

CUTTING RED TAPES - LEX DEVELOPER AND INTEGRATED INVESTMENT PLAN IN POLISH REGIONAL CAPITALS

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ARTICLE INFO	ABSTRACT
Keywords:	In 2018, Poland introduced measures to reduce red tape for housing projects carried out by developers. A temporary regulation, known as Lex Developer, was designed to streamline planning procedures and reduce preparation time for residential investment projects. Lex Developer was later superseded by Integrated Investment Plans (IIP), introduced in Poland as part of the 2023 spatial planning reform. IIP applies to all projects, not just residential ones, and marks a new approach to cooperation between investors and local authorities in spatial planning and development. The authors examined the scale of Lex Developer application in Polish regional capitals and whether cities where Lex Developer had been utilized also attracted investor interest in Integrated Investment Plans. Their research found no clear evidence of intensive use of Lex Developer and a lack of continued activity under Integrated Investment Plans. Given the limited time validity of the new rules, the results should be treated with caution, but the authors indicate very large differences among the surveyed cities in the scale of the application of new solutions and a lack of an increase in housing construction due to cutting red tape. The authors conducted desk research and case study analyses.
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1. Introduction

Planning through zoning and land-use plans, typically developed by the public sector, aligns with a strong hierarchical governance system, which was the dominant planning concept in Western Europe until the 1980s (Healey, 2007). However, inefficiencies in public policy, commonly referred to as government failures (Levačić, 1991; Pennington, 2000; Cheshire, 2013), spur the search for new, more effective solutions. The shift towards the market was a significant change in the way spatial planning and planners were perceived (Adams & Tiesdell, 2010), but it also provoked criticism (Healey, 2003, 102). However, there is more than just the choice between market and government; institutions influence the economic behavior of planning actors (Webster, 2005). Different approaches and theoretical trends have driven the evolution of national systems and led to various spatial governance and planning systems in Europe (Berisha et al., 2021). In recent years, the approach based on cooperative regimes gained

recognition and application (Janin Rivolin, 2017; Vejchodská et al., 2022). The integrated approach encompasses various economic and social dimensions and seeks coordination arrangements among market actors. The networks model of coordination specifically underscores the importance of contracting and the development of stakeholder networks (Havel et al., 2026).

In recent years, investors and developers have strengthened their position amid global economic crises. They have emphasized income and return on investment while identifying administrative barriers, primarily planning-related, as the reason for the low supply of new residential buildings (Adams et al. 2012, 2588; Leffers & Wekerle, 2020, 319). Politicians have also pointed to spatial planning principles as barriers to investment. Economic conditions, constraints on public spending, and the growing needs of residents, particularly in large and attractive cities, have led to a shift in public actors' attitudes and policies. This shift depends on the state's vision (Robinson & Attuyer,

2020, 305) and is reflected in the European Affordable Housing Plan's second pillar, "Cutting red tape to accelerate housing supply". The document prepared at the EU level highlights the lack of affordable housing and links rising prices and insufficient supply to specific conditions (Licchetta et al., 2025).

Residential projects are developed at the local level, where new solutions are implemented or not. Many local authorities have adopted investors' rhetoric and introduced changes to legal regulations and local practices (Guironnet et al., 2016; Fainstein, 2016; Ferm & Raco, 2020). However, each local environment is unique: public and private actors are involved in local dependencies, support networks based on personal connections, and knowledge of complex procedures gained when local government employees move to private companies (Robin, 2018). Detailed studies of economic actors' strategies and approaches reveal a complex picture, including differences in perceptions of the public interest, local community needs, and investment profitability requirements (Raco et al., 2019).

In this landscape of growing economic calculation, there is also a trend toward giving more power to inhabitants and members of local communities (Boonstra & Boelens, 2011; Mahajan et al., 2022; Igalla et al., 2020). Much effort is directed toward activating local communities, supporting grassroots initiatives, and strengthening residents' position, also in a legal sense. However, this group often has different preferences and needs than profit-seeking investors and developers. Conflicts can therefore arise between investment plans and local residents. In such cases, local authorities should assume a neutral role, which can be difficult given pressure groups and the resources they employ. Before conflicts emerge, negotiations in spatial planning processes offer a real chance to resolve them without escalation. However, investors and developers sometimes view extensive consultations and negotiations as a waste of time (Nae et al. 2019; Holsen, 2020; Dekker et al. 2018). A useful solution is for local authorities to gather the needs, wishes, and concerns of the local community regarding a given area. Presenting this information to an interested investor or developer can shorten investment preparation time or eliminate the need for lengthy procedures to implement the investment.

It is difficult to place the Polish planning system within existing European typologies because of its inconsistencies, frequent regulatory changes, and ad hoc measures that alter the overall regulatory landscape. The system was technocratic and based on

design-oriented conceptions of spatial planning, but these failed to translate into practice. It was largely anchored in formal, plan-based procedures, without the strategic and relational governance frameworks that underpin contemporary strategic spatial planning (Havel 2014, 2022).

Currently, the primary documents regulating planning and development options for investors and developers at the municipal level are local zoning plans, which define the functions that can be implemented in a given area, development parameters, and biologically active area. These plans may require local authorities to pay compensation to property owners whose property values decrease due to construction or changes to the plans. Furthermore, the procedure for adopting local zoning plans is time-consuming and capital-intensive (Śleszyński et al. 2021), so changes are rare. As a result, only about a third of the country has adopted plans. Some local zoning plans are now ill-adapted to socio-economic changes in a given area: functions do not meet demand, and technical and construction requirements are too stringent, hindering new investments (compare: Żurawska & Kasińska-Andruszkiewicz, 2023). Multiple attempts have been made to reform the planning system, the most general of which was conducted in 2023.

