
- Title deed: in Austria the owner of real estate which has to be developped can apply for changes in plan before he sells the plot (Cyprus system?)

## 4.2.7 Final recommendations - table of content of TCP law

### Suggestion for an outline, table of content of the new Town and Country Planning Law

- § 1 Area of application
- § 2 Definitions of used terms
- § 3 Basic rules of Spatial planning
- § 4 Environmental assessment proof
- § 5 National and Regional planning framework and general settings
- § 6 Spatial planning (general issues)
- § 7 Spatial planning instruments (island plan, local plan, area scheme, zoning map, detailed zoning map, policy statement) – Description of the instrument, the area of application and its determined content
- § 8 Differences of building areas (settlement area, industrial area, agricultural area, touristic area, sports and recreation areas etc.)
- § 9 Planning procedures per planning instrument
- § 10 Planning authorities for different planning instruments
- § 11 Fees
- .....

## 4.2.7 Final recommendations - term changes

### Short, middle and long term changes

	Short term	Middle term	Long term
<b>Structural reform:</b>			
Adding all regulations and amendments in one law together	X		
Restructuring the law	X		
Setting a new outline, table of content	X		
Putting definitions of the used terms at the beginning of the law	X		
Setting a separate chapter for planning processes and for authorities in charge	X		
Strict separating of building and planning regulations in 2 laws	X		
Setting general basic principles in the law	X		
Putting Zoning map regulations into TPL	X		
Deleting health and safety regulations from TPL	X		
Content/New Systems/Guidelines			
Installing detailed zoning maps		X	
Top down system in Planning			X
Setting determinations according to the European directives concerning environment assessment		X	
Producing guidelines as a help for planners, concerning different planning issues		X	X
Outline Planning Permission	X		

## 4.2.7 Final recommendations - term changes

### Advantages and disadvantages of planning systems, Deviations....

Topic	Advantages	Disadvantages
New structure of the existing law instead of just adding all amendments	It makes the law easier to read for people who are not daily involved in planning	Will take some time to get used to the new structure
Deleting building regulations from the TPL and putting in determinations about zoning maps from the Streets and Building Regulation	In that way all the planning issues concerning spatial planning with all planning instruments are gathered in one law	
Top down system in Planning	A top down system in the meaning that general regulations for whole Cyprus are set e.g. and the local plan, area scheme and zoning map have to fit to these regulations makes it easier for political decisions and no deviations can occur	It will last longer to install such a system or to adapt the existing planning regulations
Installing a new planning instrument like a detailed zoning map (DZM) – making the zoning maps less detailed	To have a DZM for some areas it makes it easier for necessary changings which might come up. If the zoning map is not too detailed it is a more or less general overview with not too detailed planning and changes are getting less, safes a lot of time	A further planning instrument needs to be developed, this could raise the planning costs.

### Advantages and disadvantages of planning systems, Deviations....

Topic	Advantages	Disadvantages
New structure of the existing law instead of just adding all amendments	It makes the law easier to read for people who are not daily involved in planning	Will take some time to get used to the new structure
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## 4.2.7 Final recommendations advantage, disadvantages, deviations

### Advantages and disadvantages of planning systems, Deviations....

Topic	Advantages	Disadvantages
National plan	A national plan can give a kind of general setting for specific topics like the infrastructure	A national plan cannot be that detailed like the local plans
Regional plans	A regional plan can give very important determinations about restricted areas (priority zones for agriculture, green areas, industrial areas...) for specific areas (regions), which are covering more municipalities.	A regional plan cannot be that detailed like the local plans
Trainings for planners, guidelines, implanting them in working groups for Planning Issues	Will raise the quality of planning	Costs time for those who organise it etc.
Deviations in planning		There is no advantage for any deviation. Deviations can cause neighbourhood problems, e.g. in Zoning maps the height of building is higher than determined (Shadow).....
Reducing the amount of checking authorities, checking at the same time period	Reduces the time from planning to building permit, gives a more or less better overview	can cost jobs
Outline planning permission	Providing a certain degree of certainty to applicant, planning possibility where no local plans	Not for all projects, not for all areas, urban sprawl
Reducing amounts of planning permits	More staff resources in TP Department for fastening process	

