

## Fact sheet for planning levels

### Planning level

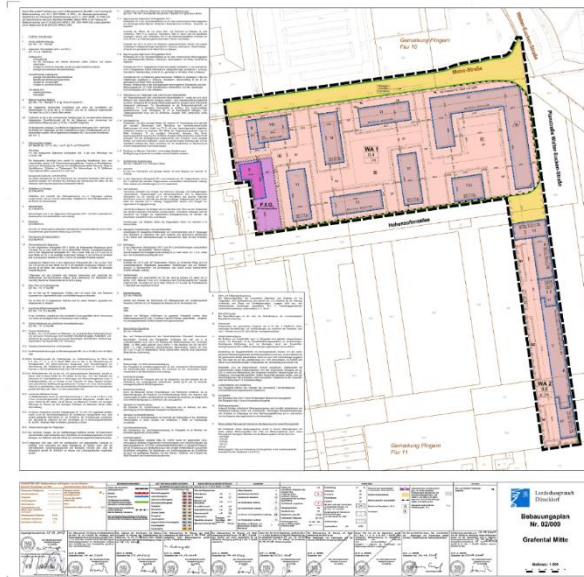
### Type of plan

#### Local level

**Planning system of Germany**

Planning level	Planning instrument	Content of plan	Legal basis	Policy maker	Legal impact	Scale
Local authority	Binding land-use plan (Bebauungsplan)	Arrangements for urban development and order in the form of legally binding designations for specific parts of the municipal territory	Federal Building Code in connection with Land Utilisation Ordinance and Plan Notation Ordinance	Municipal council	Legal by binding for everyone, legal base for building projects and issuing building permits	ca 1: 500 - 1: 1.000
Local authority	Preparatory land-use plan (Flächennutzungsplan)	Represents in basic form the type of land uses envisaged for the entire municipal territory in accordance with the intended urban development	Federal Building Code in connection with Land Utilisation Ordinance and Plan Notation Ordinance	Municipal council	Binding effects for all planning authorities	ca 1: 10.000
Regional planning	Regional plan (Regionalplan)	It constitutes the vital link between the state's perspectives for development and the special local decisions in the context of urban land-use planning	Federal spatial planning act and state planning act	Regional planning associations	Binding effects for all planning authorities	ca 1: 25.000 - 1: 100.000
State spatial planning	State development plan (Landesraumordnungsplan)	Representation of the desired spatial and structural development for the territory of the state and plan includes comprehensive state-wide, aims of spatial planning	Federal spatial planning act and state planning act	State parliament or state government	Binding effects for all planning authorities	ca 1: 50.000
Federal spatial planning	Spatial planning principles (Grundsätze der Raumordnung) Guiding principles for spatial development (Leitbilder)		Federal spatial planning act	Conference of ministers for spatial planning	Binding effects for all planning authorities (spatial planning principles only)	-

#### Binding land-use plan (Bebauungsplan)



Source: Municipality of Düsseldorf:

<https://www.o-sp.de/download/duesseldorf/179701>

**Facts: Binding Land-Use Plan no. 02/009 Grafental Mitte, Düsseldorf****Legal basis**

- Federal Building Code (*Baugesetzbuch, BauGB*) as amended on 27 August 1997 (*BGBl.* [Federal Law Gazette] 1997 I 2142, 1998 I 137), last amended on 13 October 2022 (*BGBl.* I p. 1726)
- Building Regulations of North Rhine-Westphalia (*Bauordnung Nordrhein--Westfalen, BauO NRW 2018*) of 21 July 2018, last amended on 30 June 2021 (*GV. NRW.* [Law and Ordinance Gazette for the State of North Rhine-Westphalia] 2021, p. 821)
- Preparatory Land-Use Plan (*Flächennutzungsplan*) for the city of Düsseldorf

**Competences**

- On the basis of the Federal Building Code, local authorities are responsible for development planning in the form of urban land-use planning (local planning autonomy).