Administrative barriers, particularly those stemming from imperfections in the spatial planning system, were also identified in Poland as reasons for the low affordability of apartments, especially in attractive locations in large cities. As a way of solving the problem, the new law was created - the Act on Facilitating the Preparation and Implementation of Housing and Associated Facilities (so-called Lex Developer) in 2018. The Act was adopted for a closed-end period of ten years. The Act introduced a new mechanism that allows developers to propose housing projects regardless of the site's planning status; it enables "corrections" of local zoning plans to be made outside the standard procedure. Municipalities might approve these projects through special resolutions, provided the developer complies with baseline statutory requirements. This mechanism enabled official negotiations and agreements between municipalities and developers, which often superseded existing local plans. Before the introduction of the Act, Polish planning law did not provide a framework for negotiation between public and private stakeholders in land development, with the sole exceptions being the construction of public roads during the building permit application process and the provisions of the Revitalization Act of 2015 (which were not used in

practice). However, the implementation of Lex Developer has had some problems, for example interpretation problems of post-production areas, in relation to which there was initially no need to demonstrate compliance with the study of conditions and directions of spatial development (Gorzym-Wilkowski, 2021), the discretionary nature of the resolution and the application of the premise of the state of satisfaction of housing needs in the municipality (Pawłowski, 2020), which consequently led to numerous court cases filed by both developers dissatisfied with the decision and the other party to the proceedings, including local communities (Antczak-Stępnia & Zaleczna, 2023).

From 1 September, 2026, the Act on Facilitating the Preparation and Implementation of Housing and Associated Facilities will be replaced totally by Integrated Investment Plans (IIP). These plans, in principle, are much broader instruments because they apply not only to housing investments but to any investment activity. For the first time, investors or developers have the opportunity to create their own local plan. The costs of preparing this document are borne by the private party. The formal requirements are high, and spatial, economic, and social analyses must be conducted by professionals to determine the potential costs and benefits of introducing new solutions (Lorek, 2024). The investor or developer submits an IIP project to the municipal council, which can either approve it and sign an urban planning agreement outlining the parties' obligations and rights, or reject the project in its entirety. The Integrated Investment Plan procedure differs from the standard process for creating local zoning plans in that it lacks a stage for collecting public applications. The only form of social participation in the procedure is the consultation, during which residents' comments are collected. Another element that distinguishes the Integrated Investment Plan from the local zoning plan is the urban contract, which records the investor's obligations to the local authority. The adoption of the Integrated Investment Plan extinguishes the existing local zoning plan in force in a given area.

The fundamental similarity between the previous regulation, the Act on Facilitating the Preparation and Implementation of Housing and Associated Facilities, and the Integrated Investment Plan lies in the possibility for private investors to formally participate in the costs of creating new infrastructure (technical and social). Additionally, both instruments must be consistent with the municipality's general planning

rules, as expressed in the Study of conditions and directions of spatial development of the municipality, and, from September 2026, with the municipality's general plan. The new planning instrument is significantly more advanced, implementing principles of integrating planning with economic and social conditions. This is a step in the direction previously taken in other national spatial planning systems.

In view of the changes introduced in many countries to simplify spatial planning rules (Ruming et al., 2026, 2), Poland can be treated as a laboratory because, since 2018, it has been testing specific solutions to increase the supply of affordable housing. The authors decided to examine how the new regulation is being received by its users—investors and developers. Back in 2018, a regulation was adopted granting developers special privileges, but also requiring them to prepare land development concepts in accordance with local urban standards. This was the first step towards flexible land development and transparent negotiations. The 2023 reform leveraged this experience to introduce, for the first time in Poland, an instrument that allows developers to prepare local planning documents—Integrated Investment Plans. The authors were interested in the practical implementation of the new solutions and whether investors and developers actively exercise the granted rights. The article aimed at assessing the scale of their engagement in implementing the new solution across Polish regional capitals and compared characteristic features of projects carried out under Lex Developer and IIP.

2. Material and methods

To achieve the research objective, it was necessary not only to analyze the literature and government documents but also to inventory the cases of the instruments studied. The case studies obtained during the research were used to answer the following research questions:

- 1) how the Polish market has responded to the new regulation,
- 2) whether the goals set by politicians at the national level were met,
- 3) what important information on differences in local approaches in applying the new regulations can be observed,
- 4) how these solutions can be addressed to the European Commission's challenges of low housing affordability and on the introduction of the European Affordable Housing Plan.

The researchers employed the following methods: a

desk study with a secondary data analysis, and a case study. Secondary data analysis is a method in which a specific set of data, collected by a researcher for a specific purpose, is used by someone else for a different purpose (Boslaugh, 2009). In addition to social research face-to-face, telephone, or self-report interviews, public administration, websites, including social media, and other sources of secondary data can be used (MacInnes, 2017). The secondary data analysis in this study included analysis of applications for determining the location of residential and associated investments under Lex Developer, as well as applications for the adoption of Integrated Investment Plans, obtained from the Public Information Bulletins of individual provincial capitals, and, in individual cases, resolutions published in the Official Journals of the provinces.

A case study requires an in-depth analysis of an individual, group, or event to understand a real-world phenomenon. Case studies can be divided into three types:

- 1) a single case study, in which a problem is focused on, and then a single, limited case is selected to illustrate the problem;
- 2) a collective case study, in which cases (similar or dissimilar) are compared to identify common patterns, connections, or similarities; it is often used when the phenomenon being studied is rare or difficult to observe;
- 3) an internal case study, in which a specific case is the main focus of the study, and the goal of the analysis is to understand it in depth; this form of research is used when the case being studied is unique or rare, or when the researcher wants to gain a deeper understanding of a specific problem or situation (Coombs, 2022).

