

Instructions and explanations for the applicable land use plan

This section serves to unify the procedures and concepts relating to the application of the Land Use Plan for the Capital City of Prague. It is primarily intended for designers and employees of building authorities.

Floor space coefficient

For some (mainly developing and transitional) surfaces, a land use code has been laid down, which corresponds to the maximum coefficient of floor spaces. This coefficient cannot be exceeded, for example for land use code F, a floor space coefficient of 1.4 may be accepted, but not 1.41 or higher.

The coefficient of floor spaces actually achieved in the project is calculated as a proportion of gross floor space (HPP) including HPP eligible for inclusion as underground floor space and areas designated for this purpose in the project (usually land owned by the investor as an area to be developed, with a designated land use code). The floor spaces coefficient calculated is rounded up to the nearest two decimal places, following mathematical rounding rules.

The applicant always submits the calculation of the surface area assigned to the project (see the previous paragraph), to facilitate the assessment by the building authority, or may also present material to support the calculation of the coefficient of floor spaces for the entire area used. The building authority is fully competent to assess whether the gross floor area will or not be exceeded within the context of the total area used after final acceptance of the project.

Calculation of gross floor space

Gross floor space is calculated as the sum of

- the gross floor area of all above-ground storeys, calculated on the basis of the building's external dimensions in each individual above-ground storey, including retreating storeys and parts of the attic eligible for inclusion
- part of the gross floor area of underground storeys used for the main function, calculated on the basis of the building's external dimensions in each individual underground storey.

The calculation of gross floor space includes:

- the area of each above-ground storey calculated on the basis of the building's external dimensions
- the area of each retreating storey calculated on the basis of the building's external dimensions for the given storey
- the part of the attic eligible for inclusion (i.e. a part of the attic space with a height equivalent to or greater than 1.2m. Structures and openings (e.g. chimneys) within this area surrounded by an imaginary horizontal height of 1.2 m are also included in this area. If the attic space cannot be used for the given function, and does not meet suitable parameters for use, it is not included; however if it does meet parameters that would potentially allow it to be used, it should be included in the calculations)¹
- loggia (glazed and open)
- roofed atria (in the case of a multi-storey atrium, only the lowest storey is included)
- indoor halls and rooms covering a number of storeys are calculated using the area generally covered by the floor area in the lowest storey and the area of balconies, galleries in all the other storeys
- the area of each underground storey (on the basis of the building's external dimensions for that given storey), from which the area of underground garages and technical facilities and access corridors used exclusively to access them is subtracted
- studios, offices, working rooms, studies, retail areas, swimming pools, gyms and similar spaces in underground storeys and related structures and access and related areas
- halls and meeting rooms for cultural and social centres in underground storeys and related structures and access areas, including changing rooms, bathrooms and other public areas
- parking lots (the gross above-ground and underground floor area is calculated)
- garages and covered parking spaces in above-ground storeys

¹ Based on Capital City of Prague Decree No. 26/1999 on general technical requirements for construction in the Capital City of Prague Article 3 Terminology (f) and 50 buildings for housing and individual recreation (6), also applied to buildings other than residential buildings

The calculation of gross floor space does not include:

- balconies projecting in front of the façade (continuous and individual)
- walkways (including terraces on the ground and in retreating storeys)
- an entire underground storey, provided it is used exclusively for the operations listed below
- garage areas in underground storeys (if they are an essential accessory for the primary function derived from indicators of the number of parking spaces set out in a decree)
- cellars, pram storage rooms, waste storage areas, laundries, etc. in underground storeys, used exclusively for that building
- non-retail storage spaces (e.g. for shops) in underground storeys

Underground and above-ground storeys

Underground and above-ground storeys are determined as defined in Capital City of Prague Decree No. 26/1999, on general technical requirements for construction in the capital city of Prague, no. 3 Definitions (j):

An underground storey is a storey where the floor level, or the major part of it, is over 0.80 m lower than the highest point of the adjacent terrain in a band 3.0 m wide running around the perimeter of the building; a storey with a higher floor level, including a retreating storey, is an above-ground storey.