**Binding force**

- Legally binding for everyone; forms the legal basis for building projects and issuing building permits

**Tasks and content**

- Conversion of a former industrial site (Hohenzollern Railway Works [Hohenzollernwerke]) into a new mixed-use (residential and office buildings) urban quarter.
- The brownfield site is close to the city centre and one of the main planning goals was to ensure a connection between two urban districts (Grafenberg and Düsseldorf).
- The redevelopment of the site serves to provide the population with living space / affordable housing.
- The first residential buildings were completed in 2014. By 2026, 1,500 new flats are to be built across the entire new urban quarter over eight construction phases. In addition, areas for local services, a day-care centre for children and several playgrounds, pocket parks and a green promenade have been built.

**Process, duration, participation**

The restructuring of the former Hohenzollern Railway Works site, which covers about 14.4 ha, was already being considered back in the early 1990s. In 1993, the municipal planning authority of the city of Düsseldorf developed the first (informal) framework plan for the site. Due to a change in ownership, the first framework plan was adjusted in 1999. The framework plan subsequently served as the basis for an urban planning competition, which in turn formed the basis for the resulting binding land-use plan (§ 8 Federal Building Code) for the overall area; this was declared legally binding in August 2012 (Binding Land-Use Plan No. 5777/056 Schlüterstraße/Hohenzollern).

In addition, an urban development contract (§ 11 *Federal Building Code*) between the investor and the city served as the basis for the development and construction. The original development plan (as of 2012) called for a mix of 50% commercial and 50% residential uses. Due to changing conditions, in particular the steadily increasing demand for housing in Düsseldorf, the planning goals for the new urban quarter of Grafental changed to create more residential space. To implement this a new binding land-use plan was elaborated for as yet unrealised commercial areas (2.9 ha) within the site. This Binding Land-Use Plan no. 02/006 for Grafental Mitte was elaborated in an accelerated process (§ 13a *Federal Building Code*) and has been legally binding since 2018. The plan provides for residential areas with around 350 flats. In accordance with the requirements of Düsseldorf's Action Plan for the Housing Market a total of 40% of the planned residential units are to be publicly subsidised and price-reduced housing.

Formal procedural steps (accelerated procedure according to § 13a Federal Building Code) to elaborate the Binding Land-Use Plan no. 02/006 for Grafental Mitte:

- 30 April 2016: The decision was taken to elaborate the plan
- 29 August 2016 - 23 September 2016: Early participation phase (the public and authorities and other public agencies) including a public meeting
- 29 September 2017: The decision to elaborate the plan was amended
- 2 January 2018 - 2 February 2018: The draft plan and its justification made available to the public

