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TERRITORIES

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TEMPORARY URBANISM: PLANNING DIFFERENTLY

62 sites

HAVE EXPERIENCED TEMPORARY URBANISM IN THE PARIS REGION SINCE 2012.

TEMPORARY URBANISM PROJECTS HAVE BEEN DEVELOPED SINCE THE EARLY 2010s IN A MORE INSTITUTIONAL, SUPERVISED AND VISIBLE MANNER, PARTICULARLY AT THE HEART OF THE PARIS REGION WHERE LAND IS EXPENSIVE. WHAT IS THE SIGNIFICANCE OF THIS RENEWED CITY-MAKING, RANGING FROM SYSTEMATIC LAND OPTIMISATION TO PARTICIPATORY PROJECTS?

Temporary urbanism covers any initiative on unoccupied land or buildings that aim to revitalise local life before development occurs (see diagram on p. 2). The opening up of possibilities on such sites generates innovation, creativity and often mixed-uses. The perspective is an open, co-constructed city that meets the needs of its residents, workers, students, etc. Temporary urbanism takes possession of empty buildings as well as urban development project areas or vacant land as part of either all-at-once multisite strategies or as part of one-site-at-a-time strategies.

TEMPORARY URBANISM: THE INTERSECTION OF A TIGHT MARKET AND INVENTIVE PROJECTS

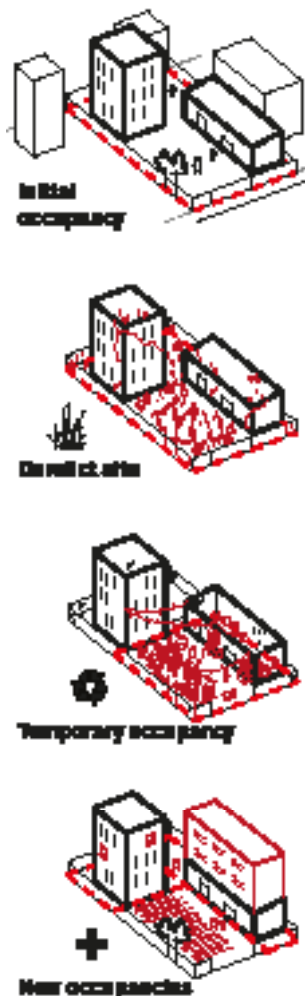
Temporary urbanism originated in site occupancy without land title, with stakeholders freely taking advantage of vacant sites. The purpose of such occupancy has been very diverse: occupancy for accommodating collectives, such as the Jeudi-Noir initiatives in Paris; occupancy for artistic and cultural purposes, such as that of the former Frigos refrigerated warehouses at the beginning of the ZAC Paris Rive Gauche project; or even occupancy to provide more green spaces for citizens, as in the Park Fiction project in Hamburg. These initiatives have taken advantage of vacant real estate and unoccupied land to propose off-market responses to local needs. What differentiates them from projects referred to elsewhere is the legal status of the occupancy, but also the will of the property owners to earn income from their property assets (even at below market prices) or to limit their expenses. Four factors have changed the parameters since the early 2010s. The continual increase in property prices in the Paris region (see box p. 2) has had two effects: first, it has raised carrying costs in urban development projects; and second, it has provided opportunities for more profitable value-enhancement, notably in terms of the risks of degradation of vacant sites. Furthermore, the average duration of urban projects has increased, reaching 10 to 15 years in some cases, thereby creating pieces of land waiting to be used. The third factor is the adaptation of the stakeholders. The planners, property developers and site occupants have deployed new project management methods and new networks based on fragile but inventive economic trade-offs. Local government authorities have

PROPERTY PRICES IN THE PARIS REGION

For 20 years, property prices¹ in the Paris Region have risen considerably. Between 1996 and 2016 they were multiplied by three, reaching €5,500/sq. m. on average. This increase has also had an impact on the price of land: in 2016, a plot of land designated as fit for building cost on average €160,000² in the outer suburbs and €400,000² in the inner suburbs, where the highest rise in prices for 10 years has occurred (+66%).

1. Notaries' BIEN index, existing apartments.
2. Notaries' BIEN index, land declared fit for building.

The birth, life and disappearance of a brownfield site



increasingly supported temporary urbanism initiatives in their neighbourhoods, which have revitalised their cultural and civic activities.

