

INVESTOR MINI-GUIDE

January 2023

Implementation of procedures performed in Polish.

EXPLANATION AND KEY

To facilitate the receipt of the content of the Guide, the following terminological abbreviations are introduced:

MPZP – Local Spatial Development Plan

WZ – decision on the conditions of building and spatial development

ULICP – decision on determination of the location of a public purpose investment

PB – building permit decision

DUŚ – decision on environmental conditions for the investment project

MSIP "Observatory" - Municipal Geographical Information System *Observatory*



INVESTMENT PROCESS – PREPARATION STAGE

- ❑ Geodesic information from the land and building registry
- ❑ Verification of coverage of the investment area with the provisions of the applicable local spatial development plan (MPZP)
- ❑ Verification of the need to obtain a decision on environmental conditions for investments (DUŚ)
- ❑ Preparation of the investment in terms of communication service and its drainage
- ❑ Verification location of investments in areas covered by the municipal register of monuments or entered into the register of monuments
- ❑ Obtaining the decision on the determination of the the development conditions (WZ)/decision on the establishment of the location of the public-purpose investment (ULICP)*

** Depending on arrangements of point 2*



INVESTMENT PROCESS – DESIGN AND PREPARATION STAGE (1)

- ☐ Exclusion of agricultural land from production
- ☐ Coordination of location of the designed infrastructural network
- ☐ Merge of the investment into a public road
- ☐ Merge of the investment into a non-public road and location of the infrastructure in the road lane
- ☐ Provision of urban areas for the location of technical infrastructure devices
- ☐ Permission to remove trees and shrubs from the investment area
- ☐ Derogation from technical and construction regulations
- ☐ Conservation permit
- ☐ Permits, water and legal reports, permits in the flood protection wall zone
- ☐ Approval of geotechnical documentation
- ☐ A building permit, notification of construction or construction works with the project
- ☐ Notification of the intention to perform construction works



INVESTMENT PROCESS – DESIGN AND PREPARATION STAGE (2)

- ☐ Provision of urban areas for the purpose of conducting construction works
- ☐ Publication of the construction logbook
- ☐ The occupation of the road lane in connection with the investment
- ☐ Notification of intention to remove trees
- ☐ Assignment of the building with an order number and street or estate names



MANAGEMENT OF IMMOVABLE PROPERTIES IN THE INVESTMENT PROCESS

- ☐ Selling immovable property in tender mode
- ☐ Leasing of immovable property
- ☐ Letting the immovable property
- ☐ Encumbrance of immovable property with easement
- ☐ Change of data in the land and building registry



DESIGN STAGE



INFORMATION FROM THE LAND AND BUILDING REGISTRY

The data contained in the extract from the land registry, i.e. the immovable property (plot number, number or name, and registration unit), area, use and class of land, mortgage register number or entry number in the monuments register are particularly important in the planning and implementation of the investment process.

Number and name of procedure	Implementing unit
<u>GD-2:</u> <u>Providing materials for poviat geodesy and cartographic resources as well as extracts and outlines for legal purposes</u>	<u>Geodesy Department</u>



LOCAL SPATIAL DEVELOPMENT PLANS (MPZP)

Checking whether the area of the planned investment is covered by the provisions of the Local Development Plan or its preparation was initiated on the territory - it can be done with the use of the following tools:

Verification of planning settlements for the planned investment

[Active collective map of MPZP in Kraków](#)

[Municipal Spatial Information System Observatory](#)

[Comprehensive information about spatial planning in Kraków - the portal of the Spatial Planning Office in Kraków](#)



LOCAL SPATIAL DEVELOPMENT PLANS (MPZP)

Planning settlements for planned investment	Procedure	Implementing unit
MPZP is binding within the area of the investment	<u>BP-3</u> <u>Issuance of extracts and outlines from the local spatial development plan.</u> <u>Issuance of extracts and outlines from the study of conditions and directions of spatial development</u>	<u>Spatial Planning Office</u>
MPZP is prepared within the area of the investment	<u>BP-1</u> <u>Acceptance of applications and comments to local spatial development plans</u>	
MPZP neither binding nor prepared within the area of the investment	<u>BP -2</u> <u>Applications for preparation or change in a local spatial development plan</u>	



DECISION ON ENVIRONMENTAL CONDITIONS (DUŚ)

Verification of the impact of the planned investment on the environment:

Regulation of the Council of Ministers on projects that may significantly affect the environment

