

**URBAN PLANNING AMNESTY PLAN FOR THE LEGALIZATION OF UNAUTHORIZED CONSTRUCTIONS IN APPROVED DEVELOPMENTS
(CABINET DECISION DATED 13/9/2024)**

α/α	QUESTION	CLARIFICATION
-----	----------	---------------

GENERAL – SUBMISSION

1	Until when is the Urban Planning Amnesty Plan, Cabinet Decision dated 13/9/2024, in effect?	The 'Urban Planning Amnesty Plan for the Legalization of Unauthorized Constructions in Approved Developments,' approved by the Cabinet on 13/9/2024, is valid for 6 months and applies to applications submitted from 23/9/2024 until 23/3/2024. It concerns only cases of unauthorized constructions in buildings that initially obtained an urban planning permit and/or a building permit by the date of the Cabinet Decision.
2	What categories of development does the Plan cover?	<p>A. The Plan covers additions and conversions with an increase in the building coefficient for:</p> <ol style="list-style-type: none"> 1. Residential Development 2. Industrial and Craft Development and Warehouses 3. Livestock Development 4. Agricultural Warehouses 5. Commercial and Office Development (additions to approved ground-floor shops), with conversion of the mezzanine to the main use 6. Recreational/Entertainment Development (cafeteria, restaurant, snack bar, etc.), either by converting the mezzanine to the main use, or as a result of horizontal expansion (excluding cases of jointly owned buildings), or expansion for the creation of outdoor dining space, or horizontal expansion of the interior space. <p>B. The Plan also covers the change of use of part of a residential unit to professional premises.</p> <p>C. The Plan allows for deviations from the provisions of the Development Plan or from the relevant Orders of the Ministry (number of floors, distances, height, length of contact, height of habitable space, etc.).</p>

**URBAN PLANNING AMNESTY PLAN FOR THE LEGALIZATION OF UNAUTHORIZED CONSTRUCTIONS IN APPROVED DEVELOPMENTS
(CABINET DECISION DATED 13/9/2024)**

α/α	QUESTION	CLARIFICATION
3	How are urban planning applications submitted?	Urban planning applications under the Urban Planning Amnesty Plan are submitted through the computerized system IPODAMOS to the five competent Urban Planning Authorities (Provincial Self-Government Organizations of Nicosia, Limassol, Larnaca, Paphos, and Famagusta - PSO), in the new option marked 'URBAN PLANNING AMNESTY 2024-2025'
4	What additional plans need to be submitted?	The Urban Planning Authorities do not accept applications if they are not complete, based on the requirements of the Regulations regarding Urban Planning and Spatial Planning (Applications and Hierarchical Appeals) and in the computerized system IPODAMOS. It is essential to submit a copy of the building permit (license, terms, approved plans), with colored markings of the unauthorized additions/conversions on the submitted plans
5	Is any document different from the usual attachments required for urban planning applications?	Based on the provisions of the Urban Planning Amnesty Plan, it is mandatory to complete and submit the form 'Responsible Declaration of the Designer for the Date of Implementation of Unauthorized Constructions' for the date of implementation of the unauthorized additions. This is to ensure that a competent designer takes responsibility that the unauthorized additions were made before the date of the Cabinet Decision.
BUILDING COEFFICIENT		
6	Who is considered as the 'approved building coefficient with prior permit'?	The approved building coefficient with prior permit is the coefficient that is allowed based on the zoning regulations, or the coefficient that resulted from the transfer of the coefficient from a listed building, or following a deviation, excluding any additional coefficient obtained under other Incentive Schemes.

**URBAN PLANNING AMNESTY PLAN FOR THE LEGALIZATION OF UNAUTHORIZED CONSTRUCTIONS IN APPROVED DEVELOPMENTS
(CABINET DECISION DATED 13/9/2024)**