Finally, the boom in digital technologies has helped develop temporary urbanism in terms of two dimensions: first, communication between stakeholders; and second, an increasing “disconnect” between places and functions, enabling people to work wherever there is an Internet connection (in the case of a number of professions).

TEMPORARY URBANISM: A GREAT VARIETY OF USES, STAKEHOLDERS, SCALES

In the past few years, a broad range of initiatives have been taken, driven by a variety of motivations: economic optimisation of vacant property, such as the initiative of the office developer Gecina with the Paris&Co project; civic, cultural and social projects, such as Grands Voisins in Paris; summertime occupancy of land belonging to French Railways (SNCF) focused on festive and cultural initiatives (Gare des Mines, Grand Train, Ground Zero); and, last but not least, the Karting project on Nantes island, where work spaces are provided for creative and cultural enterprises in wooden modules, built under a storage hall due for eventual demolition.

Considerable momentum has also been built up in other parts of Europe, such as, for example, the launch in the United Kingdom of Meanwhile Space, a social enterprise active mainly in Greater London, whose outcomes include economic gains, notably in neighbourhoods undergoing urban regeneration. Almost the only area that has not benefited from such initiatives has been housing, due to the potential legal complexities of temporary occupancy in the eyes of property owners. The few initiatives that have been taken in housing have been subject to close supervision either by a specialist body, such as in emergency accommodation (the Aurore initiative within the Grands Voisins project in Paris) or the very professional management of short-term leases by organisations such as Camelot specialised in the management of vacant property.

At the same time, on the occupants' side, two types of stakeholder have emerged. On the one hand, many initiatives have been led by non-profit associations and community-based collectives focused on the setting up of multi-use projects and partnerships (e.g. Yes, We Camp, Bellastock, Collectif MU, etc.), each with their own distinctive specificities. They rely on the strong commitment of the people involved who work in precarious economic conditions. On the other hand, the occupants are individuals seeking, above all, affordable property and the sharing of facilities (which does not exclude a full-fledged collective project from being implemented at a later stage), as exemplified by the Labolic collective (Open Bach project).

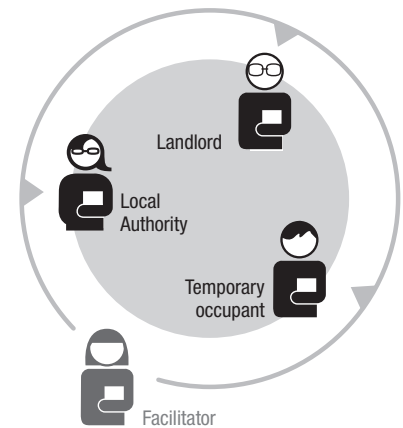
In addition, a new type of stakeholder has emerged, such as Plateau Urbain, la Belle Friche or even Paris&Co, who act as intermediaries between potential occupants and property owners. Finally, the property owners are either project promoters similar to public land-management corporations,

acting as planners, landlords, property developers; or institutional investors who own a large number of built or land heritage assets (AP-HP Paris hospitals or SNCF French railways, for example).

TEMPORARY OCCUPANCY: FOR WHAT PURPOSE?

Temporary urbanism initiatives meet needs and motivations that vary according to the main stakeholders involved, i.e. the site owners, local government authorities and site occupants.