This article uses a collective case study. The analysis focused on locations for which investors submitted applications for residential and accompanying investments (Lex Developer), as well as for the adoption of Integrated Investment Plans (IIP). The study was limited to regional capitals (in the Kuyavian-Pomeranian and Lubusz Voivodeships, both provincial capitals were included) due to the significant number of all applications submitted under the Lex Developer procedure in Poland and the fact that regional capitals have the highest demand for housing, so a relatively large number of investors or developers should be interested in construction of new housing units on the "fast track".

The first part of the study covers the period from the first use of Lex Developer to mid-February 2026, and the second part covers the period from the first use of

IIP to mid-May 2026. IIP is intended to replace the earlier Lex Developer regulation, so the study period for both instruments isn't the same. Initially, Lex Developer applications were supposed to be submitted by the end of 2028; then that deadline was shortened to January 1, 2026, later extended to July 1, 2026, and finally, the legislator set the expiration date for this option at September 1, 2026. IIP, on the other hand, was first submitted in 2024.

The research conducted has certain limitations. Firstly, applications were sometimes submitted multiple times for a given location (e.g., due to the investor withdrawing the application or receiving a negative decision in a previous procedure). However, it is not always possible to determine whether these were the same location or merely a subsequent stage, as some applications are no longer publicly available (some were never fully available). In such situations, missing data or the risk of making incorrect assumptions could arise. Repeated locations have been omitted in the remainder of the article if they concerned the same plots. The inconsistencies presented above also complicated the calculation of application processing times referring to Lex Developer cases. As a rule, time values were overestimated; for example, if the application took 45 days, it was assumed to be 2 months. Determining the planned investment's compliance with the provisions of local plans also posed many challenges. Firstly, information about this was sometimes not available in the application itself, but in attachments, requiring review of a larger number of documents. Secondly, the unavailability of certain applications necessitated determining the intended use using spatial information systems. Thirdly, it was not always easy to classify a given location into a specific category. It was assumed that if the development was residential and commercial in nature, and the primary function specified in the local development plan was commercial, then the planned development was partially compliant with the local development plan.

3. Results

3.1. Research Results for Lex Developer applications

Interest in implementing investments under the Lex Developer procedure varied among the voivodeship cities. The largest number of locations for which investors submitted applications was identified in Łódź (43), Kielce (27), and Warsaw (22). In three cities (Opole, Zielona Góra, and Gorzów Wielkopolski), no applications were submitted during the period analyzed.

The number of positive resolutions confirms both investor interest and the authorities' willingness to support investments under the Lex Developer procedure (Fig. 1). Three cities—Łódź, Kielce, and Warsaw—issued the most resolutions determining the location of residential investments. Kraków and Gdańsk also provide interesting examples but with opposite results. In Kraków, investors wanted to invest under the

Lex Developer procedure, but the city authorities were not in favor of it. In Gdańsk, many applications were not considered. Information obtained via email from the City Hall indicates that these applications contained numerous formal deficiencies, including a lack of basic information, such as the number of planned apartments.

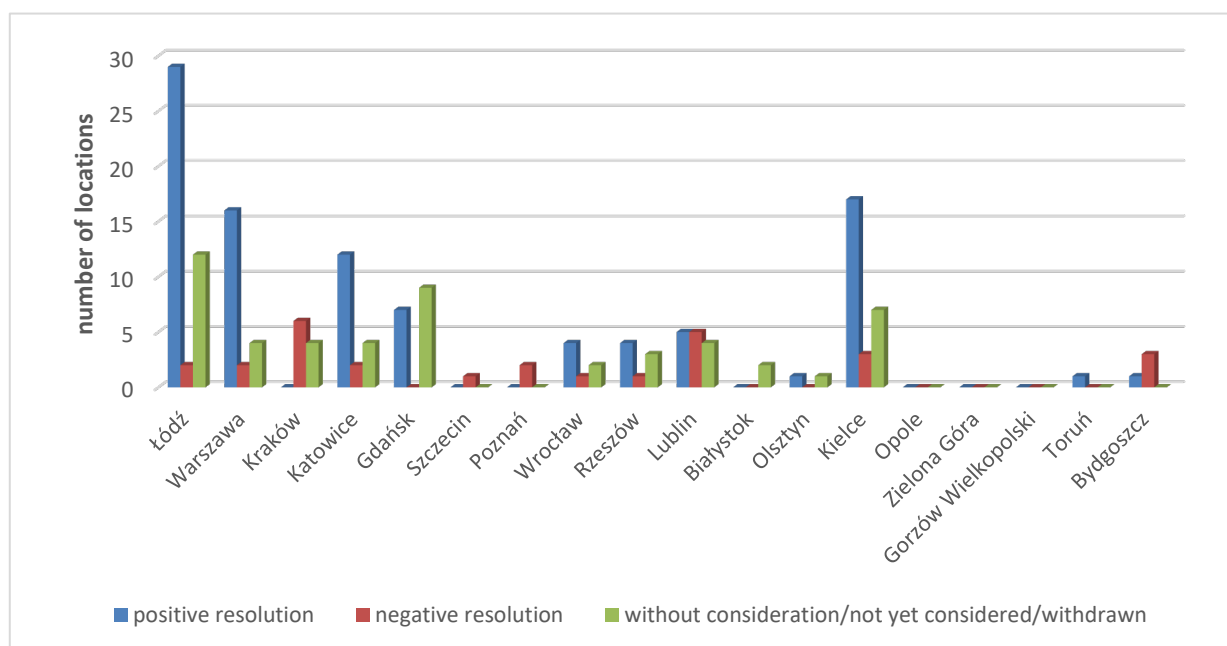


Fig. 1. Number of identified locations for which resolutions, refusals, or applications were issued were not considered. *Source:* prepared based on the Official Journals of the Voivodeships.

