RESOLUTION OF KRAKÓW CITY COUNCIL

NO. LXXVII/1915/17

of 28 June 2017

on the adoption of the local zoning plan for the area of "Skład Solny".

Subject to Article 20 section I of the Spatial Planning and Development Act of 27 March 2003 (consolidated text: Journal of Laws of 2016 items 778, 904, 961, 1250, 1579 and of 2017 item 730), it has been resolved as follows:

§ 1. 1. We have adopted the local zoning plan for "**Skład Solny"**," hereinafter referred to as the "plan", confirming that it does not violate the Study of Conditions and Directions for the Spatial Development of the City of Kraków.

2. The borders of the plan are indicated in the graphic attachment to Resolution of the Kraków City Council no. LVII/856/16 of 8 June 2016 on the initiation of works on the local zoning plan for the area of "**Skład Solny**" and they cover plots no. 61/5, 61/8, 61/14, 61/17, district 13th Podgórze, situated in the 13th District, Podgórze.

3. The area covered by the plan is 0.87 ha.

§ 2. 1. The Resolution includes the provisions of the plan set out in the text of the Resolution (the **text of the plan**) and in the graphic part of the plan (the **drawing of the plan** in the scale of 1:1000 that is attachment **No. 1** to the Resolution).

2. The following **decisions that are not provisions of the plan** constitute the integral part of the Resolution:

1) **decision on the method for examining remarks** to the draft of the local spatial development plan in attachment **No. 2**;

2) **decision on the method for implementing investments set out in the plan in the scope of technical infrastructure** included in the own tasks of the commune and on the principles of their financing, included in attachment **No. 3**.

§ 3. The objective of the plan is:

1) defining the borders and methods for investing and developing the area, underlining the values of the cultural environment resources, considering the location of the area in the buffer zone entered into the UNESCO World Heritage List and in the areas of the city silhouette;

2) defining the function of the area development related to culture, education and recreation to be implemented in new buildings that complement the space by the existing historic building; the foreground is to be preserved for the silhouette of Podgórze;

3) defining the rules for shaping a harmoniously composed public space combined with historic and modern buildings;

4) creating new green areas in the public space.

Chapter I.

GENERAL PROVISIONS

§ 4. 1. Each time this Resolution mention:

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1) ***area*** - it refers to the part of the area covered by the plan and set out by the borderlines with a specific intended use and defined principles or conditions for development, marked with letters and numbers distinguishing it from the other areas;

2) ***intended use of the area*** – it refers to the methods for using or developing the area, as specified for the indicated area in the plan;

3) ***basic intended use*** - it refers to the type of the intended use of the area, as specified in the plan as the only or the predominant intended use of the area set out by the borderlines;

4) ***borderline*** - it refers to the border between the areas of different intended use or different rules for buildings and development;

5) ***impassable building line*** - refers to the line beyond which it is prohibited to build new or extend existing buildings, as well as their aboveground and underground parts;

6) ***obligatory building line*** - means the line on which it is required to situate the façade of the building, except for:

a) eaves, cornice, balcony, loggia or roof over the entrance,

b) external parts of the building that comprise: stairs, slipways and ramps, subject to separate provisions or provisions in the detailed provisions of the plan;

7) ***building plot*** - means the building plot subject to the Spatial Planning and Development Act of 27 March 2003 (consolidated text: Journal of Laws of 2016 items 778, 904, 961, 1250, 1579 and of 2017 item 730);

8) ***built-up area*** - means the area occupied by the building in a finished state (marked by the external dimensions view of the building in relation the area), excluding:

a) area of building elements or their parts that do not protrude above the ground,

b) secondary building elements, e.g. external stairs, external ramps,

external inclinations, external slipways, canopies, awnings, eaves, external lighting,

c) external auxiliary structures, e.g. glasshouses and extensions;

9) ***built-up area index*** - refers to the parameter expressed as a percentage of the build-up area of all buildings in the area of the building plots covered by the site plan (as a part of the building permit design) for the administrative decisions or in the application;