Temporary urbanism stakeholders



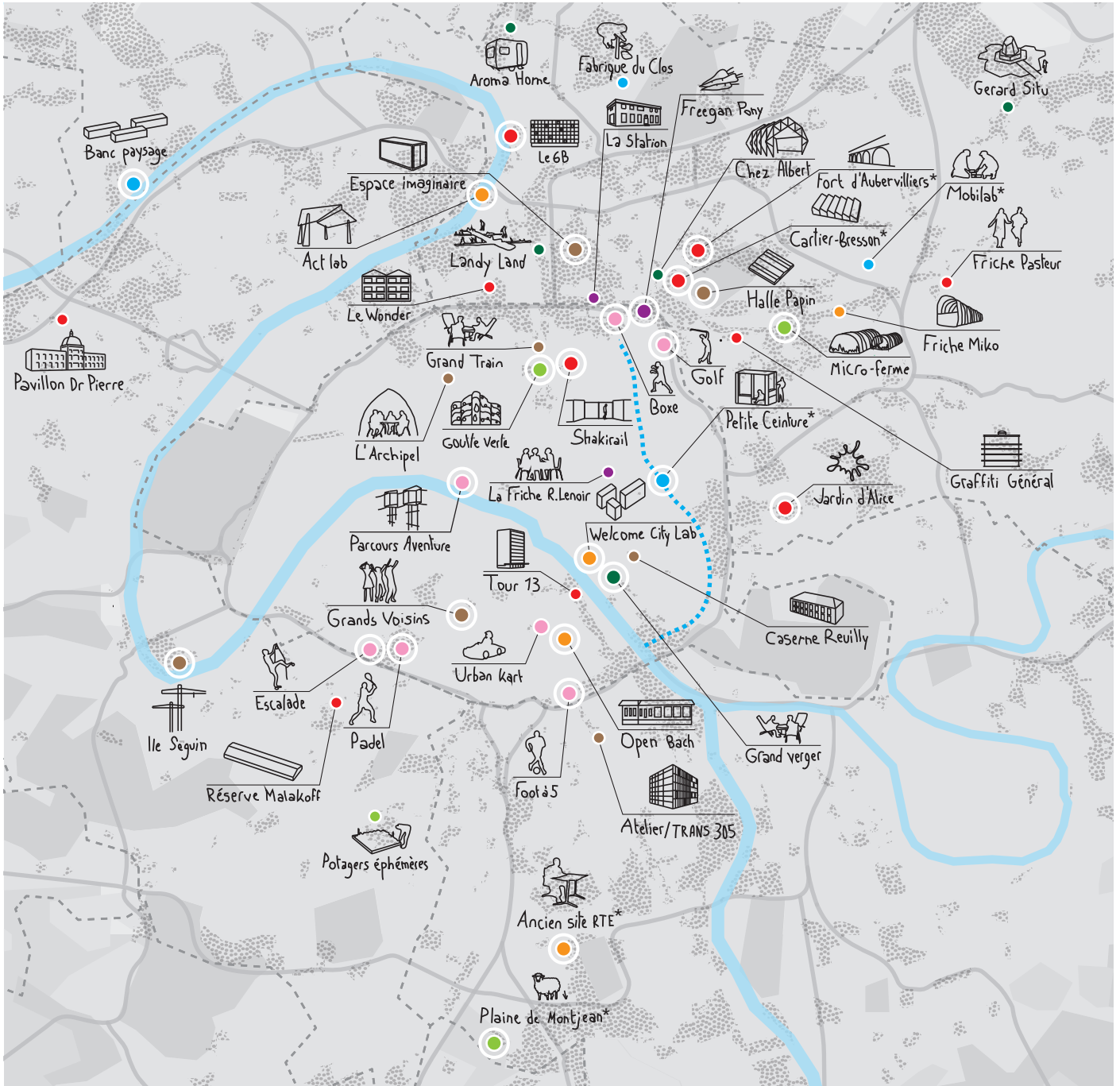
For site owners, temporary occupancy mainly helps reduce land financial carrying¹ costs pending the emergence of a (re)development project on the site or in the building concerned. These carrying costs notably include the cost of securing and guarding sites, which can amount to between €13,000 and €15,000/month in Paris. Such costs will not have to be passed on to achieve the financial balance of the owners' urban development projects.

Another positive motivation for property owners is the prospect of enhancing the value of their sites on the land and/or property markets. This motivation is all the greater when, as sometimes happens, their vacant sites are in abandoned or off-market urban areas. Thus, temporary occupancies can help improve the image of a neighbourhood or simply allow the property-owners to wait for a cyclical upturn in local or national markets. In this event, temporary occupancies provide site owners with opportunities to sell their sites at a better price or to plan to turn them into more diversified development programmes.

Furthermore, property owners and local government authorities expect temporary occupancies to be drivers of more vibrant urban life and of improved perceptions by the residents of their environment by benefiting from the enhanced attractiveness of a site or even a neighbourhood. Temporary occupancies are also opportunities to try out various uses and urban development programmes in anticipation of and foreshadowing future projects.

