Affordable Housing in Vienna: the new zoning category „residential building deserving promotion“ & zoning building land for a limited time period

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Overview

• New planning instruments in Vienna
• Legal evaluation

• Changing zoning plans in Vienna
• Areas of application in Vienna
  – Example
• Conclusions
Vienna‘s Framework conditions

• High level of quality of living
• Increase in population

• Need to procure more housing
  – Affordable housing options
  – Fast solutions to provide housing for larger numbers of persons currently
  – Undeveloped building land

www.urlaubsonline.com
Online 4.6.2016
1. New zoning category: residential building deserving promotion
2. Building land zoned for a limited time only

NEW PLANNING INSTRUMENTS IN VIENNA
Zoning for a limited time – challenges I

• No time frame for required building use stipulated by law
  – Reasonably long
    • Meet aims of the provision & Comply with property rights
  – „Use“ as building land
    • Application for building permit
      – Negative decision by the public authority / non compliance with development plan
    • Building permit
      – Issuance or coming into legal force
      – Valid for up to eight years
      – No obligation to make use of building permits
• Use of building permit
  – Beginning of construction
  – Completion of construction
Zoning for a limited time – challenges II

• No consequence to the status of the land not used as building land within the time limit is stated by law

• Change of status necessary to meet aim
  – Green land?
  – Building land with building freeze?
  – No status?
    • Not allowed by law
  – Former status of the land?
Zoning for a limited time – challenges III

• Normally: right to compensation for reclassification of building land into land not suitable for building
  – Not in case of expiry of a limited zoning as building land

• Applicability to former building land?
  – Equality before the law?

• Applicability to former green land only
  – Limited scope of application
New zoning category „residential building deserving promotion“

• To ensure affordable housing within the category building land
• Suitable for sponsoring
  – Maximum size of flats 150 m²
  – Highest level of thermodynamic standards
  – “deserving” promotion
• 11.000 flats/year
• Prohibition to enlarge flats
  – No Consequences stated

New planning instruments

LEGAL EVALUATION
Legal evaluation

• Vienna tries to adapt its planning and building law to current challenges

• Zoning building land for a limited period:
  – provisions left rather vague; vast room for interpretation by administrative authority

• New zoning category “residential building suitable for state sponsoring”
  – later adaption of buildings prohibited, no consequences stated by law
  – No guarantee of affordability
5 Steps how to change zoning plans

CHANGING ZONING PLANS IN VIENNA
5 Steps to change a zoning plan in Vienna

1. Initiation
   – by regular replanning or by a project

2. Planning
   – Replanning and internal agreement on changes by planning department (MA 21)

3. Public review
   – 6 weeks in the district office and online on homepage
   – possibility to make comments for everyone

4. Replanning
   – consider comments
   – make minor changes / prepare documents for final decision

5. Final agreement by district and city council
Homepage to review zoning plan changes
Plans & Documents

• Zoning plan
  (public document: including the legend to used symbols)
  – Showing the changes in a plan

• Text to the zoning plan
  (public document: part of the zoning plan)
  – Showing more details and regulations

• Explanation - report
  (internal document: mainly used during the changing process)
  – Giving the reason for the changes
Overview of the usage of new planning instruments in Vienna
1. New zoning category: residential building deserving promotion
2. Building land for a limited timeframe only

AREAS OF APPLICATION IN VIENNA
Areas of application in Vienna

- New zoning category: residential building deserving promotion
- Building land for a limited time only
Residential building deserving promotion

EXAMPLE
Example for the new zoning category: residential building deserving promotion

W (Wohnen): residential building area
FB (förderbarer Wohnbau): deserving promotion
Winner of the development competition

- Land owner
  - wohnfonds_wien

- Real estate developer
  - EBG
    (www.ebg-wohnen.at)

- Architect
  - Krischmanitz ZT GmbH

- Project
  - Building lease for 85Y
  - 70 promoted rental flats
  - 2-5 rooms: 1-4 bedrooms
  - 55 – 102 m² living space

http://www.ebg-wohnen.at/ProjektDetail.aspx?id=345&typ=1, online 7.7.2017
CONCLUSIONS

What makes living affordable
Conclusions

• „residential buildings deserving promotion“:
  – The right way – but far enough? Is it more affordable?
  – up to 150 m$^2$ living space versus living space based on number of individuals

• Building land for a limited time only:
  – Makes building sites available, but does it make it more affordable?
  – Not used yet
Thank you for your attention

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Example for buliding land for a limited timeframe only

Winner of the development competition

- Land owner
- Real estate developer
- Architect
  - Podsedensek ZT (2004)
    - [www.podsedensek.at](http://www.podsedensek.at)
- Project
  - Shopping center
  - Office space
  - Flats
  - 60,000 m² in total