



SPATIAL AND REGIONAL PLANNING

Lecture 6. Local planning in the Polish spatial planning system

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Erasmus+

Local level planning

LOCAL SPATIAL DEVELOPMENT PLAN

Any landscape protected areas in a local plan should have individually established rules for management, taking into account the features of the given landscape, in particular its:

- **landform** – e.g. maintaining the present landform (e.g. flat, terraced, undulating, cliffy, hilly, mountainous), prohibition on modifications involving macro-levelling,
- **land surface:** - e.g. maintaining the existing forms of land management, form and character of the development, establishing the permitted supplemental forms of development, proportions of built-over to open spaces, defining the spatial composition (uniform, stylistically dominated, distorted, mixed, illegible, etc.), definition of the character of the development (compact, dispersed, solitary, etc.), definition of building line development (aligned, irregular, with gaps, rhythmical facades, contracting, etc.), definition of building heights (aligned, varied, dominant features, spatial accents, etc.), definition of town or landscape furniture characteristic for the area (type of equipment, style, originality, colour scheme, material), maintaining the character of vegetation (forest, fields, meadows, parks, lanes, tree lines, etc.), tall greenery arrangements (designed, single accents, eyots, ribbons, etc.), surface waters (sea, lake, river, channels, etc.), transportation routes (regular network, radial arrangements, loose, mixed, etc.),
- **area use influence** (the intensity of human presence, vehicles, advertising, characteristic temporary and permanent functions (e.g. trade fairs, festivals, celebrations),
- **vicinity influence** - views, use, designed and accidental interrelations, etc.

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LOCAL SPATIAL DEVELOPMENT PLAN - PROCEDURE

- Art. 16.** 1. The local plan is prepared in scale 1:1000, with the use of official copies of general maps or if such are unavailable, cadastre maps (*other scales can be used in special cases, e.g. 1:500 - intensive development, 1:2000 linear arrangements*).
- Art. 17.** The village/ town/ city mayor, after the commune council adopts the resolution on commencement of work on the local plan does the following (in the order prescribed below):
- 1) announces in local press and by way of formal announcement, and in any other manner customary in the area, that the resolution on commencement of work on the local plan has been adopted, also describing the form, place and deadlines for submitting motions to the plan, where the deadline cannot be shorter than 21 days after the announcement;
 - 2) notifies in writing all relevant institutions and bodies that should be consulted about the plan on the fact that the resolution on commencement of work on the local plan has been adopted;
 - 4) prepares a draft local plan reviewing the submitted motions and includes a report on projected influence on the environment;**
 - 5) prepares a financial forecast for the adopted local plan ...

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LOCAL SPATIAL DEVELOPMENT PLAN

Act on spatial planning and development of 27 March 2003 with changes

Art. 14.

1. In order to establish the intended use and function of an area, including public purpose investments, and to define the manner in which these areas are to be developed, the commune council (rada gminy) adopts a resolution on commencement of work on a local spatial development plan, hereinafter the “local plan”, (not applicable in case of off-limit areas)
2. An integral part of such resolution shall be a graphic attachment illustrating the borders of the area subject to the draft local plan.

8. A LOCAL PLAN IS AN ACT OF LOCAL LAW.

Art. 18. As the draft local plan is made available for public viewing, anyone who questions the draft local plan provisions may submit their comments in writing.

Art. 20. 1 The local plan is adopted by the Commune Council (Rada Gminy).

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LOCAL SPATIAL DEVELOPMENT PLAN

Art. 15. 1. The village/town/city mayor prepares the draft local plan,

2. The local plan must establish :

1) the function of areas and borders delineating areas of different functions or different principles for land management;

2) principles for protection and shaping the spatial order;

3) principles for protection of environment, nature and cultural landscape;

4) principles for protection of cultural heritage and historical monuments and contemporary cultural goods j;

5) requirements resulting from the needs related to the shaping of public spaces;

6) principles for shaping the development and indicators for land management, the maximum and minimum intensity of development as a ratio of the total built-over area to the total surface area of a building plot, the minimum percentage share of biologically active area relative to the surface area of a building plot, maximum height of buildings, minimum number of parking spaces and how they are provided and building alignment, dimensions of buildings; (amendment 21.10.2010)

7) borders and manner of land management for areas or objects under protection, based on separate provisions ,

8) detailed principles and conditions for land fragmentation or merging under the local plan;

9) detailed land management principles and limitations of use, including prohibition to build;

10) principles for modernisation, extension and construction of technical infrastructure and transportation infrastructure;

11) the manner of and timelines for temporary management, use and arrangement of space;.....