For local government authorities, the temporary occupancy process may also be a means of fostering greater citizen involvement in the making of the town or city by providing access to previously closed spaces. In fact, the temporary uses that have

Temporary urbanism initiatives in the Paris Region since 2012



Categories of initiatives

- Art, culture, leisure
- Offices, workshop, crafts/production, fab lab
- Retail, catering, bar, club
- Park, garden, public space
- Agriculture, market gardening, kitchen garden, grazing
- Project activity area, construction site
- Sports space, playground
- Mixed-use
- Work in progress

* Scheme for supporting transitional urbanism projects in the Paris Region

Background map

- ⋯ Small belt railway line
- ▨ Development project (in progress and under review)
- Built-up urban area
- Rural area
- Woodland and open spaces
- ⋯ Counties (départements)
- Main road network

N 0 2.5 km

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Tempo project, along the Ourcq canal (Paris)

Tempo is a temporary project deployed on three sites along the Ourcq canal. It resulted from a Call for Projects issued in 2015 by the “Est Ensemble” agglomeration community (AC) authority.

The aim of this initiative is to find project promoters willing to revitalise redundant spaces in order to help local residents retake ownership of them before they are redeveloped.

To find out more, go to: www.est-ensemble.fr/tempo

Occupancy and uses: cultural activities, events, urban agriculture, sports facilities.

Site features: several redundant spaces along the Ourcq canal: the Miko space (in Bobigny), a redundant space facing the Clock pavilion (in Romainville), Pasteur redundant space (in Bondy).

Landlord, planner, occupants' representatives: local authority: “Est Ensemble” AC authority • Planner: Séquano Aménagement • Occupants: Bellastock, Méliadès Company (street art), D'Days (design promotion), Paysan urbain, Requincaillerie.

Legal framework: temporary occupancy agreements.



Ladywell project by Meanwhile Space CIC (Greater London)

Meanwhile Space is a British social enterprise specialised in property which, since 2009, has brought temporarily redundant spaces into productive use. It acts as an intermediary between landlords, local authorities, project promoters and future occupants. It has helped put back into temporary occupancy some 50 sites, representing over 9,000 sq. m. of space in London, notably in Luton, Craigavon and Hastings. To find out more, go to: www.meanwhilespace.com

Occupancy and uses: Ladywell project: retail outlets, shared work spaces, fab labs, emergency housing (for the homeless), a community café.

Site features: a 660 sq. m. building in the district of Lewisham (Greater London) • A former community leisure centre • Architect: Richard Rogers.

Landlord, planner, occupants' representatives: Lewisham Council, Mayor of London (local authorities) • Meanwhile Space (intermediary) • London Small Business Centre, Studio RAW (partners) • Bow Arts Trust (philanthropist).

Legal framework: one-year renewable leases.



Les Grands Voisins project (Paris 14th arrondissement)

In 2012, the Saint-Vincent-de-Paul hospital on avenue Denfert-Rochereau in Paris closed. The Grands Voisins project then occupied the site on the initiative of the Aurore social and emergency housing association, with the support of the city of Paris. Pending the implementation of an urban development project due to begin in 2018, it was decided to open the site to new uses.

To find out more, go to: www.lesgrandsvoisins.org

Occupancy and uses: mixed-use occupancy: social and emergency housing, studios for artists, premises for small businesses, workshops for craftspersons (woodwork, silkscreen printing, etc.), art galleries, shops, a bar-restaurant.

Site features: former hospital (3.5ha) in Paris (14th arrondissement). A new housing development project is under way on the site.

Landlord, planner, occupants' representatives: landlord: EPFIF (carry), previously the Paris Public Hospital Administration (Assistance publique-Hôpitaux de Paris or AP-HP) • Local authority: city of Paris • Occupants: Yes, We Camp, Plateau Urbain, Aurore.

Legal framework: a Temporary Occupancy Agreement valid until the end of 2017.



Karting project on the island of Nantes (western France)

The Karting used to be an empty hangar on the tip of the island of Nantes. In 2011, it was turned into a space to temporarily accommodate businesses and start-ups. Initially, the facility was due to be demolished in 2020, but the change in the overall development project has now delayed this outcome until 2025. To find out more, go to: www.creationduquartier.com

Occupancy and uses: economic activities centred on the cultural and creative arts.

Site features: the existing 1,200 sq. m. warehouse is divided into 12 modular spaces ranging in size from 12 sq. m. to 96 sq. m. with a shared mezzanine.