Type of planned project	Procedure	Implementing unit
Building project that can have a potentially significant impact on the environment	<u>WS-58</u> <u>Decision on environmental conditions for the planned project that can have a potentially significant impact on the environment</u>	<u>Environmental Management Department</u>
Building project that can always have a significant impact on the environment	<u>WS-56</u> <u>Decision on environmental conditions for the planned project that can always have a significant impact on the environment</u>	
	<u>WS-57</u> <u>Decision on environmental conditions for the planned project that can always have a significant impact on the environment in the case of an application to determine the scope of the report</u>	



PREPARATION OF INVESTMENT FOR COMMUNICATION SERVICE AND ITS DRAINAGE

Before applying for a decision on the determination of the conditions for development, the Investor may obtain an opinion on the communication service concept for the planned investment.

Topic	Procedure	Implementing unit
Communication service of investment	<u>ZDMK-33</u> <u>Opinion on the communication service concept of the planned investment</u>	<u>Kraków City</u> <u>Road Authority</u>
Drainage conditions of investment	<u>ZDMK-22</u> <u>Issuance of technical conditions for discharging rainwater from the investment area or reconstruction of a water facility</u>	



LOCATION OF THE INVESTMENT ON AREAS COVERED BY THE MUNICIPAL REGISTER OF MONUMENTS OR ENTERED INTO THE REGISTER OF MONUMENTS

Before applying for a decision on the establishment of the conditions for development, the Investor may apply to the appropriate conservation officer for an opinion on the planned investment in the form of conservation recommendations.

Topic	Procedure	Implementing unit
Entry in the municipal register of monuments	<u>KZ - 10</u> <u>Conservation recommendations defining the way of using the monument, its protection and performance of conservation works as well as the scope of acceptable changes that may be introduced in this monument (concerns monuments located in the area designated in the agreement *)</u>	<u>City Monument Conservator Office</u>
Entry into the register of monuments	<u>Conservation recommendations</u> <u>Application for issuing conservation recommendations</u>	<u>Małopolskie Voivodship Monument Conservator</u>

* **Content of agreement** RESOLUTION NO XCVII/1326/10 of KRAKÓW CITY COUNCIL of 28 April 2010 r

Annex to the Agreement: RESOLUTION NO LXXXI/1252/13 of KRAKÓW CITY COUNCIL of 11 September 2013



DECISION ON THE CONDITIONS OF SPATIAL DEVELOPMENT (WZ) DECISION ON DETERMINATION OF THE LOCATION OF A PUBLIC PURPOSE INVESTMENT (ULICP)

If the investment area is not covered by the provisions of the Local Development Plan, it is necessary to obtain a decision on establishing the development conditions or a decision on determining the location of the public-purpose investment.

Catalog of public investments: Article 6 of the Act of 21 August 1997 on immovable property management.

Type of decision	Procedure	Implementing unit
Decision on the conditions of spatial development (WZ)	<u>AU-1</u> <u>Determination of development conditions</u>	<u>Architecture and Urban Planning Department</u>
	<u>AU-2</u> <u>Transfer of decision on determination of development conditions to other investor</u>	
Decision on determination of the location of a public purpose investment (ULICP)	<u>AU-3</u> <u>Determination of location of public purpose investment</u> No possibility of transferrring decision to other investor	



DESIGN AND PREPARATION STAGE



EXCLUSION OF AGRICULTURAL LANDS FROM PRODUCTION

If the area of the planned investment is a land use subject to exclusion from agricultural production - before applying for a building permit, a decision should be obtained allowing its exclusion - from production.

List of lands subject to exclusion from production: Article 11 of the Act of 3 February 1995 on the protection of lands and forests.

Topic	Procedure	Implementing unit
Exclusion of agricultural lands from production	<u>GD- 33</u> <u>Permit for exclusion of agricultural lands from production</u>	<u>Geodesy Department</u>

Permission to exclude agricultural land from production **does not automatically change the land use in the land and building register. Only the commencement of the investment (first entry in the construction logbook) results in the actual exclusion of agricultural land from production and the need to update the land use data.**



COORDINATION OF LOCATION OF DESIGNED INFRASTRUCTURAL NETWORKS

In the event that the planned investment provides for the construction, extension or reconstruction of the infrastructural network - before applying for building permits or notification of construction works - a settlement on the designed infrastructural networks should be obtained. **Types of infrastructural networks subject to agreement:** Article 28b of the Act of 17 May 1989 on geodetic and cartographic law. The location of the designed infrastructural networks is coordinated at the coordination meetings. The results of the meeting are fixed in the minutes.