Local Plan for Oleśnica

MIJESCOWY PLAN ZAGOSPODAROWANIA PRZESTRZENNEGO
OBJEJMUJĄCEGO OBSZAR POŁOŻONY POMIĘDZY POLNĄ,
WIKLINIARSKĄ, LUDWIKOWSKĄ I STAWOWĄ W OLEŚNICY

ZAŁĄCZNIK NR 1
DO UCHWAŁY RADY MIASTA OLEŚNICY
NR XXXIV/270/2013 Z 27 CZERWCA 2013R

0 m 100 m
SKALA 1:1000
pomniejszono do 1:2000

- LEGENDA:**
- Granica obszaru objętego planem
 - Granica granicy
 - Linia rozgraniczająca tereny o różnym przeznaczeniu lub różnych zasadach zagospodarowania
 - Obowiązkowa linia zabudowy
 - Nieprzekraczalna linia zabudowy
 - Stawiskami archeologicznymi
 - Siatka ochrony konserwatorskiej dla zabytków archeologicznych równoważna z obrębami sąsiednimi w granicach obrębów
 - Teren zabudowy mieszkaniowej wielorodzinnej
 - Teren zabudowy mieszkaniowej jednorodzinnej
 - Teren zabudowy usługowej
 - Teren zabudowy usługowej
 - Teren wócl powierzchniowych śródlądowych
 - Teren zieleni rekreacyjnej
 - Teren infrastruktury technicznej
 - Teren infrastruktury technicznej - elektroenergetyka
 - Teren obsługi produkcji w gospodarstwach rolno-, hodowlanych, ogrodniczych oraz w gospodarstwach leśnych i rybactwach
 - Teren drogi wiejskiej
 - Teren ciągu pieszego
 - Teren drogi publicznej
 - Ślady z planów 1:5000, 1:1000, 1:2000
 - Linia elektroenergetyczna napowietrzna SN
 - Granica obszaru wymagającego przeprowadzenia walcji i podziału nieruchomości

MIJESCOWY PLAN ZAGOSPODAROWANIA PRZESTRZENNEGO
OBJEJMUJĄCEGO OBSZAR POŁOŻONY POMIĘDZY POLNĄ,
WIKLINIARSKĄ, LUDWIKOWSKĄ I STAWOWĄ W OLEŚNICY
Lipce 2013 r. 1:1000 2013 R.



ZMIANA STUDIUM UWARUNKOWAŃ I KIERUNKÓW ZAGOSPODAROWANIA
PRZESTRZENNEGO MIASTA OLEŚNICY UCHWAŁA RADY MIASTA OLEŚNICY
NR XV/108/2007 Z DNIA 30.11.2007 R.

KMPA ZAGANIECA Skala 1:1000
Projektant: mgr inż. Andrzej Cichy
Wykonawca: mgr inż. Andrzej Cichy
Data: 2013 R.

Local level planning

LOCAL SPATIAL DEVELOPMENT PLAN - PROCEDURE

6) obtains:

a) **OPINIONS ON THE DRAFT PLAN FROM:**

- the commune or other relevant **urban-architectural committee,**
- mayors of villages and towns/cities which border with the area covered in the plan as regards location of public purpose investments of the local significance,
- **regional environment protection body,**
- relevant geological administration bodies as regards areas with landslide hazards,
- Head of the Electronic Communications Office as regards telecoms,
- relevant bodies of Firefighting authorities at the national level and **voivodeship inspector of environment protection** as regards location of new industrial plants posing increased or significant risk of large severe malfunctions ... and new investments and location of public spaces and residential development areas in vicinity of industrial plants of increased or significant risk of severe malfunctions if the investment or areas promote the risk or increase the severity of effects of such potential malfunctions,
- relevant voivodeship sanitary inspector