In this case, the relationship to the vegetation level is not taken into consideration.

Floor area ratio

In the land use plan, the floor area ratio is supporting data, used to establish the green coefficient (KZ). The floor area ratio is an informative element of the land use plan, but does not itself constitute a binding restriction.

The floor area ratio determines the average number of storeys in the area allocated to the project

(in the area under review, this is the same as the area used to calculate the coefficient of floor spaces). In order to establish the KZ, the floor area ratio is calculated using the following formula:

Floor area ratio = total gross floor area of all above-ground storeys of all buildings in the area under review / the built-up area of all buildings in the area under review

The total gross above-ground floor area is the gross floor area of all above-ground storeys, which may differ from the gross floor area used to establish the rate of land use, where some of the underground floor area has also to be included in the calculations in all the aforementioned cases.

Built-up area means the projection of the outer contours of the above-ground storeys of the building into the terrain (apart from balconies).

To calculate the required coefficient, the floor area ratio is rounded to a whole number, applying principles of mathematical rounding (i.e. values between 0.50-1.49 = floor area ratio of 1, values between 1.50-2.49 = floor area ratio of 2, etc.). In the event the floor area ratio calculated is higher or lower than the abovementioned range in the relevant index value, the KZ value shown in the closest value for the floor area ratio will apply.

Green coefficient

The green coefficient is a factor stipulating the minimum share of the green areas in the location eligible to be calculated. It is derived from the coefficient of floor spaces and the floor area ratio. The KZ is calculated for a defined area of the project, identical to the area used to calculate the coefficient of floor spaces.

The green area is calculated according to the extent of:

- vegetation on unmade terrain (including optional calculations of shrubbery, solitary trees, groups and lines of trees on paved areas);

- other green areas (plants on artificial surfaces – building structures, including optional calculations of shrubbery on unmade terrain, solitary trees, groups and lines of trees on paved areas).

The following are calculated:

- lawns, flowerbeds
- grass playing fields (the entire area is calculated, reduced to 20% of the actual area of the grass playing field)
- trees in paved surfaces (only within a certain range, according to the size of the tree – see the Table of calculations of green areas on page 18 in the [Guidelines for the Land Use Plan for the Capital City of Prague](#))

The following are not calculated:

- pools and water tanks (even those containing aquatic plants)
- all types of grass grids (including the so-called ecoraster)
- trees and shrubs planted on unpaved surfaces

Unmade terrain is a surface, below which the soil profile is not separated from the bedrock by any structure, and which enables the free growth of vegetation and the natural infiltration of rainwater.

Elevation

To determine **elevation levels** (e.g. to determine whether it is a high-rise buildings) the definition in the current Land Use Analytical Data for the Capital City of Prague, Urban Fabric diagram, is used. In case of doubt, the decision is the responsibility of the appropriate building authority.

The building elevation is the height from the lowest point of the adjacent original terrain to the top of the parapet (in the case of flat roofs) of the apex of the roof (in the case of pitched roofs).

Stabilised land

No land use rate is set for stabilised land; in terms of limits placed on development **only preservation, completion and renovation of existing urban structures are allowed, without further extensive building activity.**

A description of the existing urban structures can be found in the Land Use Analytic Data of the Capital City of Prague, in the Urban Fabric diagram. This diagram gives the type of structure and also the elevation for each designated location.

If the proposed structure is not consistent with this type of urban structure, or exceeds the specified height level, it will be found to violate the current land use plan.

