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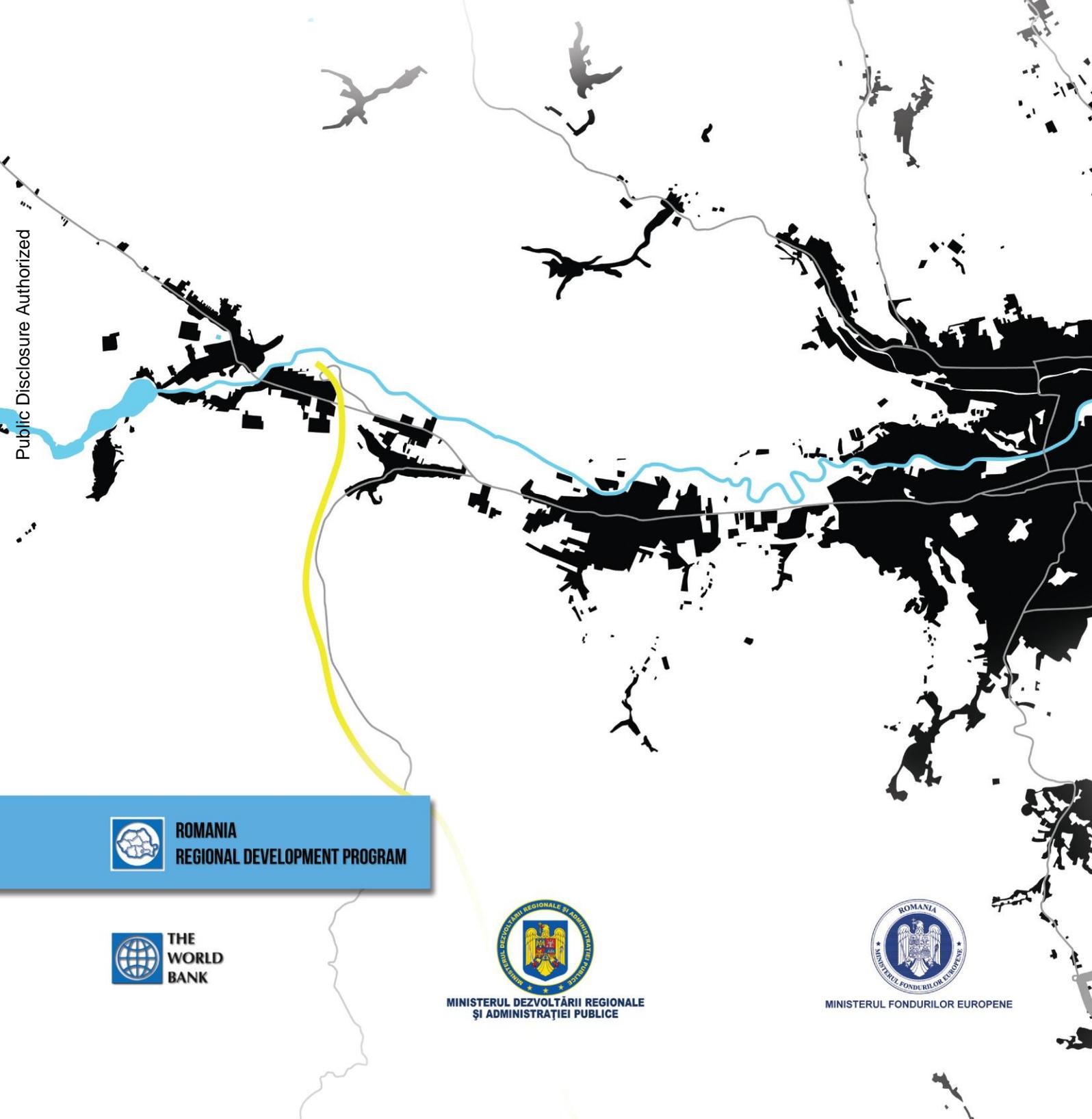
GUVERNUL ROMÂNIEI