Topic	Procedure	Implementing unit
Coordination of location of designed infrastructural networks	<u>GD-28</u> <u>Coordination of location of designed infrastructural networks</u>	<u>Geodesy Department</u>
Current online information on the issue	<u>GEOINFO Portal 7</u>	<u>Geodesy Department</u>



MERGE OF INVESTMENT IN PUBLIC ROAD

In the case of the planned connection of the investment with the **public** road - before issuance of the building permit for the construction of the building with the connections the Investor should obtain the following documents.

List of public roads in Krakow

Topic	Procedure	Implementing unit
Possibility of connection with public road	<u>ZDMK-20</u> <u>Declaration on connection conditions to land roads and the possibility of connection with a public road (applies to national or provincial roads)</u>	<u>Krakow City Road Authority</u>
Implementation or reconstruction of exit from public road	<u>ZDMK-9</u> <u>Permission for location/reconstruction of exit from public road</u>	
Possibility of inclusion in road, traffic in connection with planned investment	<u>ZDMK- 43</u> <u>Agreement on construction design</u>	
	<u>ZDMK- 31</u> <u>Agreement on change in the development land adjacent to the roadway of a public road in the scope of road inclusion</u>	



MERGE OF INVESTMENT IN NON-PUBLIC ROAD AND LOCATION OF INFRASTRUCTURE IN THE ROAD

In the event of a planned merger of an investment with a **non-public road** - before issuance of a permit for the construction of a building with connections the investor should obtain the following documents.

List of public roads in Kraków

Topic	Procedure	Implementing unit
Implementation of exit from Non-public road subject to Kraków City Road Authority	<u>ZDMK-35</u> <u>Settlement of construction project of the construction / reconstruction of the exit from the internal road and permission to enter the area</u>	<u>Kraków City Road Authority</u>
Location of infrastructure in roadway	<u>ZDMK-36</u> <u>Arrangement / decision for the location of infrastructural networks in the existing road lane</u> <u>ZDMK-23</u> <u>Permission to enter the territory of immovable properties in road lanes of public roads and internal roads owned by the Municipality of Krakow or the Treasury, which are on the board of ZDMK</u>	



GRANTING ACCESS TO URBAN TERRITORIES FOR THE LOCATION OF TECHNICAL INFRASTRUCTURE DEVICES

If, as part of the implementation of the investment, it is necessary to build, rebuild, replace or renovate technical infrastructure facilities located in the areas owned by the Municipality of Kraków or the State Treasury located in the Municipality of Kraków - it is necessary to regulate the entrance to the property.

Paid access to the property takes place on the basis of a concluded contract.

Topic	Procedure	Implementing unit
Provision of immovable property for the location of technical infrastructure devices outside of the road lane	<u>GS-22</u> <u>Provision of immovable property of the Municipality of Kraków and the State Treasury for the location of technical infrastructure devices</u> The procedure does not apply to real estate put into perpetual usufruct.	<u>City Treasury Department</u>



PERMISSION FOR REMOVAL OF TREES AND SHRUBS

In the case of investments related to the need to remove trees and shrubs, appropriate permits are required. For the immovable properties entered in the register of monuments, the appropriate monument conservator grants permission.

Topic	Procedure	Implementing unit
Permission for removal of trees and shrubs	<u>WS-20</u> <u>Permission to remove trees or shrubs removed in connection with an investment carried out by legal persons and other organisational units as well as natural persons for purposes related to running a business</u>	<u>Environmental Management Department</u>
Removal of trees / shrubs or execution of maintenance works within the territory of immovable properties entered in the register of monuments	<u>KZ-9</u> <u>Permission to remove trees or shrubs from immovable properties entered in the register of monuments (in the area designated in the agreement *)</u>	<u>City Monument Conservator Office</u>
	<u>Permission regarding monumental greenery</u> <u>Application for issuing an MWKZ permit for removal of trees / shrubs or carrying out maintenance works on the immovable property entered into the register of monuments of the Małopolskie Voivodship</u>	<u>Małopolskie Voivodship Monument Conservator</u>



DEROGATION FROM THE TECHNICAL AND CONSTRUCTION PROVISIONS

In the event of derogations from the technical conditions which should be met by a building, obtaining a proper consent is required.

The derogation, in the form of a decision, is issued after the architectural and construction authority has obtained the authorisation of the proper minister who has established technical and construction regulations.