10) gross floor area - refers to the area measured on the contour of the external view of the building, including plaster, linings, rails and balconies;

11) gross building area - refers to the sum of the total areas of all floors in the building;

12) ***total building area*** - refers to the sum of gross building areas in the area of the building plots covered by the site plan (as part of the building permit design) for the administrative decision or in the application;

13) ***building intensity index*** - refers to the parameter expressed in the proportion of the total building area to the area of the building plots covered by the site plan (as a part of the building permit design) for the administrative decision or in the application;

14) ***green area index*** - refers to the parameter expressed as the percentage of the green area to the area of the building plots covered by the site plan (as a part of the building permit design) for the administrative decision or in the application;

15) ***public space*** - refers to commonly available spaces in the city functional and spatial structure aimed at fulfilling the need of the public, e.g. streets, squares, surrounding areas of public transport stops, parks and lawns;

16) ***building height*** - refers to the total height of buildings subject the Act of 7 June 1994 on Construction Law (consolidated text: Journal of laws of 206 items 290, 961, 1250, 1165, 2255) measured from the existing terrain level; for the building: from the level of the existing terrain at the lowest entrance, situated above the existing terrain level, up to the highest point of the building: decking, attics, superstructures over the roof, such as lift engine rooms, air handling unit, air-conditioning handling unit, staircase elements;

17) ***building altitude*** - refers to the elevation expressed in meters above the sea level; its cannot be exceeded by the building structures subject the Act of 7 June 1994 on Construction Law (consolidated text: Journal of laws of 206 items 290, 961.1250, 1165, 1165, 2255)

18) ***unmarked driveways*** - refers to the existing and new driveways (unmarked by the borderlines), enabling access to public roads - within areas of specific intended use and rules or conditions for development;

19) ***flat roof*** - refers to a roof with the inclination up to 12º;

20) ***dominant*** - refers to a building that, due to its size and architectural form, is distinguishable in the surrounding space;

21) ***level of the existing area*** - refers to the altitude of the area of a specific place subject to the data on the master map used in preparing the plan.

2. The other terms used in the resolution are defined in separate regulations.

3. Proper nouns (including streets, squares and structures) - as referred to in the text and drawing of the plan - should be respectively understood as the names existing on the day the draft plan is prepared.

4. Marking and path of the registered parcel borders in the text and drawing - refer to the condition existing on the day the draft plan is prepared.

Marks used on the drawing of the plan

§ 5. 1. Elements of the plan marked on the drawing of the plan included in the provisions of the plan:

1) **borderline of the area covered by the plan**;

2) **borderlines**;

3) **impassable building lines**;

4) **obligatory building lines**;

5) identification marks of areas with specific intended use and established rules and conditions for development:

a) **U.1 –public use building area,** intended to be built up with buildings for public use ,

b) **ZP.1, ZP.2 – areas of arranged greenery,** intended to be covered with greenery accompanying the building structure.

2. Informative elements of the plan marked in the drawing of the plan, not included in the provisions of the plan:

1) building indicated in the municipal and regional (voivodship) register of monuments;

2) equal loudness contour for road noise L_{DWN}=70 dB according to the acoustic map of Kraków of 2012.

3) equal loudness contour for road noise L_{DWN}=65 dB according to the acoustic map of Kraków of 2012.

Chapter II.

AREA DEVELOPMENT PRINCIPLES APPLICABLE TO THE WHOLE PLAN AREA, INCLUDING RULES FOR PROTECTING AND SHAPING SPATIAL ORDER

Area development principles

§ 6. 1. The area whose intended use is changed by the local plan, may be used in the current manner until it is developed subject to the plan.

2. As a part of the separated area with specific intended use and established rules or conditions for development, it is possible to implement only the buildings and structures specified in the plan and conduct construction works according to the parameters and indexes in the plan.