The level of local zoning plan coverage varies greatly among regional capitals (Fig 2). In Kielce, it was low, and most of the locations to which applications were submitted lacked valid local zoning plans. The highest number of planned investments compliant with local zoning plans (function) was recorded in Łódź (perhaps one of the reasons for the good cooperation between developers and the City Hall regarding the Lex Developer application). Functions in only five investments were completely inconsistent with the plans in this city, representing just under 11.6% of the total. The highest number of investments inconsistent with functions set out in local zoning plans was found in Warsaw (9, representing 41%). In several cases, although the planned investment's function was compliant with the local zoning plan, it was treated as "partially compliant" due to inappropriate proportions of function on the property. It should be noted, however, that even if the planned investment's function complied with local zoning plans, deviations typically occurred in development parameters, the biologically

active area, or the number of parking spaces.

Another issue examined was accompanying investments. According to the Lex Developer rules, an accompanying investment is not obligatory and should be considered "an investment involving the construction, change of use, or reconstruction of: land utilities (...), public roads, railway lines, public transport infrastructure facilities, cultural facilities, childcare facilities for children under 3 years of age, preschools, schools, daycare centers, primary healthcare clinics, facilities where social welfare activities are conducted, facilities serving public benefit activities, sports and recreation facilities, public green areas (...), buildings designated for commercial or service activities, provided they serve the residents of the buildings being the subject of the housing investment" (Act of July 5, 2018). The authors assume that accompanying investments will be recognized only if the investor clearly identifies them in the application. It is worth noting that sometimes investors use related terms that may be misleading, such as "with accompanying

technical infrastructure" or "with the accompanying function of a nursery."

Accompanying investments relieve local authorities of the burden of providing social and technical infrastructure (Table 1). However, it's important to remember that they also often increase the property's value and make it more attractive to potential buyers. Accompanying investments, in most cases, concern newer applications. Those submitted at the beginning

of the Lex Developer rarely included such investments. With more experience in procedures, municipalities have become more demanding of infrastructure that serves the common good of residents. However, the local differences were significant; accompanying investments were planned in 42% of locations, with the highest percentages recorded in Wrocław (71%), Lublin (71%), Łódź (65%), and Warsaw (64%).

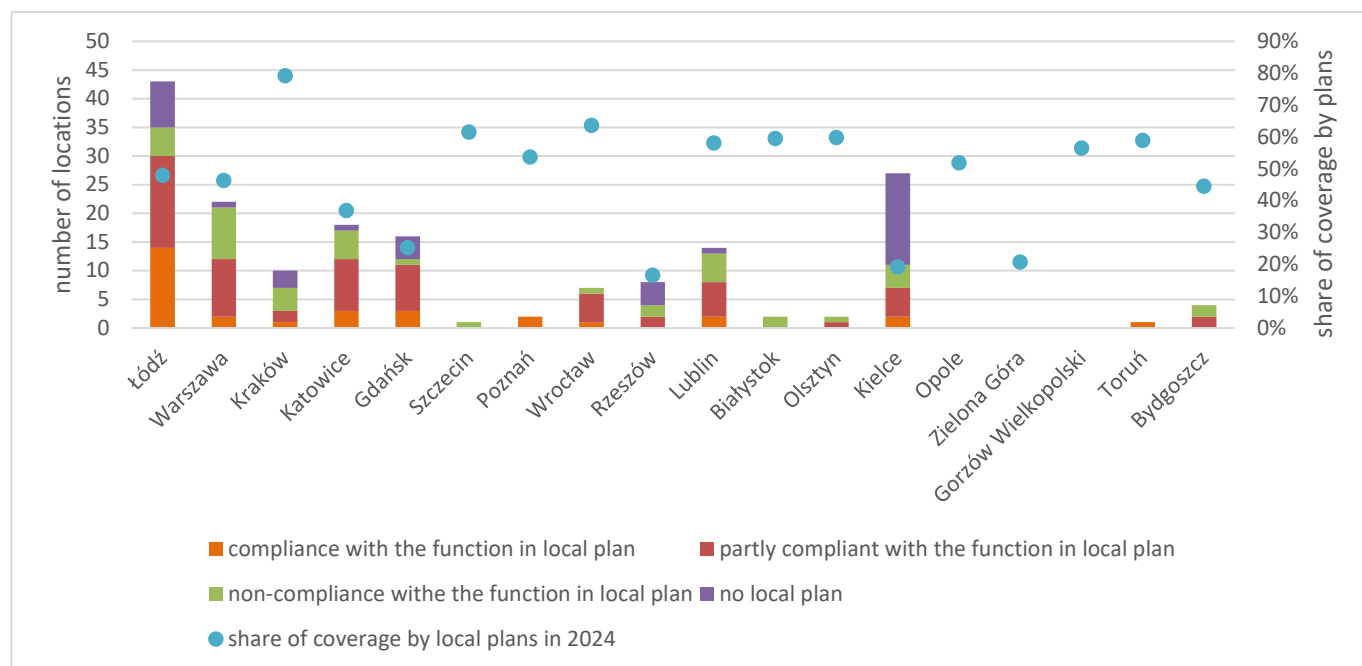


Fig. 2. Compliance of investment planned within "lex developer" mode with the functions in local zoning plans. *Source:* own study.