Townhouses (apartment buildings)

In the land use plan, townhouses (apartment buildings) are viewed as a type of residential building between family houses (with up to 3 residential units) and apartment blocks (multiple residential units), allowing room for fewer flats in favour of greater living comfort. **In general, a townhouse can be considered to be a building with room for around 4-8, exceptionally up to a maximum of 12 residential units, with no more than 4 above-ground storeys, located on land that is generally separated by a fence².** The normal height of the building is 10-20 m, most commonly 12-17 m from the lowest point of the adjacent original terrain to the top of the parapet (in the case of flat roofs) of the apex of the roof (in the case of pitched roofs)³.

Service flats on plots where housing is not permitted

The rules set out in the land use plan define service flats in Section 16, paragraph (36), in accordance with Section 7 of Act No. 102/1992 Coll., as follows:

A service flat is a flat located in a building or a complex of buildings serving a different function than housing and is designed for people who have property rights over the building or complex of buildings and for people carrying out permanent administration or maintenance thereof.

The amendment no. 132/2011 Coll. amends the provisions of the Civil Code and repeals the relevant section of Act No. 102/1992 Coll. relating to service flats, thereby effectively terminating service flats on 1 November 2011. Given that the wording of the Decree on the binding part of the land use plan was not adjusted to comply with this amendment to the Act, the provisions on service flats in Decree No. 32/1999 Coll. must be interpreted in the sense that the flats as they are defined here continue to exist, but they may no longer be called "service flats". For this reason, for the period until Act No. 89/2012 Coll. enters into force (the new Civil Code, effective from 1 January 2014), which again introduces the term "service flat" into the legislation, we must operate with the term "flat which is part of the facilities playing a primary function in the area (e.g. public facilities) and which serve to meet the needs of the area as delimited by the said function" – in shortened form "flat for the needs of the area" instead of the term "service flat".

It follows from the above, that **to locate flats, or an apartment building on plots where housing is not permitted and where the location of service flats is authorised (in exceptional cases), this is only possible to a very limited extent, where it is obvious that the flat(s) are either used by the owner of the facility, or by people whose daily presence is required for the successful and safe operation of the given facility.**

² See Guidelines for the Land Use Plan for the Capital City of Prague

³ See Land Use Analytical Data of the Capital City of Prague

Buildings for housing or temporary accommodation in areas for public facilities

Buildings for housing or temporary accommodation may be part of social services facilities within the meaning of Act No. 108/2006 Coll., on social services, because residential services are provided in certain social services facilities – see Section 33 Forms of provision of social services, paragraph (2). Residential services are understood to be services associated with housing in social services facilities. These are hostels for people with disabilities, homes for the elderly, hostels with special regimes, sheltered housing, shelters and half-way houses. Social services providers have an obligation to register, i.e. it is a condition of the provision of social services that providers be entered in the register of social services providers.

It follows from the above that, **in areas dedicated to public facilities, residential buildings may be located provided they are part of social services facilities operated within the meaning of Act No. 108/2006 Coll., on social services, which means that the operators of the facilities must be registered in the register of social services providers.**

Exceptional allowance of a functional proportion of over 60% in a generally mixed area (SV)

It is considered acceptable, in exceptional circumstances, to locate some of the permissible functions which occupy over 60% of the total capacity of a generally mixed functional area (SV).

The applicant must demonstrate that individual functions occupy a share of a delimited area of its project (generally land owned by the investor within the SV area), regardless of whether the project occupies the entire functional area or only a part and regardless of other buildings on the given SV area. If one of the functions exceeds 60% of the project's gross floor area, the building concerned must be considered to be exceptionally authorised.

QUESTIONS

Should you have any questions concerning the methodology used regarding the application of rules contained in the land use plan, please do not hesitate to contact us:

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⁴ Compared to the version dated 18 October 2012, the sections on the coefficient of floor surfaces and on the calculation of attic space have been clarified, a section has been added on the permissible share of functions occupying over 60% of generally mixed areas and additional minor clarifications have been added. The method of calculating atria has been specified compared to the version dated 13

December 2012 and compared to the version dated 7 February 2013 the calculation of atria has been clarified.