## 4.2.7 Final recommendations – replacement of planning permits

### Proposal for the replacement of planning permits

- In the Zoning map of the local plan (which is a land-use map including some overall information about heights of buildings, distances, storeys etc.) for larger areas (> 5000 m<sup>2</sup>) a separate detailed zoning map should be determined.
- If a detailed zoning map is (already) determined for the plot of the project, the designer can immediately start his design work and proceed with an application for a building permit (if needed).
- If no detailed zoning map is (yet) determined for the plot of the project, or if the plot itself is less than 5000 m<sup>2</sup>, the competent authority defines the planning conditions in a “planning decision”. This planning decision shall be issued within deadline of 8 weeks, and its validity is limited to one year. Based on this decision the designer can start his design work and proceed with an application for a building permit (if needed).
- The planning decision is no individual legal act addressed to the applicant, but a general act for the piece of land of the plot.
- For minor projects, e.g. small huts, small to medium residential buildings (to be determined) could be exempted from the need of a planning decision.

## 4.2.7 Final recommendations – comparison Cyprus planning now - future

### Comparison of spatial planning instruments in Cyprus and proposal for new instruments

Acts/regulations	Cyprus 2017	Cyprus future
<b>National act/code</b>	<p>Yes</p> <p>Town and Country Planning Law (version 2015)</p> <p>Framework legislation for Cyprus, principles, definitions and environmental assessment issues</p>	<p>Yes</p> <p>Town and Country Planning Law (version 20..)</p> <p>Framework legislation for Cyprus, principles, definitions and environ-mental assessment issues</p> <p>Hierarchical system (top down)</p>
<b>National plan</b>	Island plan, never enacted	Island plan
<b>Regional act</b>	no	
<b>Regional plan</b>	No?	
<b>Municipality/local level</b>	in charge of the spatial planning of their area/TP dep.	
<b>Planning instruments:</b>	Local plan	Local plan
	Zoning map	Zoning map
	Area scheme	Area scheme?
	Policy statement	Policy statement?
		Detailed zoning map
		Outline planning Permission



Thanks for your attention

Contact:

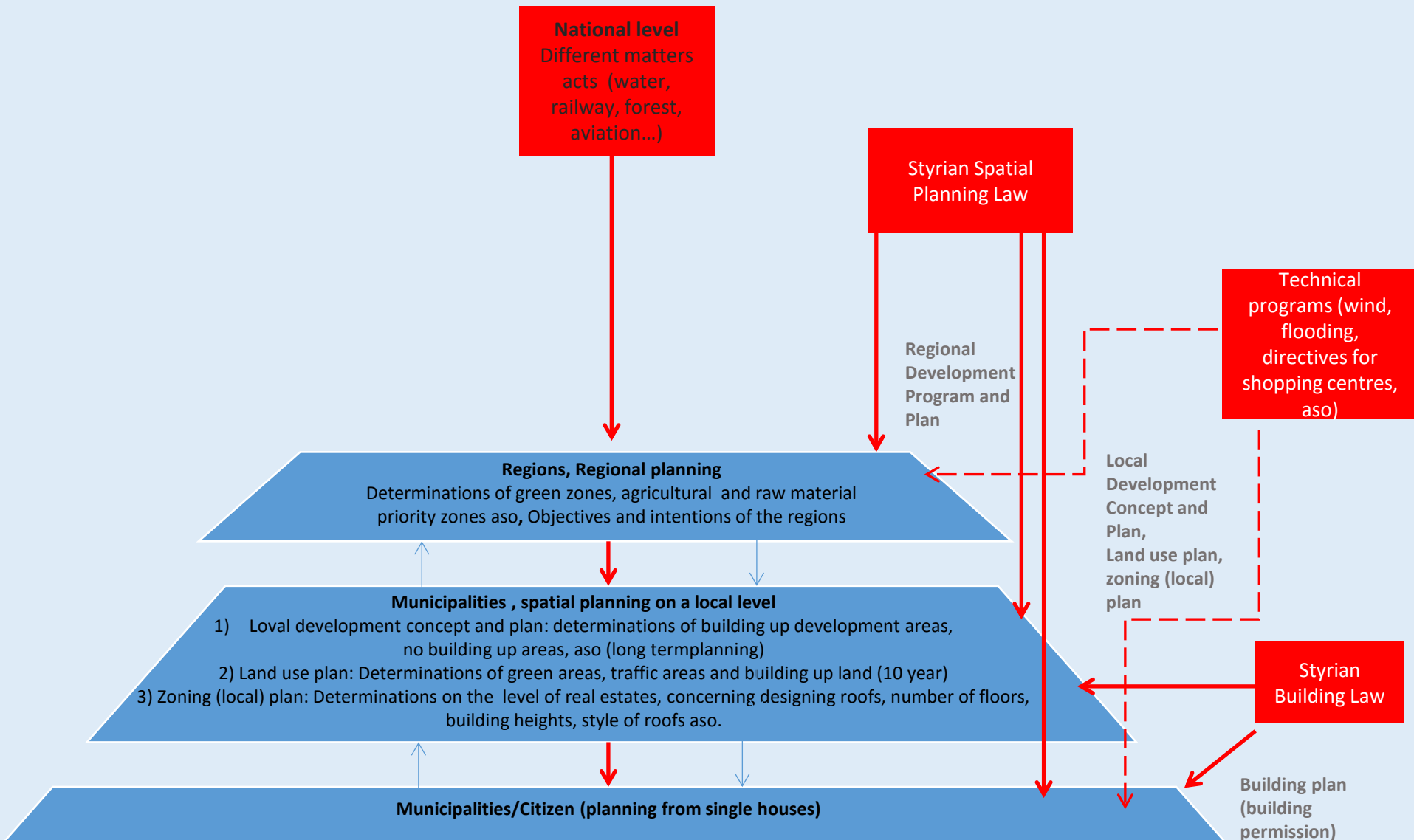
Christine Schwabberger

Provincial Government of Styria

Department for spatial planning

Email: [christine.schwabberger@stmk.gv.at](mailto:christine.schwabberger@stmk.gv.at)

# Examples of structure of planning system and planning instruments in Austria (Styria)



## The Regional plan

Vorrangzonen gemäß Beschluss der Stmk. Landesregierung vom 7. Juli 2016

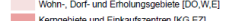
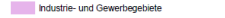

### VORRANGZONEN § 5

#### Legende

-  Vorrangzonen für Industrie und Gewerbe
-  Landwirtschaftliche Vorrangzonen
-  Rohstoffvorrangzonen
-  Grünzonen

#### Planungsinformation

##### Bauland aus Flächenwidmungsplänen

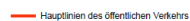
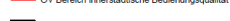
-  Wohn-, Dorf- und Erholungsgebiete (DO,WE)
-  Kerngebiete und Einkaufszentren (KG,EZ)
-  Industrie- und Gewerbegebiete