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LOCAL SPATIAL DEVELOPMENT PLAN


b) APPROVAL of the draft local plan by:

- voivode, voivodeship board, powiat board as regards the national and local government tasks,
- relevant road authority, if the manner of land management adjacent to the right-of-way or changes to that manner may influence the traffic or the road itself,
- the relevant bodies
- the relevant minister for healthcare as regards management of health recreational facilities,
- relevant voivodeship historical monuments conservation as regards the shaping of the development and land management ,

c) PERMISSION to change the intended function of the forest and agricultural land to other non-agricultural and non-forestry purposes, if such permission is required by separate regulations;

Local level planning

LOCAL SPATIAL DEVELOPMENT PLAN

- 
- 9) introduces modifications resulting from the consultations and approvals and announces that the draft plan is displayed for public viewing at least 7 days before it is displayed and then **DISPLAYS THE DRAFT PLAN ALONG WITH ENVIRONMENTAL IMPACT REPORT FOR PUBLIC VIEWING FOR AT LEAST 21 DAYS AND WITHIN THAT TIME ORGANIZES A PUBLIC DISCUSSION** over the solutions adopted in the draft plan;
 - 11) in an announcement, defines a deadline for natural and legal persons and organizational entities without legal personality to submit comments concerning the draft plan, not shorter than 14 days after the public display ends;
 - 12) reviews the comments within 21 days after the deadline for submission of those comments;
 - 13) introduces changes to the draft stemming from the comments and then re-runs the approvals as necessary;
 - 14) presents the commune council with the draft plan accompanied by a list of comments that were not taken into account,

Local Spatial Development Plans (MPZP) - conclusions

MPZPs are sets of provisions concerning the intended functions, development and management of land.