3. Prohibition on locating commercial buildings of the sales area over 2,000m2.

Principles for protecting and shaping spatial order
Requirements resulting from the need to create public spaces
Principles for shaping buildings.

§ 7. 1. The following principles for shaping and developing public spaces have been established:

1) obligation to create a square or another public space along with greenery accompanying the building in area U.1;

2) while planting greenery accompanying building structures, there is the obligation to use compositions and properly selected of species, excluding elements of foreign landscape nature - evergreen exotic conifer species, such as: *Thuja*, *Chamaecyparis*, *Juniperus*;

3) obligation to use technical solutions that ensure conditions for the disabled to move around.

2. Prohibition on the location of farm buildings.

3. In reference to the existing buildings and structures, there is the possibility to reconstruct, refurbish and modify them.

4. Principles regarding building façades (not applicable to the historic building):

1) obligation to finish building façades using finishing solutions and materials that minimize the threat to birds;

2) prohibition on the use of lighting screens (including LED);

3) prohibition on colorful and pulsating illumination;

4) it is possible to create building façades in the form greenery on walls or vertical gardens.

5. Principles regarding roof shape (not applicable to the historic building):

1) prohibition on broken roofs: mansard, pseudomansard, Polish or Kraków-style;

2) it is possible to implement terraces on flat roofs;

6. Principles regarding the location of public investments in the scope of public communication - telecommunication infrastructure (including mobile phone):

1) prohibition on the location of independent mast for the purpose of public communication;

2) prohibition on the location of antennas, masts and other technical devices on historic buildings for the purpose of public communication;

3) while locating public investments in the scope of public communication, there is the need to consider the maximum building height in the plan.

7. Prohibition on the location of temporary building structures, except for:

1) buildings located for the period of the construction;

2) structures such as: tent decking and pneumatic coatings, as well as independent mesh decking for the time of an exhibition, show or event.

8. In the whole area of the plan, there is the limitation regarding the building height resulting from

protection zone for aerodrome equipment of 300 meters above the sea level.

Requirements regarding environmental protection

§ 8. 1. According to the flood threat maps:

1) the whole area of the plan is situated in the area threatened with floods with the probability of Q 1% in the scenario complete destruction or damage to dikes;

2) in the neighborhood of the plan area, from the Vistula River, there are places where water runs, particularly through the flood dike - in case of small likelihood of flooding - once every 500 years (Q 0.2%).

2. In the whole area of the plan there is the prohibition on the location of public building of healthcare and social nature, orphanages, pension homes, reformatories, shelters for the under-aged.

3. In the whole area of the plan, it is possible to locate water devices necessary for the implementation of tasks related to water retention and fire protection.

4. The area covered by the plan is situated in an area of negative influence of the Vistula water impoundment on the barrage in Dąbie; therefore, while designing buildings, there is the need to assume water level without considering the functioning of the well barrier that drain the city of Kraków.

5. Prohibition on the location of ventures that may have a significant impact on the natural environment, except for the following investments:

1) technical infrastructure;

2) garages and car parks or complexes of car parks along with accompanying infrastructure of the useful area of no less than 0.5ha;

3) anti-flood buildings;

6. In the area of U.1, the site plan (as a part of the building permit design) for the investment provides for the obligation to prepare a complex greenery plan, taking into consideration the existing greenery.

7. Construction of building drains with drilling holes should, from time to time, be preceded by the documentation of hydro-geological conditions.

Rules for protecting cultural heritage and historic buildings, including cultural landscape and modern culture landmarks

§ 9. 1. The whole area of the plan is located within the Buffer Area entered into the UNESCO World Heritage List.

2. The whole area of the plan is situated within the Podgórze urban and architectural complex entered into the register of monuments - register no. A-608, decision of 26.10.1981.

3. **Monument entered into the register of monuments** will be covered by protection and marked on the plan drawing:

building at: Na Zjeździe 8 (former barracks and barns, commonly referred to as “skład solny” [salt warehouse]). The facility is covered by the building principles, taking into account its protection

and the possibility of performing construction works in the scope indicated in Chapter III.