α/α	QUESTION	CLARIFICATION
7	How do I calculate the maximum possible increase of the Building Coefficient?	The incentive for increasing the Building Coefficient (BC) concerns exceeding the permitted Building Coefficient of the current Urban Zone, or exceeding the approved BC by a previous permit by 20% or by 60 square meters, whichever is greater, in cases of residential development, or by 20% in cases of industrial, craft, livestock development, or agricultural storage, and by 20% or 100 square meters, whichever is smaller, in cases of recreation/leisure.
8	That is, if the defined Building Coefficient is 0.60:1 (60%), is it increased to 80%?	No, if the coefficient is 0.60:1 (60%), it will increase to 60% × 20%, that is, to 0.72:1.
APPLICATION – PRECONDITIONS		
9	Is the plan valid even in cases of approved livestock or industrial development outside the designated Livestock or Industrial Zone?	Yes, in cases where such developments have obtained an initial permit outside the designated areas (e.g., with a deviation), except for nuisance developments, meaning Livestock Development related to pig farming or Industrial Development of Category A.
10	Does the Urban Amnesty Plan apply to Areas of Special Character (ASC)?	The Plan applies to Areas of Special Character (ASC), provided that the amenities, environment, and character of the area are not affected, and that the additions do not conflict with other specific provisions for ASC (e.g., in ASC, an increase in the number of floors is not allowed).
11	I have illegally erected an additional residential unit on the roof of my approved house. Is it possible to legalize it, given that there is an exceedance of the maximum permitted number of floors?	The illegal creation of a vertical extension must necessarily contribute to improving the functionality of the existing residence, be consistent with the morphology and architecture of the building, and be assessed by the Urban Authority to ensure that it does not affect the amenities of neighbors or the appearance of the area. It is understood that the conditions of the circular 'Guiding Circular of the Director of the Department of Urban Planning and Housing for the Exercise of Discretionary Authority of Urban Authorities for Exceedances' must be met of the Maximum Permitted Number of Floors," dated 18/5/2023.

**URBAN PLANNING AMNESTY PLAN FOR THE LEGALIZATION OF UNAUTHORIZED CONSTRUCTIONS IN APPROVED DEVELOPMENTS
(CABINET DECISION DATED 13/9/2024)**

α/α	QUESTION	CLARIFICATION
12	Are there conditions for any additions?	<p>The most fundamental requirement is that the additions and alterations harmonize with the morphology of the existing approved building and have been executed with suitable and quality materials, so that the Urban Authority can determine that the amenities of the neighbors, the environment, and the character of the area are not adversely affected. It is noted that in some cases, the Urban Authority may approve additions on the condition that certain materials are replaced or that partial demolition of constructions occurs.</p>
13	<p>What is the discretion of the Urban Authority in approving deviations from the provisions of the Development Plan or from the relevant Orders of the Ministry of Interior (number of floors, distances, height, contact length, height of habitable space, etc.)?</p>	<p>The Urban Authority duly exercises its discretion in cases of justified and limited scope and significance deviations from the provisions of the Development Plan or from the relevant Orders of the Ministry of Interior (number of floors, distances, height, contact length, height of habitable space, etc.), always ensuring that the amenities of the neighbors or the environment are not adversely affected.</p> <p>Based on the Urban Amnesty Plan, the Urban Authority exercises its discretion without requiring the agreement of the competent Local Authority.</p>
14	Does the Urban Amnesty Plan also apply to apartment buildings?	<p>The Plan also applies to cases of apartment buildings for the individual residential units, only if the EA Form is signed by all co-owners, regardless of whether separate Title Deeds have been issued or not. Consequently, if the application is not duly signed, it will not be accepted by the Urban Authority, as the Plan clarifies that in cases of apartment buildings, the provisions of Article 90(5) of the Urban Planning and Spatial Planning Law cannot be applied.</p> <p>In the case of a complex of jointly owned buildings, the Urban Authority may require the signatures of the co-owners of the specific apartment building only</p>