Table 1

Accompanying investments in investments planned under the Lex developer procedure						
	Total number of investments	With accompanying investments	Accompanying investments includes:			Share of accompanying investments in the total number of investments in a given city
			reconstruction of technical and communication infrastructure	green and recreational infrastructure	educational infrastructure	
Łódź	43	28	26	2	0	65%
Warszawa	22	14	12	7	3	64%
Kraków	10	2	2	0	0	20%
Katowice	18	0	0	0	0	0%
Gdańsk	16	9	3	8	8	56%
Szczecin	1	0	0	0	0	0%
Poznań	2	0	0	0	0	0%
Wrocław	7	5	5	2	2	71%
Rzeszów	8	1	1	0	0	13%
Lublin	14	10	8	3	1	71%
Białystok	2	0	0	0	0	0%
Olsztyn	2	1	1	0	0	50%
Kielce	27	4	0	4	0	15%
Opole	0	0	0	0	0	0%

Zielona Góra	0	0	0	0	0	0%
Gorzów Wielkopolski	0	0	0	0	0	0%
Toruń	1	0	0	0	0	0%
Bydgoszcz	4	1	1	0	1	25%
Total	177	75	59	26	15	42%
Share in the total number of investments		42%	33%	15%	8%	

Source: own study.

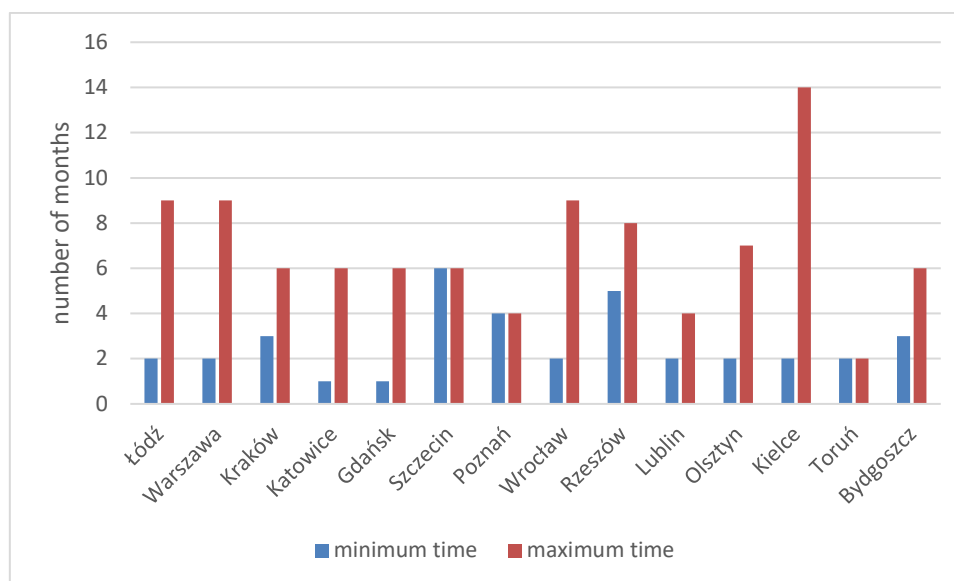


Fig. 3. The processing time for Lex Developer applications. Source: own study.

Most of them pertain solely to the construction or reconstruction of transportation systems and technical infrastructure. The construction, expansion, or modernization of educational centers was identified in only 8% of planned investments (mostly in Gdańsk), while the development of green/recreational spaces was identified in 15% of investments (mostly in Gdańsk and Warsaw). There was also "other" category (not included in the table) with some unspecified service buildings, local activity centers and an automotive museum.

The processing time for Lex Developer applications varied both between cities and across individual projects (Fig. 3). The maximum time was over 14 months in Kielce, and the average processing time there was also relatively long (the longest was in Rzeszów, although the small number of investments on which this time was calculated somewhat limits the possibility of reliable conclusions). In Łódź, where the most applications were submitted, the processing time ranged from 2 to 9 months. Decisions were issued the fastest in Lublin, Gdańsk, and Katowice, on average, within 2.5-3 months. This may indicate differences in

the local administration's preparation to process applications, but the sheer number of applications and their complexity probably also have an impact. In three cities (Szczecin, Poznań and Toruń) it was possible to determine the processing time for only one location, hence the minimum and maximum times have the same values.

3.2. Research Results for Integrated Investment Plan applications

The first applications to initiate the Integrated Investment Plan process were submitted in 2024. Under current regulations, each application for the Integrated Investment Plan should be made publicly available in local Public Information Bulletins. The way the IIP works is closely tied to signing an urban development agreement. Without it, the process is still incomplete. By mid-May 2026, no urban planning agreement had been concluded in any of the cities analyzed. The project in Kraków, initiated in 2024, was closest to this stage, the urban contract was signed in August 2026, however Integrated Investment Plan was still a project.

At the final stage of the study, projects in seven

regional capital cities were validly submitted in 52 locations. It's worth noting that their number doesn't match the total number of applications submitted because some applications were withdrawn, and some projects were merged due to nearby locations. The city that recorded the highest level of interest from investors and developers was Kraków. The first applications were submitted as early as 2024, and by

the end of the study, 27 locations had been processed, with a few cases in which several projects were combined into a single application (counted by authors as a single valid application). The next two cities with the largest number of valid applications were Białystok and Lublin, though the numbers were much lower than in Kraków, with 12 and 9 locations, respectively. The next four cities had only one application; see Fig. 4.