-  Ökologische Korridore
-  Wald
-  Gewässer

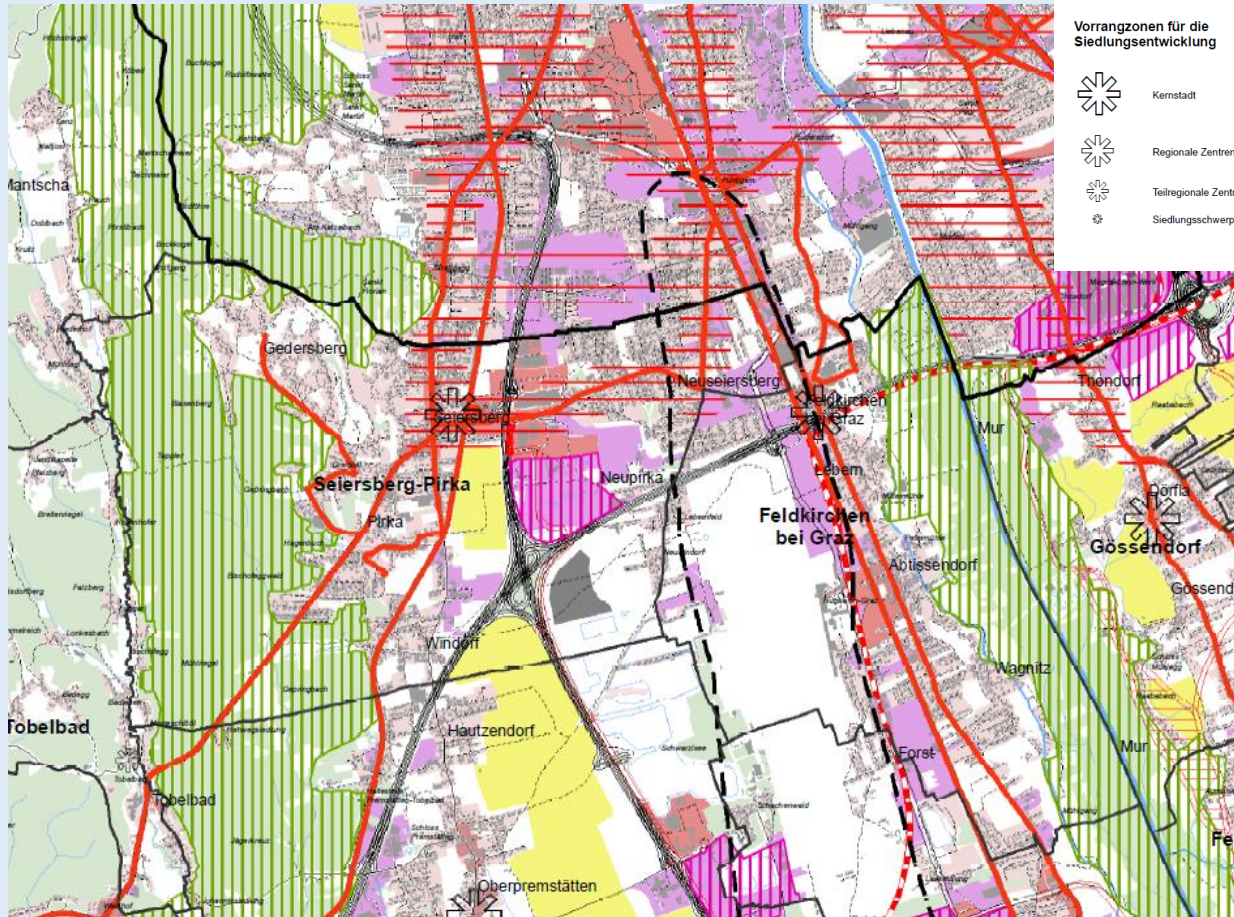
#### Vorrangzonen für die Siedlungsentwicklung

-  Kernstadt
-  Regionale Zentren
-  Teilregionale Zentren
-  Siedlungsschwerpunkt

-  Fließgewässer
-  Fluglärmbelastungszone (Dauerschallpegel 60 dB)
-  Eisenbahn
-  Eisenbahn Projekte
-  Autobahnen, Schnellstraßen
-  Landesstraßen [B]
-  Landesstraßen [L]
-  sonstige Straßen
-  Straßenprojekte

-  Hauptlinien des öffentlichen Verkehrs
-  ÖV Bereich innerstädtische Bedienungsqualität

-  Bezirksgrenzen
-  Gemeindegrenzen





# The Landuse plan

## Gemeinde Seiersberg

### Flächenwidmungsplan Nr. 400

#### - ENDBESCHLUSS -

Stmk. ROG 2010, LGBl. Nr. 49/2010 idF LGBl. Nr. 44/2012



**LEGENDE** (gem. Planzeichenverordnung 2007, LGBl. Nr. 12/2008 idF LGBl. Nr. 57/2011) mit Angaben der entsprechenden Gesetzestexten des Stmk. Raumordnungsgesetzes 2010, LGBl. Nr. 49/2010 idF LGBl. Nr. 44/2012