4. To protect the archeological monuments, the whole area of the plan is covered by the ***archeological maintenance protection zone*** due to archeological monuments in the area.

Detailed principles and conditions for merging and dividing the property

§ 10. 1. Due to the specificity of the area covered by the provision in the plan (a part of the urban and architectural system entered into the register of monuments of small area, including a protected monument), no principles or conditions for merging and dividing the property have been established.

2. The plan does not specify any areas in the property that need to be merged or divided

Principles for maintaining, modifying, refurbishing, extending and constructing technical infrastructure

§ 11. 1. The plan specifies general principles for handling the technical infrastructure with regard to the whole area of the plan:

1) possibility to conduct construction works consisting in the construction, extension, modification, assembly, refurbishing or demolition and separation of buildings and structures for technical infrastructure;

2) considering the connection of the planned buildings and structures for technical infrastructure purposes with the existing external system;

3) along the buildings and structures for the purpose of technical infrastructure, there are limitations in terms of buildings and development of areas in direct vicinity, subject to separate regulations;

4) the principle of locating buildings and structures for electric energy and telecommunication purposes with the obligation to consider human health protection against the impact (radiation) of electromagnetic fields;

5) along the building buildings and structures for technical infrastructure in the area of the tree roots system (existing or planned trees), there is the obligation to use technical solutions (e.g. root screens) enabling the roots to grow into the underground infrastructure;

6) there is the prohibition on the location of facilities producing water from renewable energy sources, using wind power of the capacity that does not exceed the capacity of the micro-installation subject to Article 2 item 19 of the Act of 20 February 2015 on Renewable Energy Sources.

2. In the scope of **water supply**, the following arrangements have been agreed:

1) water supply from the municipal network;

2) while designing the water supply for the planned buildings, the pressure line average altitude should be assumed at the level of 245.00 m above the sea level.

3) construction, extension, modification of the water supply of the diameter of no less than ø 100 mm

4) extension and modification of the functioning water supply system for the living, usage and fire protection needs in relation to the municipal water supply network.

3. In the scope of the **discharge of waste water and rainwater**, the following provisions have been agreed:

1) obligation to discharge living and industrial waste water based on the general sewage system;

2) prohibition regarding the location of the water treatment plant and tight, contained septic tanks;

3) construction, extension, modification of the general sewage system of the diameter no less than ø 300 mm

4) management of rainwater through retention on the spot or discharging it to the sewage system, taking into account the following solutions:

a) facilitating the soaking of rainwater to the ground,

b) slowing down the discharge to the receiver to the amount that is produced in the area before

the development process (runoff coefficient: 0.1),

c) increasing the retention.

4. In the scope of **gas supply**, the plan envisages supplying gas to the users based on a low and medium pressure gas grid.

5. In the scope of **heat supply**, the following provisions have been agreed:

1) providing the buildings with heat based on municipal heating network, natural gas, renewable energy sources (e.g. solar, geothermal energy), electricity, light fuel oil;

2) construction, extension, modification of the municipal heating grid of the following parameters:

a) in the heating season, the design temperature of the heating network, changeable in the functionality of the external air temperature: 135°/65°C,

b) in the summer season, stable temperature of the heating medium: 70°/30°C, whereas in case of technological heat: 70°/65°C,

3) prohibition on the use of solid fuels in building structures.

6. In the scope of **electricity supply**, the following provisions have been agreed:

1) connection of electricity to the users based on transformer stations MV/LV and the electric medium and low voltage grid;

2) prohibition on the implementation of overhead power lines;

3) construction, extension and modification of the electric network as an in-ground grid;

4) construction of a transformer MV/LV station as underground, indoor stations (individual or inside buildings);

5) minimum cross-section of in-ground low and medium voltage ducts 0 16 mm^2.