The competent minister may make the authorisation conditional upon the derogation from additional conditions.

Topic	Procedure	Implementing unit
Derogation from technical and construction provisions	<u>AU-8</u> <u>Permission from derogation from technical and construction provisions</u>	<u>Architecture and Urban Planning Department</u>



CONSERVATOR PERMIT

Topic	Procedure	Implementing unit
Building with entry into monument register	<u>KZ-2</u> <u>Permission to conduct construction works at a monument entered into the register of monuments (in the area designated in the agreement *)</u>	<u>City Monument Conservator Office</u>
Surroundings of monument entered into the register	<u>KZ-7</u> <u>Permission to conduct construction works in the vicinity of a monument entered in the register of monuments (in the area designated in the agreement *)</u>	
Building with entry into the register of monuments	<u>KZ -4</u> <u>Permission for placement on the monument entered into the register of technical devices, boards, advertisements and inscriptions</u>	

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CONSERVATOR PERMIT

Topic	Procedure	Implementing unit
Historical urban layout	<u>KZ -2</u> <u>Permission to conduct construction works in the area entered in the register of monuments of the historic urban layout (in the area designated in the agreement*)</u>	<u>City Monument Conservator Office</u>
Entry into register of monuments	<u>Conservator permit, tips and recommendations</u> <u>Application for MWKZ permit</u>	<u>Małopolskie Voivodship Monument Conservator</u>

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PERMITS, WATER AND LAW REGISTRATIONS, PERMITS IN THE FLOOD PROTECTION WALL ZONE

Topic	Procedure	Implementing unit
Decisions exempting from prohibitions of water law	<u>Documents to be decided Article 176 par. 1</u> Protection zone of walls	<u>State Water Holding Polish Waters Regional Water Management in Kraków</u>
Water and law registrations	No procedure	<u>State Water Holding Polish Waters Regional Water Management in Kraków</u>



CONFIRMATION OF GEODETIC DOCUMENTATION OR OF ITS CHANGES

Topic	Procedure	Implementing unit
Confirmation of geodetic documentation	<u>WS-92</u> <u>Confirmation of geological documentation or its changes (as annex)</u>	<u>Environmental Management Department</u>



CONSTRUCTION PERMIT, NOTIFICATION OF CONSTRUCTION SITE OR CONSTRUCTION WORKS WITH PROJECT

List of construction works requiring a building permit: in the Building Law.

List of construction works requiring notification with a construction project: in the Building Law.

Topic	Procedure	Implementing unit
Obtaining and changing a building permit	<u>AU-4</u> <u>Construction permit</u> <u>Change of construction permit</u>	<u>Architecture and Urban Planning Department</u>
Transfer of construction permit	<u>AU-5</u> <u>Transfer of a construction permit to another investor</u>	
Notification of construction works with the project	<u>AU-18</u> <u>Notification of construction / execution of construction works with a construction project</u>	



**BUILDING PERMIT, CHANGE OF THE PERMIT FOR CONSTRUCTION FOR HOUSING
INVESTMENTS OR ACCOMPANYING INVESTMENT IN THE PROCEDURE OF 5 JULY 2018 ON
FACYLITATION THE PREPARATION AND IMPLEMENTATION OF RESIDENTIAL
INVESTMENTS AND ACCOMPNYING INVESTMENTS**

Topic	Procedure	Implementing unit
Obtaining and changing a building permit	<u>AU-20</u> <u>A building permit, a change of a building permit for a housing investment or an accompanying investment under the Act of 5 July 2018 on the facilitation of the preparation and implementation of a housing project or an accompanying investment.</u>	<u>Architecture and Urban Planning Department</u>
Permission for removal of trees and shrubs	<u>WS-20</u> <u>Permission for removal of trees and shrubs removed in connection with an investment carried out by legal persons and other organizational units and natural persons for purposes related to business activity</u>	<u>Environmental Management Department</u>
Permission for removal of trees and shrubs from immovable properties entred into register of monuments	<u>KZ-9</u> <u>Permission for removal of trees and shrubs from immovable properties entred into register of monuments</u>	<u>City Monument Conservator Office</u>
Restricting the way of use of immovable property	<u>GS-34</u> <u>Application form for the restricting the way of use of immovable property</u>	<u>City Treasury Department</u>
Permission to occupy the road lane	<u>ZDMK-24</u> <u>Application form for the permission to occupy a road lane</u>	<u>Kraków City Road Authority</u>



DECLARATION OF INTENTION OF CONSTRUCTION WORKS

In the case of some works, it is not required to obtain a building permit, only making a declaration of construction works.