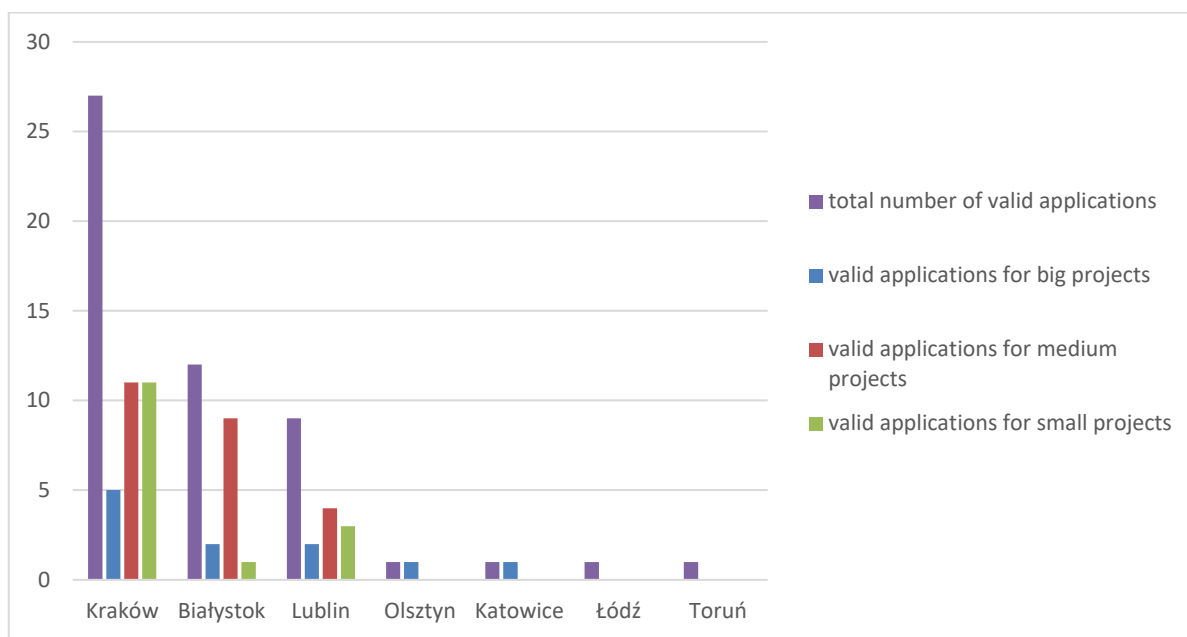


Fig. 4. Number of valid applications for IIP in regional capital cities. *Source: own calculations based on BIP announcements. Source: own study.*

The projects varied widely in size; the largest project covers 106.7 ha, with the main investment occupying 31.7 ha and the supplementary one 75 ha, and is located in Lublin. The smallest project covers only 0.15 ha in Białystok, with 0.08 ha for the main investment and 0.07 ha for the supplementary one. Considering three size categories (up to 1 ha, over 1 ha up to 5 ha, and over 5 ha), the projects were classified as follows: 11 large, 24 medium, and 15 small, based on the available data. There was no information about the size for Toruń and Łódź.

It is not possible to directly compare the Lex Developer instruments and the Integrated Investment Plans examined because of differences between them. However, certain similar elements can be identified. The main question concerns the previous functions of a given location, as defined in the planning documents, and the preferred new use. In the case of IIP, very few locations lacked local plans—only five (table 2). This indicates that investors and developers hoped the new procedure would be more efficient and comprehensive than amending the local zoning plans. In five cases, the

function specified in the local plan matched the investment idea regarding land use. Still, the investor or developer intended a more intensive use of the space, i.e., changes to the development and construction indicators and the biologically active area. In the remaining 42 cases, IIP envisaged a change in function, primarily from commercial and industrial use to multi-family housing. Investors most often indicated that the plans were inadequate to address changing socio-economic conditions. The projects studied frequently featured multiple functions, both past and those identified in the IIP. For clarity, the authors made some simplifications, attempting to emphasize specific property functions. If a given location had previously served both service and industrial functions, it was classified as industrial.

The Integrated Investment Plan may apply to any investment, not only residential ones. However, the primary type of investment was multi-family housing with services, 46 cases in comparison to 52 in total. Taking this aspect into account, we can see that IIP has taken over the role of Lex Developer.

Table 2

Old and new functions in planning documents and IIP		
Type and directions of changes in planning	Total number	Cities
No zoning plan	5	Białystok 3, Katowice 1, Toruń 1
Changes in building indicators within the same function of zoning plan	5	Białystok 1, Kraków 2, Lublin 1, Łódź 1
Changes in the functions referrals to zoning plan and IIP		
The earlier function	42	Białystok 8, Kraków 25, Lublin 8, Olsztyn 1
Single family housing	8	Białystok 1, Kraków 7
Services (without industry)	16	Białystok 2, Kraków 8, Lublin 6
Industry	18	Białystok 5, Kraków 10, Lublin 2, Olsztyn 1
The function in IIP	52	Białystok 12, Katowice 1, Kraków 27, Lublin 9, Łódź 1, Olsztyn 1, Toruń 1
Multifamily housing	46	Białystok 9, Katowice 1, Kraków 26, Lublin 9, Olsztyn 1
Services without touristics	3	Białystok 2, Kraków 1
Tourist services	3	Białystok 1, Łódź 1, Toruń 1
Type and directions of changes in planning documents	Total number	Cities
No zoning plan	5	Białystok 3, Katowice 1, Toruń 1
Changes in construction indicators within the same function of zoning plan	5	Białystok 1, Kraków 2, Lublin 1, Łódź 1
Changes in the functions referrals to zoning plan and IIP		
The earlier functions	42	Białystok 8, Kraków 25, Lublin 8, Olsztyn 1
Single family housing	8	Białystok 1, Kraków 7
Services (without industry)	16	Białystok 2, Kraków 8, Lublin 6
Industry	18	Białystok 5, Kraków 10, Lublin 2, Olsztyn 1
The function in IIP	52	Białystok 12, Katowice 1, Kraków 27, Lublin 9, Łódź 1, Olsztyn 1, Toruń 1
Multifamily housing and services	46	Białystok 9, Katowice 1, Kraków 26, Lublin 9, Olsztyn 1
Services without touristics	3	Białystok 2, Kraków 1
Tourist services	3	Białystok 1, Łódź 1, Toruń 1

