



Documentation Regional development instruments

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Interreg III B

General Data	
Name of instrument:	Municipal land use plan (= Flächennutzungsplan)
Country / region:	DE
Spatial level:	local
Type:	Spatial planning instrument
Subtype:	Formal planning instrument
Description:	<p>Every municipality in Germany is required to set up and regularly update a municipal land use plan. The planning document provides an overview over current and future land uses on municipal territory (= zoning). It consists of a plan (scale 1:10.000) and a text supplement containing statements on residential, commercial, and industrial development, environmental protection, traffic issues, recreation, agriculture and forestry. In regard to urban development, the plan contains stipulations on the character of urban development in delineated zones, separated into "Residential Area", "Mixed use (residential and commercial)", "Commercial Area", and "Industrial Area". The land use plan needs to be approved (= Planfeststellung) by the district authority (= Landratsamt), which checks its compliance with supra-regional planning objectives laid down on federal state level in state development programs (= Landesentwicklungsprogramm) and on national level in the national spatial development scheme (= Bundesraumordnungsprogramm). Plans of technical authorities (Water Authority, Traffic, Agriculture, Forestry, Military, Energy etc.) also need to be considered.</p> <p>The Land Use Plan is by law binding for authorities, but not for the individual. The Local Development Plan, which is to be developed on the basis of the Land Use Plan and which specifies any type of urban development on municipal territory is then also binding for the individual.</p> <p>A public hearing of the plan is required by law and petitions need to be balanced by the municipal council. In most cases, the technical draft of the plan is carried out by a consultant.</p> <p>In Germany, the Land Use Plan is called the "preparatory" urban planning document, while the Local Development Plan is the "binding" urban planning document. In recent years, a Landscape Plan, giving detailed information on the environmental strategy of the municipality, is increasingly incorporated in the Land Use Plan.</p>
General objectives:	Steering spatial development on municipal level and formulating future spatial development goals on the the municipal territory.
General Objectives keywords:	urban development ; building land ; land development ; settlement pattern ; municipal land policy ;
Responsible:	Local authority/Municipal council
Stakeholder Involved:	District authority/District parliament

Stakeholder Involved:	Planners
Stakeholder Involved:	NGO
Stakeholder Involved:	Associations/interest groups
Stakeholder Involved:	Public service providers
Stakeholder Involved:	Private individuals
Reference:	German Statutory Code on Building and Construction (BauGB) §§ 5-7 (BauGB, Kapitel Allgemeines Städtebaurecht, 2. Abschnitt, §§ 5-7)
General assessment of strength and weakness:	<p>Strength:</p> <ul style="list-style-type: none"> - mandatory requirement for all municipalities - chance to develop strategic ideas on municipal level <p>Weakness:</p> <ul style="list-style-type: none"> - often misunderstood by municipalities as plan to purely facilitate and promote urban development - supra-ordinate spatial planning goals are rarely 1:1 implemented on local level in the Land Use Plan, for instance the national goal of reducing urban sprawl etc. - Outdated Land Use Plans often contain abundant areas reserved for commercial and residential development, which were based on exaggerated assumptions concerning the demand for these areas. Hardly ever are these areas rezoned to agricultural purpose, which means that eventually, they will be covered by a Local Development Plan and opened up for development. Research suggests that if all areas already foreseen for urban development in Land Use Plans would in fact be opened for development, Germany would have no chance of reaching its national target of reducing land use to 30 ha per day. <p>If applied correctly, the type and the direction of effect could be very well controlled by this instrument. In reality, the land use plan is serving all kinds of interest and therefore is a compromise between the objective of sustainable land resource management and other policy objectives.</p>
Metadata:	<p>Date of entry: 20/02/2007</p> <p>Contact: Ifuplan, Schleißheimer Str. 156, 80797 München</p>
Implementation	
Legal status:	mandatory for responsible body, BUT NOT for end-user
Extension:	all municipalities
Comment:	As the role and significance of the Land Use Plan is specified in detail by the German Statutory Code on Building and Construction, a monitoring per se is not necessary. The municipality can legally be held accountable for violating stipulations of the Land Use Plan.
Type of monitoring:	other (see comment)
Preconditions for implementation:	In order to be implemented, the Land Use Plan needs to be followed up by a plot-specific Local Development Plan (= Bebauungsplan)
Best practise example (1):	Regional Land Use Plan Frankfurt
Example Abstract (1):	For the first time in Germany, the Land Use Plan - the most relevant spatial planning instrument on municipal level - has been drafted jointly by 75 participating municipalities of the Regional Planning Association Südhessen (Regionalverband Südhessen), covering 1427 sqkm and home to 1.6 Mio. inhabitants. The Regional

	Land Use Plan is adopted by the Regional Assembly and is legally binding for its signing parties.
Best practise example (2):	Regional Land Use Plan Urban Region Ruhr (Städteregion Ruhr)
Example Abstract (2):	The same approach as in Frankfurt is endorsed by the Urban Region Ruhr, comprising six cities (Bochum, Essen, Gelsenkirchen, Oberhausen, Herne, Mülheim an der Ruhr) roughly 1.8 Mio. inhabitants and covering 640 sqkm, which has also set out to jointly draft a Regional Land Use Plan. http://www.staedteregion-ruhr-2030.de/cms/regionaler_flaechennutzungsplan.html
Period of validity:	12-15 years
General comment:	Due to regional interrelations in regard to spatial development and land uses, sustainability objectives can only to a limited degree be realised on the territory of one municipality. Therefore, the German Spatial Planning Law (= Raumordnungsgesetz ROG, § 9, para. 6) foresees the possibility of several municipalities drafting a joint Land Use Plan on regional level if common preconditions prevail.
Assessment	
Relevance	
Status:	strong direct relevance
Ranking:	5
Remark:	-
Acceptance	
Status:	municipal administration. Local economy, environmental NGOs, municipal residents, superordinate administrations
Ranking:	5
Implementation	
Status:	-
Ranking:	5
Remark:	Legal requirement
Feasibility	
Status:	Budget, Staff, Legislation, Know-how
Ranking:	2
Remark:	Very demanding instrument if applied in a holistic sense, but as it is legally required, it proved to be highly feasible. Either budget or staff costs accrue, depending if the drafting of the plan is outsourced to a private consultant.
Effectiveness	
Status:	Perpetuity, type of effect
Ranking:	2
Remark:	If applied correctly, the type and the direction of the effect could be very well controlled by this instrument. In reality, the land use plan is serving all kinds of interest and therefore is a compromise between the objective of sustainable land resource management and other policy objectives.