List of construction works that require notification: in the Construction Law.

Declaration has to be made before **the planned date of construction works**.

Topic	Procedure	Implementing unit
Declaration of construction works	<u>AU-10</u> <u>Declaration of construction – performance of construction works</u>	<u>Architecture and Urban Planning Department</u>
Transfer of declaration	<u>AU-19</u> <u>Transfer of declaration to another investor</u>	



GRANTING ACCESS TO URBAN TERRITORIES FOR THE PERFORMANCE OF CONSTRUCTION WORKS

In order to carry out renovation and construction works, it is necessary to occupy the territories belonging to the Municipality of Kraków or the State Treasury located in the Municipality of Kraków, it is necessary to conclude a contract for paid access to the site.

The procedure does not apply to: buildings managed by the Board of Municipal Buildings in Kraków, the road lane, marketplaces, areas covered by the perpetual usufruct agreement, lease, lending and cast in permanent management.

Topic	Procedure	Implementing unit
Scaffolding, surface disintegration, construction site, technological road, land fencing, storage of materials, temporary technical infrastructure, etc. (off the road lane).	<u>SA-50</u> <u>Providing a place in Krakow to carry out renovation and construction works: scaffolding, pavement, construction facilities, technological road, land fencing, storage of materials, temporary technical infrastructure, etc. (off the road lane).</u>	<u>Administration Department</u>



ISSUANCE OF CONSTRUCTION SITE LOGBOOK

Conducting construction works is documented in the construction log, which is issued by the competent architectural and construction administration authority.

Topic	Procedure	Implementing unit
Issuance of construction site logbook	<u>AU-7</u> <u>Issuance of construction logbook/ logbook of deconstruction</u>	<u>Architecture and Urban Planning Department</u>



OCCUPATION OR ROAD LANE IN CONNECTION WITH IMPLEMENTATION OF INVESTMENT

If it is necessary to perform work in a road lane, it is necessary to obtain a permit for temporary occupation of a road lane from the road administrator:

- for municipal, powiat, voivodship and national roads - in the form of a decision,
- for internal roads - by agreement.

Topic	Procedure	Implementing unit
Temporary occupation of road lane	<u>ZDMK-24</u> <u>Permit for temporary occupation of road lane</u>	<u>Kraków City Road Authority</u>
Project of temporary change in traffic	<u>ZDMK-7</u> <u>Consideration and approval of projects of temporary change in traffic</u>	



NOTIFICATION OF INTENTION OF REMOVAL OF TREES

Before removing the tree, the Environmental Management Department should be informed about this intention.

Applications can only be made by the property owner. In the case of co-ownership, it is necessary to obtain the consent of all co-owners of the immovable property or power of attorney to act on their behalf.

Topic	Procedure	Implementing unit
Notification of intention of removal of trees	<u>WS-119</u> <u>Declaration of intention to remove trees by a natural person for purposes not related to running a business</u>	<u>Environmental Management Department</u>