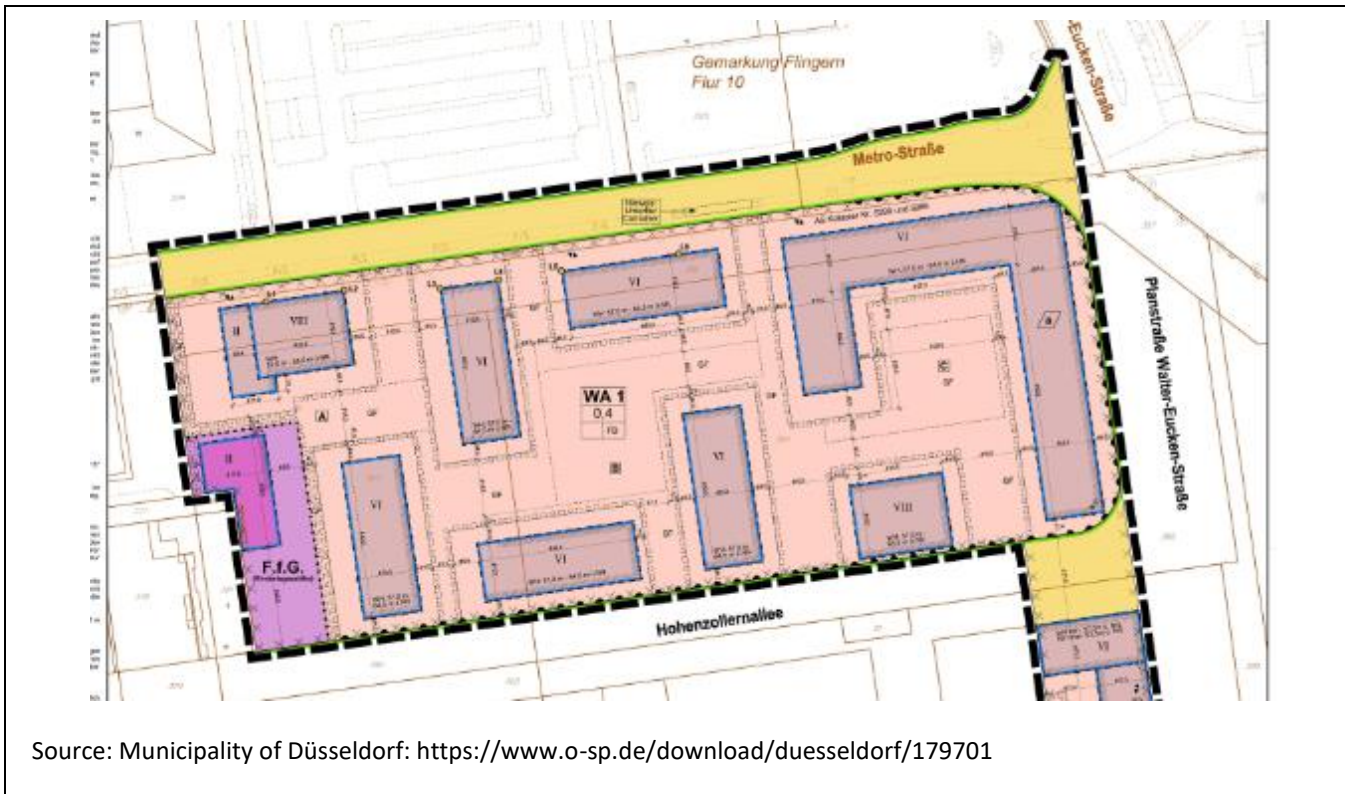
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- 14 June 2018: Decision: the local authority adopted the binding land-use plan as a bye-law (based on a weighing of interests which fed into the final plan)
- 7 July 2018: Promulgation; the final binding land-use plan entered into force

#### Duration of validity

- Binding land-use plans have a long-term planning horizon.

### Details of the plan



### Characteristics

#### Location of the area

- Grafental is located between the districts of Grafenberg and Düsseltal in the east of Düsseldorf within a mature urban environment about 4 km from the city centre.

#### Initial situation

- The planning area of around 14.4 ha is a former locomotive manufacturing site (Hohenzollern Railway Works). The planning area is divided into a northern part, in which old buildings, some of which are under a preservation order, have been revitalised as office buildings and new office buildings have been built since the end of the 1990s by a property developer. In addition a location for non-central retail has been developed on the northern edge. In 2008, the southern half of the site was sold en bloc to another property developer which is developing the new urban quarter of Grafental described above.

#### Particularities of the procedure and/or contents

- During the realisation phase, the planning objectives for the area changed (more residential use, less commercial), such that a new binding land-use plan was drawn up for part of the site in an accelerated procedure just a few years after the initial binding land-use plan had been drawn up.

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## Notes and links

[https://www.arl-international.com/sites/default/files/dictionary/2021-09/urban\\_land-use\\_planning.pdf](https://www.arl-international.com/sites/default/files/dictionary/2021-09/urban_land-use_planning.pdf)

<https://www.duesseldorf.de/stadtplanungsamt/projektuebersicht/bebauungsplaene/grafental-mitte.html>

<https://www.o-sp.de/duesseldorf/plan/uebersicht.php?L1=3&pid=27768>

<https://grafental.de>