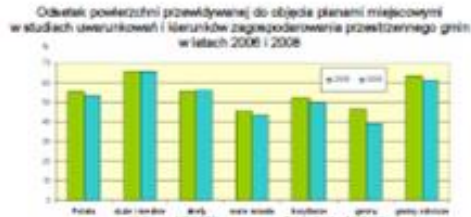
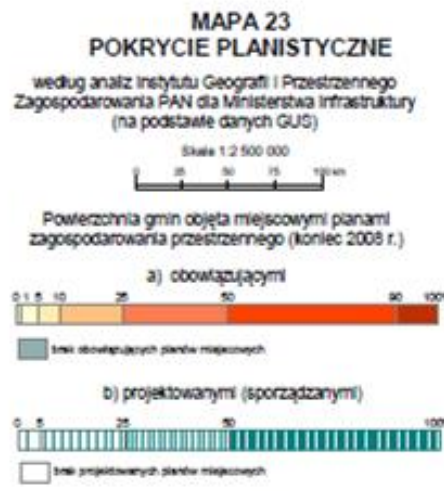
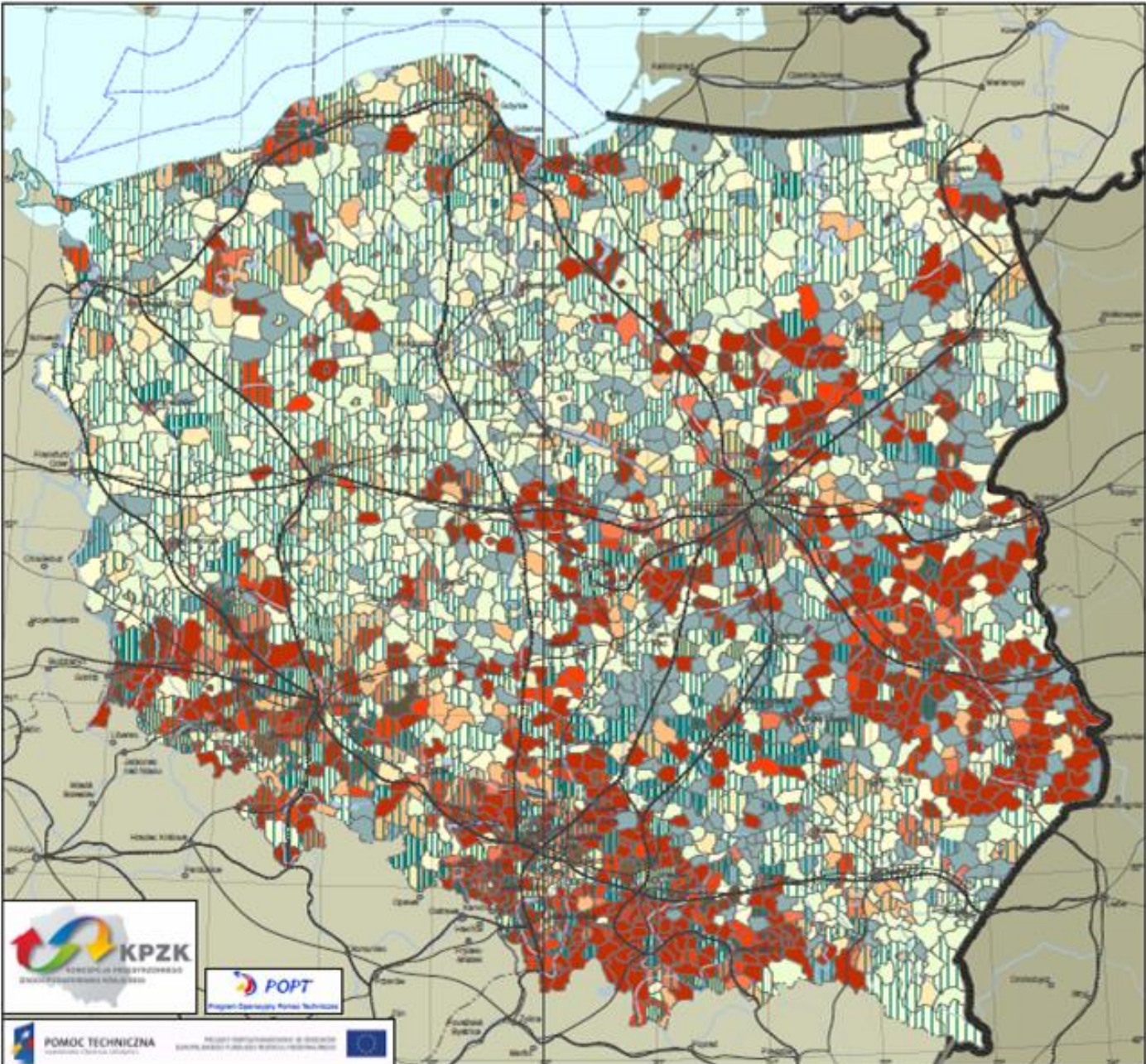
Main features of MPZP:

- **graphic and text part**
- **map scaling (1:1000, 1:2000, sporadically 1:500 or 1:5000)**
- **legal nature – act of local law serving as a legal basis for administrative decisions,**
- **time frame (short-term planning, tactical – operative – maximum 5 years)**

The most important drawback of the local plans is the fact that they are non-existent (**there is no obligation to prepare them**) or the fact that they do not regulate the status of areas or constructions that are not compliant with the valid regulations, e.g. buildings erected without permits or infringing law.