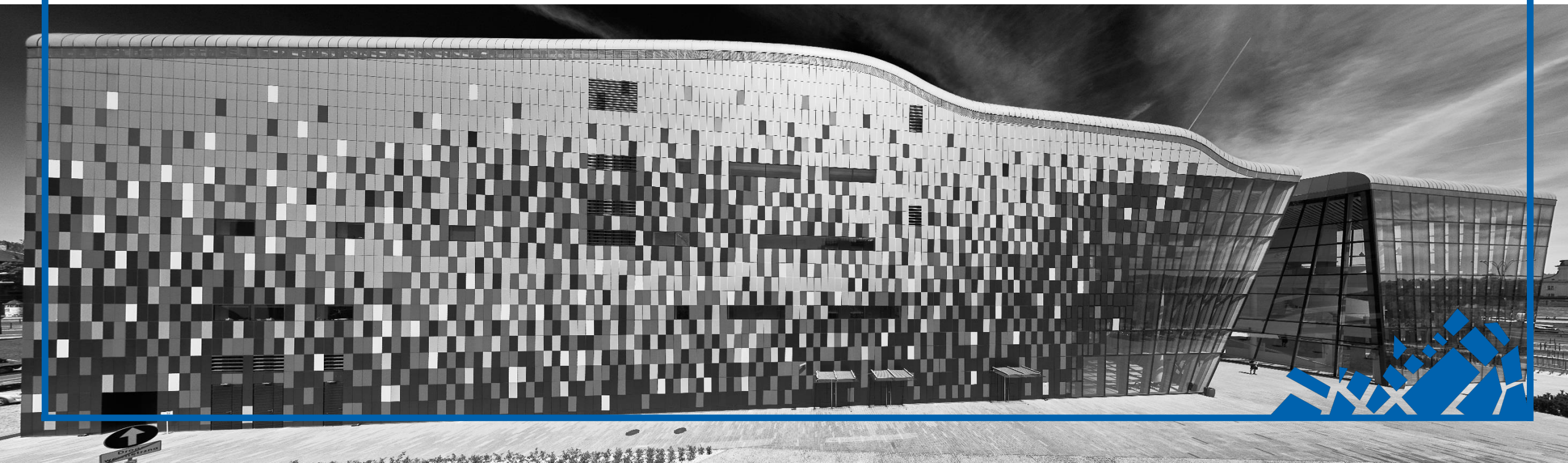


ASSIGNMENT OF BUILDINGS WITH NUMBERS, STREETS AND ESTATES WITH NAMES

Topic	Procedure	Implementing unit
Number of building	<u>GD-12</u> <u>Determination of number for building</u>	<u>Geodesy Department</u>
Name of street or estate	<u>GD-14</u> <u>Nomenclature: streets, avenues, bridges, squares, housing estates, parks, boulevards and squares</u>	



IMMOVABLE PROPERTY MANAGEMENT IN THE INVESTMENT PROCESS



SALE OF IMMOVABLE PROPERTY IN THE TENDERING PROCEDURE

List of immovable properties intended for sale in tendering procedure: https://www.bip.krakow.pl/?dok_id=16407

Topic	Procedure	Implementing unit
Sale of immovable properties in tendering procedure	<u>GS-20</u> <u>Sale of immovable properties in tendering mode</u>	<u>City Treasury Department</u>



LEASING OR LETTING AN IMMOVABLE PROPERTY

Topic	Procedure	Implementing unit
Leasing property	<u>GS-23</u> <u>Leasing property</u> <u>(excluding lease of marketplaces, land)</u> <u>managed by the Administration</u> <u>Department and road lanes)</u>	<u>City Treasury Department</u>
Letting property	<u>GS-24</u> <u>Letting property</u>	



ENCUMBRANCE OF IMMOVABLE PROPERTY WITH EASEMENT

Topic	Procedure	Implementing unit
Encumbrance of property with easement	<u>GS-25</u> <u>Encumbrance of immovable property with easement</u>	<u>City Treasury Department</u>



CHANGE OF DATA IN LAND AND BUILDING REGISTRY

Topic	Procedure	Implementing unit
Change of data in land and building registry	<p><u>GD-20</u></p> <p><u>Acceptance of notifications of change of data in the land and building registry:</u></p> <p><u>1. the names of the owner, the holder</u></p> <p><u>2. the address of the owner, the holder</u></p> <p><u>3. property</u></p>	<p><u>Geodesy Department</u></p>



Websites of the Public Information Bulletin of the City of Kraków, with data useful in the investment process

- [Mapping services \(a collection page of links to map websites\)](#)
- [Investment plans of the Municipality of Kraków](#)
- [Urban regeneration](#)
- [Observatory - general map portal covering search in the field of urban space and planning, architecture, land and building records, hydrography, investment, communication, study of conditions and directions of spatial development, education, tourist trails, noise maps, historical maps, green economy, areas covered a forest management plan and a resident portal](#)
- [Browser of cartographic studies containing the hypsometric atlas of the City of Kraków](#)



Websites of Public Institutions Bulletin, with data useful in the investment process

[Małopolska Voivodship Office](#)

[Regional Directorate for Environmental Protection](#)

[Landscape Park Complex of the Małopolskie Voivodship](#)

[Mateczny Zdrój Resort](#)

[Polish State Railways department of railway lines and surfaces in Krakow](#)



A list of departments of the Kraków City Hall and municipal organisational units involved in the investment process

- Architecture and Urban Planning Department
- Environmental Management Department
- Geodesy Department
- City Treasury Department
- Municipal Management Department
- City Monument Conservator in Kraków
- Spatial Planning Department
- Security and Emergency Management Department
- Administration Department
- Kraków City Road Authority
- Kraków Municipal Greenery Authority



Investors and Innovative Economy Support Centre

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