7. In the scope of **telecommunication** the following provisions have been agreed:

1) fulfilment of the needs of users based on the existing telecommunication infrastructure and extension or construction of new telecommunication buildings and structures, subject to the other provisions in the plan;

2) in case of implementing line structures, they should be constructed as in-ground cable network.

Principles for maintaining, modifying, refurbishing, extending and constructing a communication system

§ 12. 1. Operation of the area in the plan in terms of communication will be provided through a road system, situated entirely outside the borders of the area covered by the plan:

1) Na Zjeździe street located outside the western border of the area in the plan;

2) Jan Karski road node located outside the northern border of the area in the plan.

2. The implementation of the provisions in the plan in the scope developing, using and maintaining the areas of car parks, pedestrian cycling communication requires the following:

1) technical solutions for the disabled (including sight impairment);

2) technological solutions improving and facilitating the condition for trees and bushes to grow.

3. No exit roads from public roads have been indicated.

4. The following principles for car park operation have been agreed:

1) the minimum and maximum number of parking lots have been specified, including lots in garages with proper reference to the functions of buildings or their parts:

a) cultural buildings: theatres, cinemas, concert halls - min. 12 max. 20 lots per 100 viewers (seats),

b) cultural buildings: exhibitions halls, museums - min. 10 and max. 20 lots per 100 visitors (at a time),

c) gastronomy buildings - min. 3 and max. 7 lots per 100 consumer places,

d) office buildings - min. 5 and max. 10 lots per 1,000m2 of the useful area,

e) public administration buildings, judicial buildings - min. 5 and max. 10 lots per 1,000m2 of the useful area,

f) bank buildings - min. 5 and max. 10 lots per 100 employees,

g) educational buildings - min. 5 and max. 10 lots per 100 employees,

h) higher education buildings - min. 5 and max. 10 lots per 100 employees,

i) higher education buildings - (additionally - if with students) - min. 2 and max. 5 lots per 100 students,

j) hotels - min. 3 and max. 7 lots per 100 rooms,

k) commercial facilities (up to 2,000m2) - min. 10 and max. 20 lots per 1,000m2 of the useful area,

l) other services - min. 5 and max. 10 lots per 100 employees,

2) for structures specified in item 1, there is the need to ensure parking card lots - minimum 4% of the total number of lots intended for a given building and no less than 1 place as part of the indicated number of parking lots;

3) the minimum number of parking spots for bicycles has been established, including places outside the buildings with proper reference to the functions of buildings or their parts according to the following indexes (no less than 1 spot per one type of structure):

a) cultural buildings: theatres, cinemas, concert halls - 5 places per 100 viewers (seats),

b) cultural building: exhibitions halls, museums - 1 place per 100 visitors (at a time),

c) commercial buildings (up to 2,000m2 of the sales area) - 10 places per 1,000m2 of the useful area,

d) gastronomy buildings - 10 places per 100 consumer places,

e) other services - 5 places per 5 employees,

4) parking places and stopping places for bicycles for the needs of a given building should located and balanced int the area of the building plots covered by the site plan (as a part of the building permit design) for the administrative decisions or application;

5. Parking places should be provided as underground or indoor building structures, taking into account the provisions in § 8 section 1, or aboveground structures.

6. The following principles of public transport operation have been agreed with regard to communication lines

outside the area covered by the plan:

1) the area i the plan is situated within the range of the existing tram line along the Na Zjeździe Street

2) communication operation of the area is complemented by the agglomeration railway, station "Kraków Zabłocie" is situated in the vicinity of the eastern border of the plan area.

Percentage rate

§ 13. The percentage rate for the purpose of calculating the fee on account of the increase in the value of the property in relation to the adoption of the plan is agreed at the level of 30%.

Chapter III.
DETAILED PROVISIONS
Intended use of the areas, parameters and indexes of the buildings area development

§ 14. The intended use of the areas of U.1 includes greenery accompanying buildings, as well as buildings and structures ensuring its proper functioning, such as:

1) buildings and structures for technical infrastructure, except for the electric station 110 kV/MV, subject to § 11 section 1 item 6;

2) walkways and driveways unmarked on the plan drawing, ensuring communication of the plot area with public routes;

3) parking places;

4) squares, lawns;

5) small architecture structures.