I. Darstellung der vom Gemeinderat zu beschließenden Nutzungsarten gem. Stmk. ROG 2010 idF (§ 26(1))

A. Baugebiete (§ 30 (1))

- |  |   |
|--|---|
| <b>WR</b> Reine Wohngebiete                    | <b>B</b> Verkehrsflächen für fließenden Verkehr   |
| <b>WA</b> Allgemeine Wohngebiete               | <b>P</b> Verkehrsflächen für ruhenden Verkehr     |
| <b>KG</b> Kerngebiete                          |   |
| <b>(EA)</b> Einkaufszentren Ausschlussbereiche |   |
| <b>GG</b> Gewerbegebiete                       | <b>C. Freiland (§ 33)</b>                         |
| <b>I1</b> Industriegebiete 1                   | <b>LF</b> Land- und forstwirtschaftliche Nutzung  |
| <b>DO</b> Dorfgebiete                          |   |
| <b>E1</b> Gebiete für Einkaufszentren 1        |   |
| <b>E2</b> Gebiete für Einkaufszentren 2        | <b>SONDERNUTZUNGEN IM FREILAND (§ 33 (3) Z 1)</b> |

AUFSCHLÜSSUNGSGEBIETE (§ 29 (3))

- (A)** Aufschließungsgebiete zB Allgemeines Wohngebiet mit laufender Nr. d. Vorfuß

SANIERUNGSGEBIETE (§ 29 (4))

- (S)** Sanierungsgebiete mit festgelegten Bebauungsfristen

BEBAUUNGSFRISTEN (§ 30 (4))

- 0,2-0,4** Mindest- und höchstzulässige Bebauungsdichte

II. Darstellung von Flächen und Objekten, deren Festlegung nicht dem Gemeinderat obliegt, die jedoch gem. Stmk. ROG 2010 idF (§ 25 (7)) ersichtlich zu machen sind bzw. festgelegt werden.

A. Flächen, die durch rechtswirksame überörtliche Planungen für eine besondere Nutzung bestimmt sind.

**VERKEHRSANLAGEN**

- Eisenbahn
- GfB Vorprojekt 2012 (eisenbahnlich nicht genehmigt)
- Bundesautobahn A9 Pyramautobahn
- L-303 Fredingergasse L-113 Feilcknerstraße L-323 Neuselbingerstraße
- Landesstraßen: B67 Gräzer Bundesstraße B70 Pöcker Bundesstraße
- Schi

**VERORPUNGANLAGEN**

- Versorgungsanlagen (Transformator, Hochbehälter, Umspannwerk, Sender)
- Hochspannungsteilung
- Hochspannungskabel
- Rohleitung Gas (Hochdruck/Mitteldruck)

**SICHERHEITS-, BAUBESCHRÄNKUNGS- UND SCHUTZZONEN SOWIE SONSTIGE GEFÄHRDUNGS-, ABSTANDS- UND BAUVORSITTE**

- Sicherheitzone Flugplatz (Horizontalfachen B, C, E u. F)
- Leitungsschutzzone von Hochspannungsteilungen
- Baubeschränkungzone entlang Autobahn A9
- Denkmal- und ortsbildschützendes Gebäude/Bauwerk
- Archaische Bodendenkmäler
- WÄLDER LT FORSTGESETZ
- Waldflächen