Instrumente Structurale
2007 - 2013

ENHANCED SPATIAL PLANNING

as a Precondition for Sustainable Urban Development



ROMANIA
REGIONAL DEVELOPMENT PROGRAM



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List of Abbreviations

CDS	County Development Strategy
CSP	County Spatial Plan
DUP	Detail Urban Plan
EC	European Commission
EBRD	European Bank for Reconstruction and Development
ERDF	European Regional Development Fund
ESDP	European Spatial Development Perspective
EU	European Union
FAR	Floor-to-Area Ratios
GHG	Greenhouse Gas
GUP	General Urban Plan
GD	Government decision
IDP	Integrated Development Plan
NACLR	National Agency for Cadaster and Land Registration
MARD	Ministry of Agriculture and Rural Development
MECC	Ministry of Environment and Climate Change
MEF	Ministry of Environment and Forest (<i>official denomination up to 2012</i>)
MRDAP	Ministry of Regional Development and Public Administration
NACS	National Agency of Civil Servants
NRDP	National Rural Development Plan
NSP	National Spatial Plan
NSTD	National Strategy for Territorial Development
NSRD	National Strategy for Regional Development
RDA	Regional Development Agency
ROP	Regional Operational Program
OP ACD	Operational Program Administrative Capacity Development
SOP	Sectoral Operational Program
ZUP	Zonal Urban Plan
ZRSP	Zonal Regional Spatial Plan



Executive Summary

This report is an argument for enhanced spatial planning in Romania. The underlying idea is that efficient spatial planning can lead to better economic, social, and environmental outcomes. Moreover, the report will argue that spatial planning can play a strategic role in driving development and it should be used effectively to this end.

As a country becomes more developed, planning becomes more and more important. More development translates into more and more decisions that need to be taken and coordinated. Consequently, as the economy of a country becomes stronger, planning capacity should concomitantly be strengthened at all administrative levels.

However, while it is clear to planners why spatial planning is important, it is often hard to convince others of this. Partly this can be attributed to the nature of spatial planning. For a public entity, coordinating new investments in space represents extra work that it is often unwilling to do. For a private entity (e.g., individual or firms), spatial planning regulations are seen as an added constraint that comes on top of already existing public restrictions. Thus, spatial planning is often seen as potentially hindering development by both public and private entities.

In Romania, the spatial planning field has a task that is twice as hard as in other developed countries. Following the fall of the centralized planning system in 1989, Romania had to basically learn to do planning from scratch. This process has been arduous, plagued with fits and starts, and it is still ongoing. The legal, regulatory, and institutional framework has been continuously evolving to respond to evolving needs and challenges. In the past 20 years, Romania has, arguably, shifted from radical centralized planning to no planning, and further on to a struggle to redefine and impose a new scope and aim of spatial planning functions. Significant efforts and energy have been invested in building a spatial planning system from scratch and in changing public perception and discourse on these issues.

LEGAL PLANNING FRAMEWORK

Law no. 350/2001 on spatial and urban planning represents the backbone of the Romanian spatial planning regulatory framework. It sets out the principles, objectives, activities and institutions that pertain to the spatial planning system in Romania. The law also marks the start of a rather prolific decade in terms of new legislation and regulations, which have gradually defined the policy and practice of spatial and urban planning. Previously, the post-communist regulatory framework was based mainly on Law no. 50/1991 (on the authorization of construction works and certain measures for housing development), an act with few mentions of spatial planning and with a strong focus on specific building regulations. During the last decade, adjacent and secondary legislation developed considerably and the Romanian spatial and urban planning policy and practice accumulated knowhow and has been



increasingly exposed to EU practices. Consequently, ever since its issue in 2001, Law no. 350/2001 has been subject to a wide series of amendments. All in all, eight amending acts have been endorsed by the date of the present report.

The major shortcoming of Law no. 350/2001 is that it has no policy paper/strategy at its foundation. In essence, there is no document that lays out how territorial and urban planning can play a strategic role for development. A normative framework is created and some guiding principles are provided, but one does not have a clear sense of how territorial and urban planning can play more than just a coordinating role.

The Ministry of Regional Development and Public Administration, through its Territorial Development unit, is currently preparing a territorial development strategy. This will provide a solid foundation for revamping Law no. 350/2011, if deemed necessary. The territorial development strategy will also provide a guideline for needed institutional reform and for how planning instruments could be used more efficiently and effectively. A focus on territorial development is not enough though.

In addition to the territorial development strategy, the Ministry should also consider drafting an urban development strategy. It is at the urban level where spatial planning tools are most needed and where they can play a more strategic role. Cities are living organisms, with space in and around them being continuously developed, redeveloped, shaped, and modified. Cities in Romania have a number of idiosyncratic characteristics and have developed unique dynamics after 1989. As such, it is important to prepare a strategy that identifies the main challenges and tasks in urban areas in Romania, and ways in which these can be addressed through the use of spatial planning tools. At the same time, it is important for the urban strategy to identify ways in which urban spatial planning tools can be used to guide sustainable development, not just respond to market inefficiencies.