§ 15. 1. The **Public use building area,** has been marked with symbol **U.1** and it is intended to be built-up with buildings for public use, including public purposes,

2. In the scope of shaping the buildings and developing the area, the following provisions have been agreed:

1) minimum green area index: 30%;

2) building intensity index: 0.36 - 2.0;

3) maximum building height: 18.5m;

4) there is the obligation to expose the historic building as referred to in section 3 - its front façade (west) and north, ensuring the view opening from the Plac Bohaterów Getta square, Na Zjeździe Street and Jan Karski road node;

5) there is the obligation to provide communication link - pedestrian and functional with a public area on Na Zjeździe Street (on the western side of the plan area) and the area located on the northern side of the plan area;

6) admissions

a) construction of underground buildings (including underground garage), taking into account the principle that the flat roof in underground building should be entirely provide at the maximum level of 0.5 m over the existing terrain level,

b) location of retaining structures,

c) location of amphitheaters, open air audience spaces, open air stages etc., subject to item 4,

d) illumination of the building and architectural complexes along with their surrounding and illumination of the greenery in compliance with the following principles:

- while illuminating modern structures in the vicinity of historic structures, the formal prominence of historic buildings should be assumed,

- the illuminations should use white light.

3. In the indicated area, there is a protected building entered into the municipal and regional (voivodship) register of monuments, marked on the plan drawing at the address: ul. Na Zjeździe 8. Its protection is taken into account subject to the following provisions:

1) obligation:

a) keep the dimensions and shape of the volume, height of the upper edge of the façade, geometry and the inclination angle of the roof,

b) protect (in case of reconstruction and restoration) the composition and articulation of the façade, its decorations and architectural details, subject to the approvals as referred to in item 3;

2) prohibition:

a) no superstructures,

b) no changes in the form and shape of the roof, location of the dormers,

c) no thermal insulation of the building eliminating the architectural articulations and architectural details,

d) no roof windows on the roofing of the from façade (west);

3) approval:

a) change in the material of the roof into ceramic roof tiles or flat sheets – in natural material colors,

b) in reference to the from the front (west) and the side façades (north and south) - possibility of recomposing/rearranging them subject to the following principles:

- maintenance of the existing axis of the window openings (no new axis

with window or door openings),

- on the ground floor - possibility to change the shape (proportion) of window openings, window opening proportion - in the shape of a vertical rectangle,

- on the first floor - no changes in the shape and location of windows, obligation to protect/maintain the profiles, divisions, proportions and dimensions (this arrangement does not apply to the wings of the building with additional staircases),

- maintenance of a uniform color structure of the window and door carpentry,

c) in reference to the rear façade (east):

- possibility to change the shape of window and door openings, add new openings, new axis and large glazed areas,

- possibility to locate roof windows, glazed areas on the roofing,

d) construction works related to the superstructure of the combustion and ventilation chimneys to adjust their parameters to separate regulations.

§ 16. 1. **Organized green areas** have been marked with symbols **ZP.1, ZP.2**,

intended to be covered with greenery accompanying the buildings.

2. In the scope of the principles regarding buildings and the development of the area, the following arrangements have been agreed:

1) minimum green area index: 90%

2) maximum building height: 5m;

3) approval for location:

a) walkways,

b) small architecture structures,

c) buildings and structures for technical infrastructure, except for the electric station 110 kV/MV, subject to § 11 section 1 item 6;

Chapter IV.
FINAL PROVISIONS

§ 17. The execution of this Resolution is delegated to the Mayor of the City of Kraków.

§ 18. This Resolution enter into force 14 days after the day it is announced in the Official Journal of Małopolskie Voivodship.

President of the Council of the
City of Kraków

Bogusław Kośmider