



Documentation Regional development instruments

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Federal Ministry for the
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Bavarian State
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Environment,
Public Health
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Protection

Interreg III B

General Data	
Name of instrument:	Legal building density limit (Plafond légal de densité)
Country / region:	FR
Spatial level:	local
Type:	Laws and regulations
Subtype:	Legal codes
Description:	<p>The building density is defined by the relationship between the floor space except clear work of this construction and the surface of ground on which it is or must be established. Established in 1975, the legal density limit is the maximum amount of construction allowed at the national level. All buildings erected beyond this limit are required to pay a remittance to the commune for having exceeded the legal density limit. In 1986, the law made it optional for urban planning documents to set a legal density limit. In the end, the limit was abolished in 2000, but remittances continue to be payable in the few communes that had instituted them previously. If a commune decides to preserve it, the limit applies in a uniform way to totality of the territory and is intangible during at least three years. In the event of going beyond, it can envisage three main cases of exemption of the payment: the buildings built by the local authorities and their groupings, or by the State, when they are assigned to a public utility; buildings intended for the dwelling; the constructions built in a conceted development zone (ZAC), on decision of the proper authority taken at the time of setting up the development plan of the zone. Apart from these cases, attribution express or tacit of the permit building allowing the going beyond of the limit involves for the recipient the obligation to carry out this payment. The sanctions envisaged if this sum is not versed are very heavy.</p>
General objectives:	The objective was reduce the density of city centres by discouraging overly rampant construction there, and to curb speculation on land, all the while encouraging rehabilitation of the existing buildings
General Objectives keywords:	urban development ; planning principles ;
Responsible:	Local authority/Municipal council
Stakeholder Involved:	Entrepreneurs/businessmen
Reference:	Muleta directory
General assessment of strength and weakness:	The provisions relating to the legal buiding density limit were very strict and missed flexibility, and led to situations considered at time to be detrimental with the development of the communes, which led to its abrogation. Other instruments, like the plot ratio, are more relevant.
Metadata:	<p>Date of entry: 2007/03/15</p> <p>Contact: Ifuplan, Schleißheimer Str. 156, 80797 München</p>

Implementation	
Legal status:	not-mandatory for responsible body, BUT mandatory for end-user
Extension:	rarely (< 25%)
Comment:	Repealed by the Urban Solidarity and Renewal law of December 13, 2000, but still being perceived in some communes which had instituted it before
Type of monitoring:	Qualitative / descriptive reporting
Assessment	
Relevance	
Status:	strong direct relevance
Ranking:	4
Remark:	-
Acceptance	
Status:	-
Ranking:	0
Remark:	the instruments had been repealed in 2000, but still exists in some communes which had instituted it before
Implementation	
Status:	-
Ranking:	3
Remark:	Application is decreasing as law was repealed in 2000
Feasibility	
Status:	Legislation, political will, staff
Ranking:	3
Remark:	Staff required for supervising the implementation of the decree
Effectiveness	
Status:	-
Ranking:	0
Remark:	Direction of instrument opposed to the objective of accomplishing higher densities in urban areas