Landlord, planner, occupants' representatives: landlord and property manager: Samoa, a planner that benefits from an economic development public service delegation agreement • Occupants: businesses.

Legal framework: short-term leases.

been developed often include open spaces, cultural, social or festive activities, urban gardens, etc. The economic dimension is also present: local authorities may see temporary occupancies as opportunities to give responses to activities that cannot find suitable premises and facilities at prices affordable to craftsmen, artists, small businesses, etc. They may also enable local authorities to attract self-employed workers or small innovative businesses, notably start-ups, to out-of-the-ordinary sites conducive to meetings, networking and new ground-breaking forms of collaboration.

The top priority of occupants and users is to have access to sites, be they built-up or not, where they can develop their activities, be they economic, artistic, associative, cultural, or their projects, be they collective or the sum of individual initiatives. These temporary spaces provide advantages and benefits: reduced or even free rent, often large and adaptable surface areas, flexibility and freedom of use. The proliferation of on-site activities can lead to a creative environment, which sometimes favours the sharing or mutualisation of equipment, means of production and human resources.

Finally, these places help meet human and social challenges. The Grands Voisins project in Paris illustrates this: the coexistence on the same site of emergency accommodation managed by the Aurore association with spaces for start-ups, arts and crafts artisans and residents has helped people with social integration difficulties to escape from their social and spatial isolation. The diversity of functions and users in these places can thus become a driving-force for inclusion and solidarity.

THE LEGAL FRAMEWORK FOR TEMPORARY USE OF SPACE

There are a certain number of legal rules governing temporary occupancy.

Temporary occupancy of the public realm

The public realm² cannot be appropriated by private individuals. However, a public entity, such as a local government authority, for example, can issue a temporary occupancy authorisation (TOA), providing such occupancy is compatible with the assigned classification of the portion of public realm concerned. This authorisation is temporary and revocable. The beneficiary does not have a right to maintain the said authorisation, as the public entity concerned can terminate it for reasons of general interest or for non-compliance with the technical or financial conditions of the authorisation. The beneficiary cannot claim the right of renewal of the TOA. An authorisation granted in a personal capacity is granted either by a unilateral act (obligating only one party) or by a bilateral contract.

Dispensational lease and temporary occupancy agreement

A commercial lease, with a minimum term of nine years, may be terminated by the tenant every three years. The dispensational lease, however, may

not exceed three years (including renewal) and has no minimum term. If, when the lease expires, the owner has not sent a notice to the tenant, the tenant may continue to occupy the premises in compliance with the standard terms and conditions of a commercial lease.

A temporary occupancy agreement is different from a dispensational lease. Resulting from previous common practice, it was defined by a law passed in 2014 and is characterised “whatever its duration, by the fact that the occupancy of the premises is authorised only in particular circumstances beyond the control of the parties to the agreement” (L. 145-5-1 C. com.). These parties must prove that there are legitimate grounds for the temporary occupancy of the site. These grounds justify the setting of the rent at a more modest rate than for a normal rent.

Planning tools at the service of the temporary urbanism

Recent amendments to planning legislation have resulted in the development of tools compatible with the concept of temporary urbanism.

The government decree dated 28th December 2015 modernising the Plan Local d’Urbanisme (PLU or Local Urban Development Plan), provides for the possibility in existing and future urban areas to create areas without any regulations in which urban development and programming guidelines (Orientations d’Aménagement et de Programmation) may be drawn up and applied. Previously, OAPs were necessarily superimposed over existing regulations. These new OAPs introduce a degree of flexibility in the design of the planning framework, which could, if necessary, facilitate the move to temporary urbanism. This new tool does not lead to deregulation of part of the land: firstly, the mandatory items of these specific OAPs are defined by the planning legislation; and secondly, these OAPs – which are justified in the PLU – must allow the implementation of a Projet d’Aménagement et de Développement Durable (PADD or Sustainable Urban Development Project). Furthermore, the public policy provisions of the National Urban Planning regulations still apply.

INITIAL FEEDBACK

Temporary urbanism initiatives have had many repercussions on the local areas concerned and on the behaviour of the stakeholders involved. Here, we present certain initiatives in a non-hierarchical manner, the scale and scope of which is variable depending on the stakeholders and projects concerned.