INSTRUMENTS

Law no. 350/2001 designs a cascade of instruments for spatial and urban planning that are all interdependent and have to correlate vertically. Sequencing is therefore very important, as the elaboration of lower-level plans should correlate and come after the elaboration of upper-level plans. The main text provides an overview of the spatial plans that are elaborated by different administrative levels, some of which are normative and statutory in nature, while others are operational and only have a guiding function for lower-level plans.

Of course, spatial plans are not only drawn by public entities – they can also be drawn by private entities. Particularly in the case of zonal urban plans and detail urban plans, it is private entities that are often tasked to draft spatial plans. For example, a developer that wants to develop a new neighborhood has to prepare the zonal urban plan for that neighborhood, while ensuring that the provisions of the general urban plan are followed. This of course brings to the fore the issue of public and private interests in spatial planning, which is a matter of significant importance in Romania today.



Overview of current spatial and urban planning documents

Overall, spatial planning instruments have performed poorly in Romania. The large majority of territorial administrative units do not have spatial plans or have expired ones; of those that do have spatial plans, few implement and enforce them effectively; of those that do indeed manage to enforce and implement their plans, many are challenged in courts by private interests, calling into question the normative character of these plans. To this one can add that the correlation between plans is made hard because of poor sequencing (i.e., lower-level plans are drafted before higher-level ones), because of the difficulty of referencing higher-level plans (county spatial plans in particular tend to include a long list of data and information, which are often irrelevant), and because of the variation in quality of different plans. Moreover, there is a duplication of efforts between the strategy part of spatial plans (i.e., socio-economic and environmental analysis of the area under consideration) and the development strategies drafted by local authorities. There is a higher incidence of development strategies at the local level (although these are not mandatory for local authorities) and a lower incidence of spatial plans. When both the development strategy and the spatial plan are indeed in place, there is often a poor correlation between the two.

INSTITUTIONS

Chapter III of Law no. 350/2001 describes the attributions of different layers of public administration: central, county, and local level. A few aspects are worth highlighting. The central administration resumes a coordination and endorsement role of all spatial and urban planning systems. The mandated ministry elaborates the national as well as the regional spatial plans (on different thematic sections), and endorses the spatial and urban planning documentations for lower territorial levels (namely, counties, and cities – county seats and other rural and urban settlements that act as tourist resorts).

The Directorate General for Territorial Development (now the DG Regional Development) represents the functional central government department tasked with spatial planning issues. It fulfills its duties in this specific field of activity and is formally in charge of national and regional spatial planning and development, territorial cooperation, urban planning and spatial planning, and management and development of urban and real-estate programs. Line ministries and other bodies of the central public administration convey to the MRDPA, at request, all the information necessary for the development of the activity of spatial and urban planning. The Ministry can request local public administrations to draw up or modify documents on regional and urban planning with a view to expanding, detailing, or applying provisions included in the strategic sector programs of the Government, as well as for the general interests of the state to be observed. At the county and at the local level, spatial planning functions are carried by the Chief Architect's offices.

One of the key challenges of spatial planning institutions in Romania is the severe lack of capacity. For the most part, professionals tasked to deal with spatial planning issues come from an architecture background. Romania has the lowest density of architects per 1,000 people in the EU, so one could say that



from the start it lacks the absolute number of specialists needed to take on such a task. The situation is worse when one compares different regions of Romania. More than half of accredited architects work in Bucharest and some counties have less than 10. In addition to the argument about absolute numbers, Romania lacks the skill-mix that is needed for spatial planning. As data in the main text will show, there are few planning specialists with a background in urban sociology and demography, urban economy, or the environment. Moreover, there are significantly fewer urbanists than architects working in the field of spatial planning, although technically the former should fill spatial planning positions. There are only a few universities in Romania that teach urbanism (mainly in Bucureşti and Cluj-Napoca) and they cannot fill the current demand for specialists in the field of spatial planning.

The situation is even worse if one considers that from among registered specialists the majority are reluctant to work for public spatial planning offices.