Source: own study.

Similar to Lex Developer, a supplementary investment appears alongside the main investment; however, it is an obligation. According to the Spatial Planning and Development Act, a supplementary investment is understood to mean investments such as utilities, public roads, schools, sports and recreation facilities, public green spaces, and buildings designated for commercial or service activities, provided they serve the main investment. The investor is responsible for all or part of the costs of supplementary investment, and in the urban contract all costs and obligations should be specified and assigned to a given party. In the analyzed cases, the supplementary investment included

the construction, reconstruction, and repair of roads; the creation of parks and landscaped green spaces; recreational spaces; the transfer of commercial premises for public use; and the construction of a primary school.

The supplementary investments proposed by investors and developers are subject to negotiation, and the outcome may differ significantly from the proposal. Furthermore, the main investment is often supplemented by several tasks to be completed. Therefore, the number of proposals does not match the number of projects locations (Table 3).

Table 3

The supplementary investment types in IIP		
Type of supplementary investment	Total number	Cities
Green area/parks/playgrounds	22	Białystok 8, Kraków 10, Lublin 3, Łódź 1
Parking space	8	Białystok 1, Kraków 2, Lublin 5
Road/technical infrastructure	21	Białystok 9, Katowice 1, Kraków 8, Lublin 2, Olsztyn 1
Educational buildings, sport facilities for education	4	Kraków 4
Premises for public functions	20	Kraków 12, Lublin 7, Toruń 1

Source: own study.

The construction and reconstruction of roads and technical infrastructure, and the creation and renewal of green spaces, are essential to creating a comfortable living environment. However, these costs are very high and are primarily borne by the municipality. Co-financing by developers and investors will be reflected in the increased value of the apartments being built. Another type of supplementary investment is the transfer of premises, often along with parking spaces, for public purposes, a popular option among developers, particularly those in Kraków and Lublin.

It's noteworthy that some local authorities have taken the new solution very seriously and conducted preliminary consultations with residents regarding their needs for technical and social infrastructure. The consultation results are being communicated to potential investors and developers. This is undoubtedly a crucial element of integrated, coherent, and conflict-free decision-making regarding spatial development. The novelty of the IIP procedure posed a significant challenge for local government authorities because, after the investor submitted the application, they had to verify its substantive completeness and compliance with formal requirements. The next step is city council approval to begin the formal procedure. Refusals occurred at this stage, and the procedure was formally terminated in two cases. Another option was the previously mentioned combination of several projects with adjacent locations. Generally, the lack of a full implementation, including the signing of an urban contract, during the analyzed period indicates the high level of complexity and difficulty in applying the IIP.

4. Discussion

In Poland during the socialist period, spatial planning was centralized, with decisions of a political and economic nature. The rights of citizens and private entrepreneurs were significantly limited. The political transformation led to changes in the basic socio-economic assumptions and introduced democratic principles to the spatial planning system. The basic assumption of the new regulation was to entrust spatial development tasks to municipal-level local governments. However, over the years, the shortcomings of the existing system have been pointed out (Brzeziński, 2013, 2016; Kowalewski et al., 2020; Korbel, 2018; Wieczorek, 2021).

The introduction of a "fast track" in the planning procedure, allowing investors and residential developers to develop land contrary to the local zoning plans, was an experiment initiated in 2018 in response to the inefficiency of Poland's planning system and the

lack of affordable housing. The national government had three main aims: to increase the supply of new, cheaper apartments, share infrastructure costs with private investors, and force municipalities to actively implement spatial planning. Among Lex Developer rules, there was no provision requiring investors to offer apartments at below-market prices; investors did not want to incur costs they could recover through increased land value, and municipalities sought to maintain decision-making independence.

As the analysis shows, some city authorities did not allow private actors to use the Lex Developer route, including Kraków, one of the most attractive Polish cities. Others welcomed housing initiatives implemented as *lex specialis* and sought to promote them, including in Łódź. Lex Developer was a transitional, test program. Interest from investors and developers wasn't very high, undoubtedly due to local politics and the demand potential of individual locations. Lex Developer also required from a private actor an urban planning concept referring to local urban standards. It was a new idea of co-responsibility of planning and using the space.

The introduction of privileges in 2018, allowing housing developers to act contrary to local planning regulations, was a controversial measure. Some academics and practitioners working in housing have pointed out errors and imprecision in the Act's provisions, fearing the consequences of its application (Szlachetko et al. 2019; Warszawa, Tomczak, 2024). A significant number of court disputes between developers and local authorities that opposed the developers' investment plans indicate that the allegations were justified (Antczak-Stępnia, Załączna, 2023). Without a doubt, a positive outcome of the new solutions was the definition of urban planning standards by local authorities, which specified the spatial needs of their respective local communities. Examples of housing projects based on the privileged path also revealed some developers' willingness to compromise, negotiate, and cooperate with the local government.