Temporary occupancies contribute to urban development strategies by transforming the image of a neighbourhood and by making certain neglected areas more attractive and open. They may also make it possible to manage urban development projects more democratically by bringing people together and overcoming opposition.

These projects provide temporary occupants with opportunities, but also expose them to financial

CALLS FOR EXPRESSIONS OF INTEREST ISSUED BY THE PARIS REGION

Since June 2016, the Paris Region has issued Calls for Expressions of Interest (in French, “Appels à Manifestation d’Intérêt” or AMI), whose aim is to help local government authorities, urban planners and their operators to put in place temporary urbanism initiatives. Fifty per cent funded by the Paris Region (through grants ranging from €20,000 to €200,000) and 50 per cent by the project promoters, the projects are expected “to turn the lag time of a spatial development into a lively and fertile period conducive to intense activity, job creation and positive impacts on the neighbouring living environment.” Calls for Expressions of Interest are issued twice a year.

and legal risks. Although such project sites are temporary, they often require investments before being occupied, some of which may not match the actual occupancy time of the sites concerned. Furthermore, the occupants sometimes find it difficult to sustain the financing throughout the duration of a project, notably when it is of a changing or uncertain nature. Thus, some form of economic uncertainty always seems to be the corollary of temporary occupancy.

The legal liability of occupants when, for example, they wish to open their space to the public (implying compliance with regulations governing public access buildings) may seem very heavy in relation to their often precarious status and to the limited resources often at their disposal. The degree of commitment expected of occupants and the demands made on them are very different from the position adopted by certain landlords, who do not want "to know anything"³ about what is happening on their land and yet stand to profit significantly from its ownership.

The increase in the sense of responsibility and know-how gained by occupants from their experience has resulted in a form of professionalisation. They realise that their credibility is a prerequisite for successful completion for their projects. Property owners and local government officials have also enhanced their professionalism to limit their risk-taking and facilitate their dialogue with the other stakeholders. As a result, two new professions have emerged: intermediary and facilitator. Their goals are to develop specialist know-how, centralise information, facilitate meetings between property owners and potential occupants, turn the process into a mass process and reassure the various stakeholders. This shows that temporary urbanism is gradually shaping a new approach to spatial development and programming by fostering mixed uses, making it possible to preview a project before it is implemented, providing types of spaces that are often unavailable on the market and by encouraging active citizen participation in the development of their living spaces. In this way, temporary urbanism helps to smooth over the entire urban development process.

However, these new initiatives raise several questions. First, their overall economic equilibrium does not seem to have been found yet. The property owners benefit from an increase in the value of their property in both financial and image terms, whereas the duration of the project is not always sufficient to enable the occupants to cover the initial development and renovation expenses. The call for expressions of interest in temporary urbanism projects (see box p. 5) issued by the Paris Region is an initial response, which focuses on investment expenditure. And yet the various stakeholders also spend a lot of time on leading people, bringing them together and programming sites. Therefore, operating aid would also come in very usefully.

The question arises as to whether the development of a market for provisional occupancy of vacant property is desirable or if it is simply a malfunction indicator of difficult access to suitable premises or sites.

Finally, although it is true that some temporary occupancy projects have been a great success with residents, workers and visitors alike, how is it possible to strike a balance between the sustainability of certain uses and the successful implementation of planned projects?

Going forward, there are three possible ways of turning temporary urbanism into an established urban planning and development tool:

- by identifying among urban development and planning tools those that could facilitate temporary urbanism that is in line with projects promoted by local government authorities;
- by sharing and clarifying knowledge of the functioning of temporary urbanism initiatives by producing a users' guide for all categories of stakeholder;
- by planning the deployment of such initiatives in both rural and peri-urban areas. ■

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1. Here, the expression "land financial carrying costs" is used in the broad sense, meaning all the costs arising from the holding of a piece of land. On this topic, see the paper published by Joseph Comby in 2003: "Les logiques contradictoires du portage foncier" (The contradictory logic underlying the cost of carrying land).
2. The public realm comprises the assets of a public person or body allocated to direct use by the public or assigned to a public service, subject to the adaptation required to deliver this public service.
3. According to several property owners questioned during the meet-up on temporary urbanism held in Paris (Pavillon de l'Arsenal) in November 2016.

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