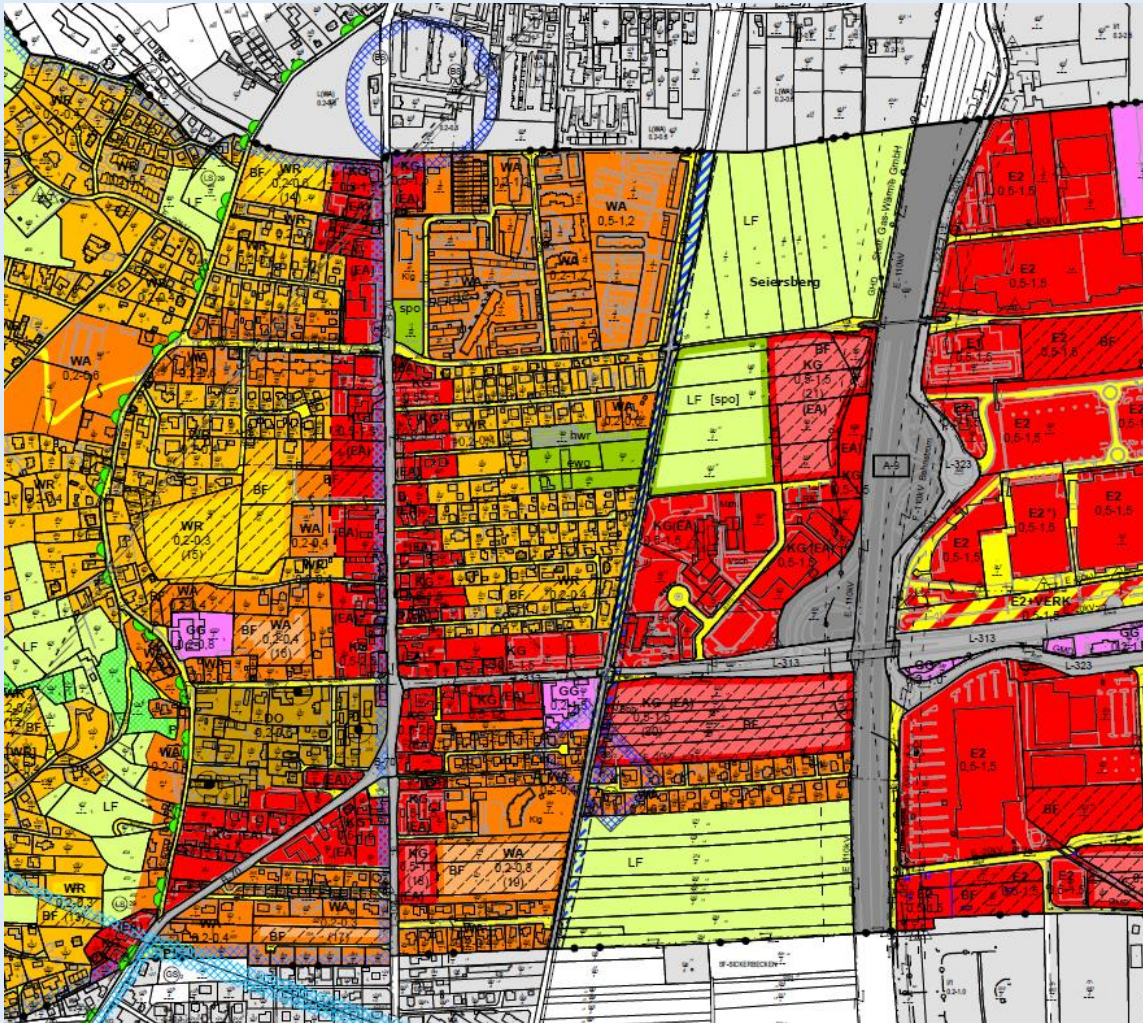
**NUTZUNGSBESCHRÄNKUNG DURCH IMMISSIONEN**

- Flugplatzneubau (Flugplatz Graz-Thalerhof (Dauerschallpegel 60dB LAeq) gem. REPRO Graz und Graz-Umgebung (LGBl. Nr. 73/2012))
- Temalingsbagger (G-20) Geruchsabwehrabstände im Differenzplan z. 4. FWP

III. Anlagen und Einrichtungen, die wirtschaftlichen, sozialen und kulturellen Zwecken dienen (§ 24 (7))

A. Anlagen und Einrichtungen

- Gr Gemeinderat
- Pol Polizeistation
- Kd Kindergarten
- Vsch Volksschule
- RK Rotes Kreuz
- Fa Feuerwehrhaus
- Thz Therapiezentrum
- Abh Betriebswohnheim für Senioren
- Wu Bauwirtschaftshof
- Wst Bushaltestelle geplant
- Mh Metzgereiche



# The Zoning Map