URBAN PLANNING AMNESTY PLAN FOR THE LEGALIZATION OF UNAUTHORIZED CONSTRUCTIONS IN APPROVED DEVELOPMENTS (CABINET DECISION DATED 13/9/2024)		
α/α	QUESTION	CLARIFICATION
15	Does the Urban Amnesty Plan apply to integrated residential developments?	The Plan applies to cases of integrated residential development for the individual residential units, without requiring the signature of the EA Form from the co-owners, provided that the Urban Authority determines that the amenities or the environment are not affected, and provided that the common areas of the development are not impacted, and the additions are on the share of the unit. Relevant is the Circular of the Director General of the Ministry of Interior, No. GE16, dated 13/9/2021.
16	Does the Urban Amnesty Plan also apply to land development companies?	In the case of development by a land development entrepreneur, where the individual residential units are still registered in one person's name, the individual applicants must submit the relevant purchase document deposited with the Department of Land and Surveys, and the application must be signed by both the owner or the liquidator.
ΕΠΑΓΓΕΛΜΑΤΙΚΗ ΣΤΕΓΗ		
17	When is it possible to change the use of a part of a residence to a professional space?	The change of use of a part of a residence to a professional space only concerns cases of independent residential units (or independent units of a semi-detached house that belong to different owners).
18	Does the property need to abut a main road where the relevant policy of the Development Plan applies for the possibility of locating a professional space in a designated Residential Zone?	The relevant policy of the Development Plan for the possibility of locating a professional space in a designated Residential Zone does not need to be in effect; however, the Urban Authority must always evaluate whether the amenities of the area are safeguarded from the incompatible use.
19	Who benefits from the possibility of a professional space, only the registered owner of the residential unit on the Title Deed?"	The registered owner of the residential unit and their family benefit.

**URBAN PLANNING AMNESTY PLAN FOR THE LEGALIZATION OF UNAUTHORIZED CONSTRUCTIONS IN APPROVED DEVELOPMENTS
(CABINET DECISION DATED 13/9/2024)**

α/α	QUESTION	CLARIFICATION
20	If more parking spaces are required for professional housing, what should be done?	For the change of use of a part of a residential unit to professional housing, the indication of the first additional parking space will not be required. If more parking spaces are needed (e.g., a one-room tutoring center requires two parking spaces), then the mechanism for acquisition is activated.
21	What happens if parking space needs to be acquired in a Residential Zone?	For applications in a Residential Zone, and since Residential Zones are not included in the areas subject to the acquisition of additional required parking space based on the provisions of the relevant Orders of the Minister of Interior, the Planning Authority will approve the acquisition at a price of €2,000.
ΑΝΤΙΣΤΑΘΜΙΣΜΑΤΑ		
22	What are the compensations for securing a building permit for exceeding the Building Coefficient?	<ol style="list-style-type: none"> 1. In cases of residential development, there are three classifications for exceeding the building coefficient, as they arise within the main shell of the existing building, outside the main shell (horizontal or vertical extension), or in cases where an additional residential unit has been created by the implemented unauthorized construction, with compensations of 20%, 25%, or even 30%. 2. In cases of industrial, craft, livestock development, or agricultural storage, the compensation also varies, at 40%, ..%, and 10%. 3. In cases of recreational/entertainment development, the compensation for extending the interior space (not in jointly owned buildings) is ..%.

**URBAN PLANNING AMNESTY PLAN FOR THE LEGALIZATION OF UNAUTHORIZED CONSTRUCTIONS IN APPROVED DEVELOPMENTS
(CABINET DECISION DATED 13/9/2024)**

α/α	QUESTION	CLARIFICATION
23	How is the market value of the building coefficient calculated?	The market value of the building coefficient is calculated based on the applicable General Valuation Tables of the competent Department of Land Registry and Spatial Planning, using and completing the form SPECIAL FORM FOR THE ACQUISITION OF THE EXCESS OF THE BUILDING COEFFICIENT.
24	What are the compensations for securing a building permit for regulatory deviations?	In cases of regulatory deviations from the provisions of the Development Plans (covered veranda/ pergola, reduced distance from boundaries, increased coverage percentage, increased height or length of an auxiliary building along a common boundary, etc.), a specific amount is determined for each category of deviation, depending on its scale and significance, as well as the administrative area in which the property falls (Local Plan/Area Plan or Rural Policy Statement), using the COMPENSATION TABLE.
25	What happens if I have both an excess of the Building Coefficient and an increase in the Coverage Percentage?	In the event that an unauthorized extension of the building has been made outside the shell, resulting in an excess of the maximum allowable Building Coefficient, as well as an excess of the maximum allowable Coverage Percentage, then the Planning Authority must calculate both required compensations.
26	What happens if I have both an excess of the Building Coefficient and another unauthorized construction, such as exceeding the maximum allowable length of the contact of an auxiliary building at the boundary?	The Planning Authority must calculate both required compensations.