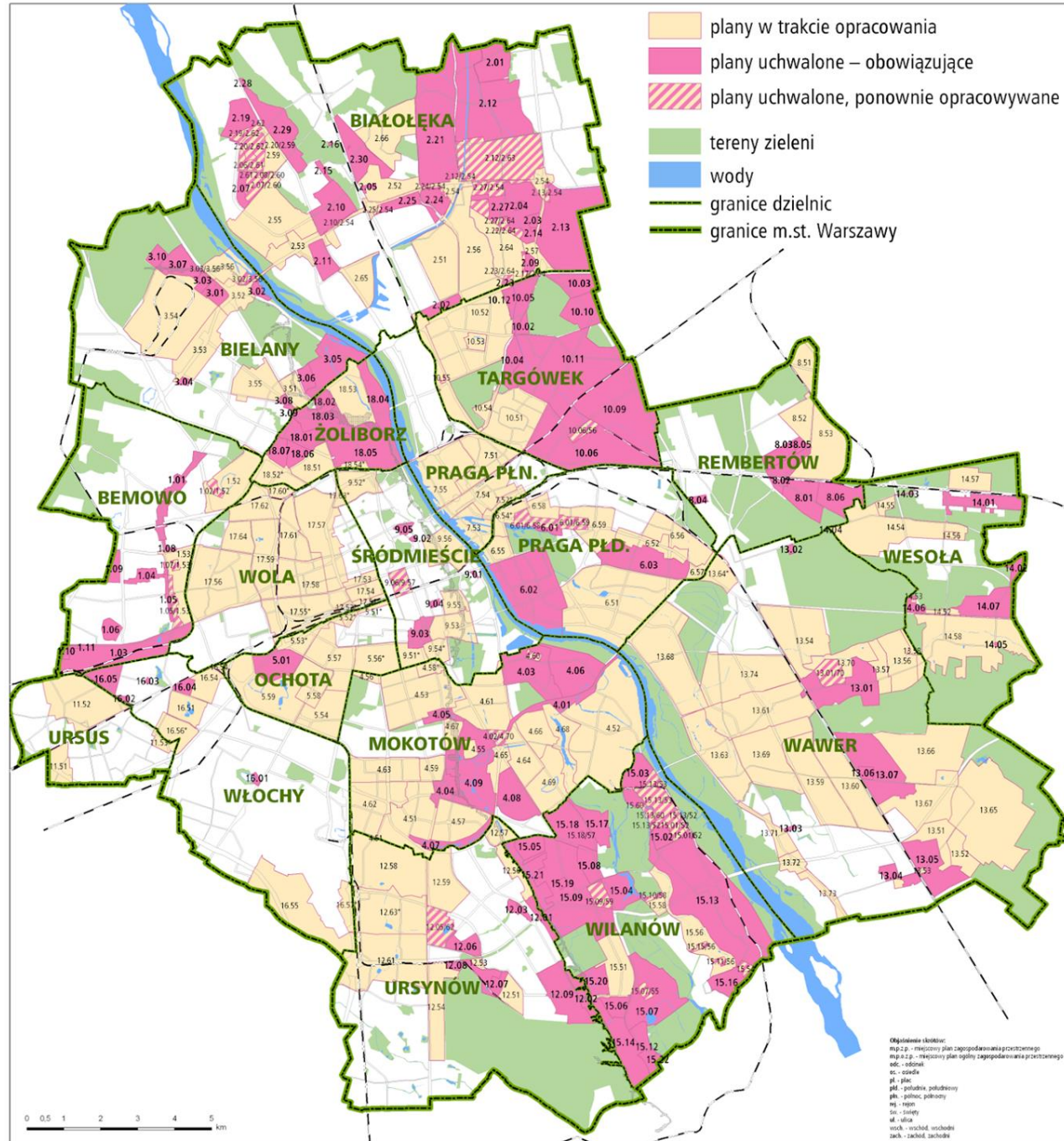
Borders of the areas covered by plans are defined selectively!!!!