The Integrated Investment Plan is the next step and allows investors and developers to prepare a comprehensive local zoning plan tailored to investment needs while taking into account the economic, social, and spatial local conditions. It is both a challenge and an opportunity. It's noteworthy that some local authorities conducted preliminary consultations with residents regarding their needs for technical and social infrastructure. Negotiations between the public and private parties facilitate consensus and increase the

project's chances of success. However, the question arises whether the private party is prepared to proceed with and apply IIP. The procedure is undoubtedly much longer and more expensive than the Lex Developer.

The analysis of the submitted IIP applications leads to the conclusion that many of them are very similar to earlier cases of application of the Lex Developer in the scope of both primary and supplementary investments, i.e., mutual acceptance of specific rights and obligations by the parties to the agreement. However, the IIP requires an urban planning agreement, i.e., a contract, a free expression of the parties' will. The question arises as to whether such an agreement can be signed under Polish institutional conditions. It aims to ensure a stable and transparent relationship between the parties; however, its signing can be a lengthy process, burdened with numerous challenges, including potential accusations of corruption. Interestingly, one of the cities that did not agree to the use of a special path for Lex Developer was Kraków, which currently has the largest number of IIP applications. However, will these applications be transformed into binding contracts? Another question concerns the benefits that the local community will obtain. A detailed analysis of IIP projects reveals that the potential costs the municipality would incur in creating new technical infrastructure can be a significant burden, and the investor's possible participation will not be substantial.

Developers enjoy short-term benefits as they build and sell the project; however, will this be consistent with the direction of a given municipality's spatial development? One may have some doubts when analyzing the submitted IIP. Does Białystok need several-hectare housing investments, or should a housing estate be built next to a sewage treatment plant in Kraków? And what if, due to the project's unprofitability, the investor abandons it at a stage when the unfinished zombie investment will burden the location? IIPs are intended to streamline the protracted planning procedures in Poland, but will negotiating an urban planning contract and adopting an IIP not be more time-consuming than prepare or change a zoning plan?

Although the data were collected from publicly available websites, their scope varied significantly between cities. Some applications were more transparent, and in some cities, a well-established application submission format was evident. Therefore, the lack of consistency and transparency of information is a problem not only in the client-developer

relationship but also between the city and the developer/applicant. It is also interesting that in cities where Lex Developer was a popular instrument in previous years, applications were submitted for 45 new locations in 2025 and at the beginning of 2026 (21% of the total, with the largest number in Łódź). Furthermore, after the data collection period, applications for additional investments appeared: 3 in Łódź, 1 in Warsaw, and 3 in Katowice. This demonstrates that, despite the introduction of another instrument to the Polish legal system, investors prefer to use what is more familiar and less demanding. Since mid-February, three new resolutions have also been issued on the location of residential investments: in Łódź, Warsaw, and Kielce.

5. Conclusions

The authors formulated four research questions in their study: market response to the new regulations, achievement of national goals, specificity of local approaches in applying the new regulations, and lessons from the Polish study for introducing the European Affordable Housing Plan. The study shows that the market response for „cutting red tapes” was not significant. In the case of Lex Developer, new housing projects on a special path were more numerous only in certain locations, such as Łódź. No mechanism ensured lower prices for apartments built under special conditions. Calling for business support as a remedy to increase the supply of affordable housing may not translate into the actual completion of apartments and houses priced within the reach of households with unmet housing needs. The goals indicated in the draft bill have not been met. Between 2004 and 2025, 3.7 million apartments were built in Poland, about 2 million by developers, but for many households, especially young people and lower-income families, housing prices are too high. It is estimated that the rent gap, understood as the percentage of households whose income is too low to buy or rent a suitable apartment at market price yet too high to qualify for government-subsidized housing, affects up to 4 million Polish households, representing approximately 35% of the population (Ministry of Finance, 2026). The low supply was therefore not a factor causing the problem of lack of affordable housing in Poland.

IIP was introduced to contribute to the long-term improvement of spatial development in Poland and to create institutionalized cooperation between public and private partners. It provides new spatial planning

and development principles, along with shared responsibility for space between private and public actors. The authors examined only large cities, but the new instrument is not limited to them. Press reports indicate attempts to apply IIP to wind and photovoltaic farms in peripheral locations. The cases studied revealed strong local concentration and a lack of locational succession between Lex Developer and the IIP, although there is succession in investment type. Developers and investors are seeking to utilize the IIP primarily in multi-family housing projects, but there is no mechanism to ensure affordable housing. The very lengthy IIP application process will likely discourage some potential users. Reference to the broader cultural context reminds us of the low level of social capital in Poland, as well as the lack of trust in relations between public and private actors. Developers initiated the creation of IIP only in seven regional capital cities, which, in light of the study results, suggests that either this is not an interesting solution for them or they remain apprehensive about the difficulties and the process's protracted nature. Treating spatial planning principles as unnecessary red tape is unjustified in the Polish example. It shows that investors are trying to increase their profits, but society gains no real benefits. The study has its limitations, primarily in the case of the IIP, the instrument's short period of potential application. The study can be repeated in a few years to verify the results of the initiated projects. Only full implementation of the new instrument will allow for its evaluation. Furthermore, the study is limited to selected cities, while the IIP can be applied to all types of areas. The issues discussed will constitute an interesting avenue of analysis in the coming years.

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