



Landscaping Proposals Development Permits

The local plan is at municipal level or inter-urban planning-centerpiece governing land use conditions. PLU content is determined by the provisions of Articles L. 123-1 and R. 123-1 of the Town Planning Code. Since the law on solidarity and urban renewal of 13 December 2000, called "SRU" 1 the PLU replaces the POS. Article R. 123-9 defines the structure of PLU which may include some or all of sixteen articles provided only two are required.

Structure PLU Régulation - Article R.123-9

1. Type of occupation or land use prohibited
2. Type of occupation or land use subject to special conditions
3. Access and road
4. Access to public networks (water, sanitation, electricity)
5. Characteristic of land
6. Implementation of constructions with respect to the tracks and public rights of way
7. Location of structures from the separation limits
8. Implementation of each building compared to other on the same property
9. Land use
10. Maximum height of buildings
11. Appearance
12. Parking
13. Free and plantation areas, classified woodlands
14. Land use coefficient or COS; it can be set that U zones or AU, and area N only when transfer is possible COS
15. Energy and Environmental Performance
16. Infrastructure and electronic communications networks.

Only two articles are mandatory

6 and 7 on the rules of implementation in relation to the ways and separation limits: this obligation is derived from the reading of Article L. 123-1-5 and reading a contraire of Article R. 123- 9, which states that if they are not written in the regulations, they are required to be provided in the graphics.

A third article is mandatory for natural forest areas

In natural and forest areas building sectors may be authorized, on 10 ° concerning the conditions of height, layout and density of buildings to ensure their integration into the environment and their compatibility with the preservation of the character natural, agricultural or forestry in the area.

All other actions are optional.

Definition of separation limits

Separation limits apply to the boundaries between properties constituting of the land which the construction and or properties adjoin.

When two properties are located along the same route, the boundary between the two must be regarded as a dividing line leading to this path, even if it consists of several line segments making angle between them. A parcel can contain only divisive boundaries leading to the tracks. In this case, the implantation distances to property substantive limits are not applicable (EC, September 30, 2011, No. 336249).

Applicable regulations



Article L. 123-1

"The local plan respects the principles set out in Articles L. 121-1 and L. 110. It includes a presentation report, a development and sustainable development, planning and programming guidance, regulation and annexes. Each of these elements can include one or more graphics. (...)".

Article L. 123-1-5

"The Regulation, consistent with the proposed development and sustainable development, the general rules and land use easements to achieve the objectives referred to in Article L. 121-1, which may in particular include building ban, define urban or urbanized and natural areas or agricultural and forest protection and shall, depending on local circumstances, the rules for the implementation of constructions.

As such, the regulations may:

1. Clarify land use by main uses that can be made or the nature of activities that may be carried on;
2. Define, depending on local conditions, rules about the destination and nature of permitted constructions;

(Provisions declared non-compliant with the Constitution by the Constitutional Council decision No. 2000-436 DC of 7 December 2000);

3. Determine the rules on the external appearance of buildings, size and layout of their surroundings and to contribute to the architectural quality and the harmonious integration of the buildings in the surrounding environment;
4. Identify areas or parts of areas where the reconstruction or improvement of existing buildings could, for planning or architectural reasons, be required or authorized with a density no greater than that which was originally built, notwithstanding the rules laid down in paragraph 13 below, and attach the main destination of islands or buildings to be restored or rehabilitated;
5. Specify the layout and characteristics of roads to maintain, modify or create, including streets or footpaths and cycle routes, pathways and spaces for public transport and delineate areas that are or may be managed for skiing and areas reserved for ski lifts giving, where appropriate, the facilities and amenities that may be provided to them;
6. Identify and locate landscape elements and delineate areas, islands, buildings, public spaces, monuments, sites and areas to protect, enhance or requalify for cultural reasons, historical or ecological and define, if so, the nature of requirements to ensure their protection;
- to. Identify and delineate areas, islands, ways in which must be preserved or developed commercial diversity, particularly through retail stores and proximity, and define, as appropriate, the nature of requirements to ensure this objective;
7. Attach spaces reserved for roads and public works, the facilities of general interest as well as green spaces;

Locate in urban areas, cultivated lands to protect and unsuitable for whatever equipment which, if any, serve;

8. Delineate areas where the issuance of a building permit may be subject to demolition of all or part of the existing buildings on the land where the implementation of the construction is planned;
9. Attach the coverage conditions through the channels and networks of land likely to receive construction or to be the subject of amenities. It can delineate the areas referred to in Article L. 2224-10 of the General Code of local authorities for sanitation and storm water;
10. Secure a minimum area of building land when that rule is justified by technical constraints on the realization of a sewerage system or where that rule is justified to preserve the traditional urban or landscape interest of the area considered
11. Attach place factors that determine the building density allowed: in urban areas and urbanization; in the areas to be protected because of the quality of their landscapes and their ecosystems to allow, under the conditions specified in Article L. 123-4, constructability transfers to encourage grouping of buildings;
 - a. to. In areas near existing or planned public transport imposed in areas it defines a minimum density of buildings;
12. Require buildings, works, installations and facilities, particularly in sectors that opens to urbanization, meet energy and environmental performance reinforced it defines.