Areas covered by spatial plans

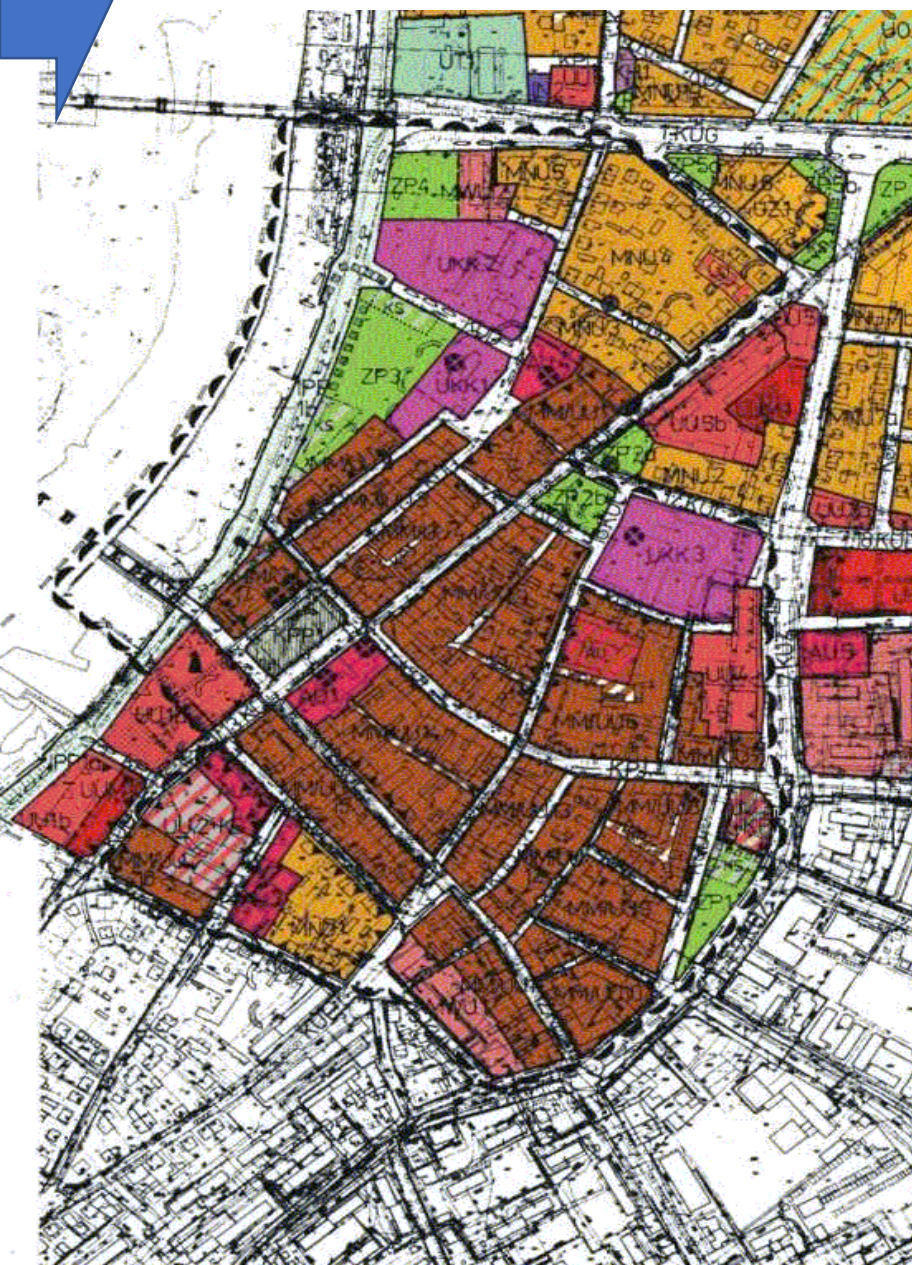









MIJSCOWE PLANY ZAGOSPODAROWANIA PRZESTRZENNEGO








Areas in Warsaw covered by valid MPZPs






ORDINANCE OF MINISTER OF INFRASTRUCTURE of 26 Aug 2003 on the required scope of local spatial development plans (Journal of Laws of 2003 No 164 item 1587)



Lp.	Przedmiot oznaczenia	Oznaczenie literowe	Kolor oznaczenia na projekcie rysunku planu	Uwagi
1	2	3	4	5
1 TERENY ZABUDOWY MIESZKANIOWEJ				
1.1	Tereny zabudowy mieszkaniowej jednorodzinnej	MN		– kolor jasnobrązowy
1.2	Tereny zabudowy mieszkaniowej wielorodzinnej	MW		– kolor ciemnobrązowy
2 TERENY ZABUDOWY USŁUGOWEJ				
2.1	Tereny zabudowy usługowej	U		– kolor czerwony
2.2	Tereny sportu i rekreacji	US		– kreskowanie zielono-czerwone
2.3	Tereny rozmieszczenia obiektów handlowych o powierzchni sprzedaży powyżej 2 000 m ²	UC		– kreskowanie czerwono-ciemnoszare
3 TERENY UŻYTKOWANE ROLNICZO				
3.1	Tereny rolnicze	R		– kolor żółty
3.2	Tereny obsługi produkcji w gospodarstwach rolnych, hodowlanych, ogrodniczych oraz gospodarstwach leśnych i rybackich	RU		– kreskowanie żółto-czerwone