**URBAN PLANNING AMNESTY PLAN FOR THE LEGALIZATION OF UNAUTHORIZED CONSTRUCTIONS IN APPROVED DEVELOPMENTS
(CABINET DECISION DATED 13/9/2024)**

α/α	QUESTION	CLARIFICATION
27	Where and when are the compensations paid under the Urban Planning Amnesty Scheme, and when?	<p><i>The process is as follows:</i></p> <ol style="list-style-type: none"> 1. The Planning Authority (Provincial Self-Government Organization) calculates the required compensation using the special form SPECIAL FORM FOR THE ACQUISITION OF THE EXCESS OF THE BUILDING COEFFICIENT or with the COMPENSATION TABLE. 2. The Planning Authority receives 10% of the required compensation for the resulting administrative burden, which is deposited into a Special Fund of the Planning Authority, and provides the completed Form to the applicant. 3. The applicant submits the Form and pays the required compensation into the Special Funds of the K.O.A.G. (Cyprus Land Development Corporation) for the Affordable Housing Scheme. 4. The applicant presents the receipt from K.O.A.G. to the Planning Authority. 5. The Planning Authority proceeds with the issuance of the permit. <p>The required compensation is calculated by the Planning Authority based on the SPECIAL FORM FOR THE ACQUISITION OF THE EXCESS OF THE BUILDING COEFFICIENT in case of an application for exceeding the building coefficient, or the COMPENSATION TABLE in case of an application for deviation from regulatory provisions.</p>

**URBAN PLANNING AMNESTY PLAN FOR THE LEGALIZATION OF UNAUTHORIZED CONSTRUCTIONS IN APPROVED DEVELOPMENTS
(CABINET DECISION DATED 13/9/2024)**

α/α	QUESTION	CLARIFICATION
-----	----------	---------------

VALIDITY OF PERMIT - TERMS

28	What will be the validity of the permit under the Urban Planning Amnesty Scheme?	The main objective of the Scheme is the issuance of Approval Certificates and Title Deeds. Consequently, the validity of the building permit will be limited, depending on the discretion of the Planning Authority and the category of development, and it will not be subject to any extension of validity unless the works are actively underway and have not been completed (in cases where there is a requirement for a change of materials), or in exceptional cases (health reasons).
29	When should I submit the application for a building permit?	To achieve the aforementioned objective (issuance of Approval Certificates and Title Deeds), it is recommended that the Planning Authorities impose a condition for the submission of an application to the Competent Authority for the issuance of a building permit no later than two or three months from the date of issuance of the building permit; otherwise, it will become inactive.

URBAN PLANNING AMNESTY PLAN FOR THE LEGALIZATION OF UNAUTHORIZED CONSTRUCTIONS IN APPROVED DEVELOPMENTS (CABINET DECISION DATED 13/9/2024)		
α/α	QUESTION	CLARIFICATION
30	What happens to applications submitted after the approval of the Measures Scheme, which was in effect until 31/12/2023, given that it was believed that this Scheme would be renewed, but ultimately it was not renewed?	<p>There are applications submitted after the expiration on 31/12/2023 of the Incentive Scheme (the 'Measures' Scheme), which remained pending with the Urban Authorities awaiting a new Scheme that might cover such applications. It is reminded that the Measures Scheme concerned, in addition to illegal extensions, the possibility of implementing new extensions, thus representing a Scheme of a different philosophy.</p> <p>Applications submitted between 1/1/2024 and 12/9/2024 will be examined as follows:</p> <p>(a) Those pending applications that concern the approval of already implemented constructions/extensions will be examined under the new Urban Amnesty Plan, provided that they meet the parameters and provisions of the Plan.</p> <p>(b) Applications concerning new extensions cannot be examined under the new Urban Amnesty Plan. Such applications may be considered either by deviation from the provisions of the relevant Development Plan, in accordance with Article 26 of the Urban Planning and Spatial Planning Law, provided that the applicants submit a relevant deviation application within a short period.</p>
31	What happens to applications submitted after the approval of the Measures Scheme, which was in effect until 31/12/2023, given that it was believed that this Scheme would be renewed, but ultimately it was not renewed?	Any applications submitted before 31/12/2023 that are still pending should be examined under the Measures Scheme, which was in effect at the time of their submission.

DEPARTMENT OF TOWN PLANNING AND HOUSING
Nicosia, 2/10/2024