1	2	3	4	5
3.3	Tereny zabudowy zagrodowej w gospodarstwach rolnych, hodowlanych i ogrodniczych	RM		- kreskowanie żółto- - jasnobrązowe
4 TERENY ZABUDOWY TECHNICZNO - PRODUKCYJNEJ				
4.1	Tereny obiektów produkcyjnych, składów i magazynów	P		- kolor fioletowy
4.2	Obszary i tereny górnicze	PG		
5 TERENY ZIELENI I WÓD				
5.1	Tereny zieleni objęte formami ochrony przyrody zgodnie z przepisami o ochronie przyrody	ZN		- kolor ciemnozielony
5.2	Lasy	ZL		
5.3	Tereny zieleni urządzonej, takie jak: parki, ogrody, zieleń towarzysząca obiektom budowlanym, zieleńce, arboreta, alpinaria, grodziska, kurhany, zabytkowe fortyfikacje	ZP		- kolor zielony
5.4	Tereny ogrodów działkowych	ZD		
5.5	Cmentarze	ZC		
5.6	Obszary zagrożone powodzią	ZZ		- kreskowanie jasnozielone na tle w kolorze odpowiednim do przeznaczenia
5.7	Tereny wód powierzchniowych morskich	WM		- kolor jasnoniebieski
5.8	Tereny wód powierzchniowych śródlądowych (rzeki, jeziora, stawy, strumienie, kanały)	WS		
6 TERENY KOMUNIKACJI				
6.1	Tereny dróg publicznych	KD		- kolor biały

1	2	3	4	5
6.2	Tereny dróg wewnętrznych	KDW		- kolor jasnoszary
6.3	Tereny komunikacji wodnej, szlaki wodne	KW		- kolor ciemnoniebieski
7 TERENY INFRASTRUKTURY TECHNICZNEJ				
7.1	Elektroenergetyka	E		- kolor ciemnoszary
7.2	Gazownictwo	G		
7.3	Wodociągi	W		
7.4	Kanalizacja	K		
7.5	Telekomunikacja	T		
7.6	Gospodarowanie odpadami	O		
7.7	Ciepłownictwo	C		

ORDINANCE OF MINISTER OF INFRASTRUCTURE of 26 Aug 2003 on the required scope of local spatial development plans (Journal of Laws of 2003 No 164 item 1587)

Reading the MPZPs



ORDINANCE OF MINISTER OF INFRASTRUCTURE of 26 Aug 2003 on the required scope of local spatial development plans (Journal of Laws of 2003 No 164 item 1587)

Pursuant to Art. 16. 2 Act on spatial planning and development of 27 March 2003 (uniform text: Journal of Laws 2003 No 80 item 717), the following is ordained:

§ 1. The Ordinance defines the required scope of a local spatial development plan content in its text and graphic part, and in particular the requirements concerning:

- 1) planning materials;
- 2) cartographic materials scaling;
- 3) symbol systems used ;
- 4) terminology;
- 5) standards;
- 6) manner of documenting planning work.

ORDINANCE OF MINISTER OF INFRASTRUCTURE of 26 Aug 2003 on the required scope of local spatial development plans (Journal of Laws of 2003 No 164 item 1587)

§ 7. A draft plan drawing should contain:

- 1) official copy of the plan drawing from the study of spatial development conditions and directions for the commune, with outlined borders of the area under the plan;
- 2) definition of the scale in which the local plan drawing is made (numerical and linear);
- 3) borders of the area covered by the local plan;
- 4) administrative borders;
- 5) borders of the areas that are off-limits and borders of protected zones;
- 6) borders and identification of objects and areas under protection pursuant to separate regulations, such as mining areas, and such that are subject to flooding or landslide hazards;**
- 7) lines defining areas of different intended functions or different management rules and the marking;
- 8) lines of development and marking of elements of the area's spatial management;
- 9) if necessary, inclusion of informative elements, which are not related to the provisions of the draft plan.

ORDINANCE OF MINISTER OF INFRASTRUCTURE of 26 Aug 2003 on the required scope of local spatial development plans (Journal of Laws of 2003 No 164 item 1587)

§ 9.




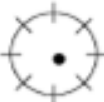


1. Appendix No. 1 to the Ordinance defines the basic coloured marking system for graphic and text content to be used in describing the draft local plan.

(coloured marking is not obligatory)









2. When preparing the draft drawing for the local plan, the basic single-coloured graphic marking symbols are used to describe delineations and components of spatial management defined in

Polish Norm (Polska Norma) PN-B-01027 dated 11 July 2002

Tabela 7 – Oznaczenia graficzne zieleni i urządzeń terenowych

Lp.	Przedmiot oznaczenia	Przedstawienie graficzne	Grubość linii mm	Uwagi
1	2	3	4	5
7.1	Projektowane drzewo liściaste		0,35 dla linii obrysu korony 0,25 dla oznaczenia pnia drzewa	Wielkość korony przedstawiać w skali rysunku, w średnim wieku dla danego gatunku drzewa.
7.2	Istniejące drzewo liściaste		0,35 dla linii obrysu korony	Wielkość korony przedstawiać w skali rysunku. Pień drzewa przedstawiać w skali rysunku – minimum 1 mm.
7.3	Projektowane drzewo iglaste		0,35 dla linii obrysu korony i kreskowania 0,25 dla oznaczenia pnia drzewa	Wielkość korony przedstawiać w skali rysunku, w średnim wieku dla danego gatunku drzewa.
7.4	Istniejące drzewo iglaste		0,25 dla linii obrysu korony i kreskowania	Wielkość korony przedstawiać w skali rysunku. Pień drzewa przedstawiać w skali rysunku – minimum 1 mm.
7.5	Istniejące drzewo do przesadzenia		0,35 dla linii kreskowej obrysu	Drzewo zawsze oznaczać liczbą porządkową.
7.6	Istniejące drzewo do usunięcia		0,50 dla znaku przekreślenia	

ciąg dalszy tabeli 7

Lp.	Przedmiot oznaczenia	Przedstawienie graficzne	Grubość linii mm	Uwagi
1	2	3	4	5
7.7	Projektowany żywoplot a) liściasty b) iglasty	a)  b) 	0,35 dla linii obrysu korony	
7.8	Istniejący żywoplot		0,25 dla linii obrysu i kreskowania	
7.9	Projektowany trawnik			
7.10	Nawierzchnia z małych elementów		0,18 dla linii ciągłej kreskowania	Linie kreslic w odstępach 2 mm, nie kreskować całej powierzchni
7.11	Nawierzchnia z dużych elementów		0,18 dla linii ciągłej kreskowania	Rysować kwadraty o boku 4 mm
7.11	Ściana oporowa		0,7 dla linii ciągłej	Lico skarpy  Od strony skarpy

References:

- Act on spatial planning and development of 27 March 2003 (uniform text: Journal of Laws 2003 No 80 item 717) as amended (Ustawa o planowaniu i zagospodarowaniu przestrzennym z dnia 27 marca 2003 r. (tekst jednolity: Dz.U. 2003 nr 80 poz. 717) ze zmianami).
- Pluta M, (2016): *Spatial planning in Poland in the context of 'inSpire' rules and amendment to the Spatial planning and development act*, In: Geomatics, Land management and Landscape No. 4, 2016, 159–168.
- Parysek J. J., (2016:) Asking about the future of spatial management in Poland (thirteen years on from the 2003 legal regulation), In: Ruch Prawniczy, Ekonomiczny i Socjologiczny, Rok LXXVIII – zeszyt 2 – 2016.



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