A guide for chief architects elaborated by Urban Expert Vision with funding from USAID (*Ghidul Arhitectului Şef de Municipiu*) indicates some of the main reasons architects and urbanists do not want to do spatial planning work: political actors often do not perceive this function as being an important one; salaries are much smaller compared to what could be earned in the private sector; workplaces are poorly equipped for the job; there are not enough skilled colleagues one could work with and learn from; spatial planning departments tend to be understaffed; Chief Architects are often relegated to doing bureaucratic work; there can be pressure from private interests; and, last but not least, there is not enough financial support to carry on the critical tasks (e.g., prepare spatial plans).

RECOMMENDATIONS

Much has been done in the past two decades to make the spatial planning system functional and efficient. Many lessons have been learned and continued improvements have been brought to the system. Much remains to be done, however, and the recommendations below provide some key directions for action:

1) **Improve the correlation and harmonization of different types of plans.**

The correlation of plans is very difficult currently and it is likely to become more difficult if another administrative tier with spatial planning competences is introduced (the regions). To enable proper plan correlation, the spatial planning system should encourage the drafting of plans that are easy to correlate with. Particularly county spatial plans (which are normative in nature) tend to be difficult to draw on. Since there is no standard guide for how county spatial plans should be drafted, these often include reams of data and information that have little relevance for the task at hand and that are hard to reference (e.g., the strategy part of some county spatial plans is over 2,500 pages long).

To make correlation easier, higher-level plans (county plans and/or potentially regional plans) should follow a structure similar to that of the national spatial plan. More specifically, they should make a clear distinction between the strategy part (which is not normative in nature)



and the physical plan (which is normative). Since only the physical plan has to be followed by lower-level plans (the strategy part has to be consulted but not followed), this has to be very precise and concrete. Ideally, county physical plans should only include allocated land uses (e.g., protected areas at the county level) and the spatial distribution of planned developments. Similarly, planned developments should only include elements that fall within the competence of that particular territorial administrative unit and which are likely to be started within the timeframe the plan is valid for (i.e., 10 years). For example, county councils are generally responsible for: building and maintaining county roads; developing county-level solid waste management systems; developing water and wastewater networks; organizing inter-municipal transport; developing and managing airports; and investing in large public infrastructure (e.g., stadiums, sports halls, hospitals, museums). Of course, not all county councils will have the same set of responsibilities (e.g., most counties do not have an airport) but, to the extent possible, a guide for county spatial plans (and/or for regional spatial plans) should include a clear and well-defined list of issues that need to be followed by lower-level plans. The easier it will be to read these plans, the easier it will be to follow them.

Since county spatial plans have a validity of 10-15 years, county authorities should not include in the plan developments that are not likely to be started within that timeframe. Often, there is an impulse to draft ambitious plans that have little chance of becoming reality. Thus, rather than driving development, these plans end up stunting it. More specifically, if land is already allocated in a spatial plan for a particular type of development, it will be hard to do something else there while the plan is still valid.

This also brings forward the need to have flexible spatial plans, which adapt quickly to changing circumstances. For example, a spatial plan may have provided for infrastructure investments that respond to certain trade patterns. If those trade patterns change, the plan should change too. Otherwise, there is a risk of wasting public resources or of using them ineffectively. Consequently, the spatial planning framework should allow and encourage the updating of plans, when changing dynamics ask for it.

At the same time, a prioritization framework should be introduced. Currently, many of the urban and spatial plans consist of full menus of projects from all sectors with a poor analysis and understanding of their financial and budgeting implications. More specifically, it is not clear who and how will pay for these projects. Consequently, one of the main aims of such plans – to help the decision-making process – is unattained.

Another sine-qua-non condition for proper correlation is the easy availability of these plans. All spatial plans should be made easily accessible (e.g., on the website of the public authority) and, in addition



to the plan itself, public authorities should also provide the GIS files that were used to draft the physical plans. This will make it much easier for lower-level plans to directly correlate with higher-level ones.

In addition to accessibility, awareness and ownership are important aspects. As long as planning documents are left isolated and line ministries/directorates are not engaged in the elaboration process and do not assume ownership of implementation, spatial plans risk failing to achieve their objectives.

Last but not least, if the regionalization process will be completed, it will be important to also have a discussion on the need to have spatial plans both at the county and at the regional level. And if spatial plans will be done at both these levels, it will be important to have a clear delineation of who will be responsible for what.

2) Simplify the framework of planning in Romania.

A spatial plan should draw on a clear strategy. As it is designed now, spatial plans include a strategy part and a physical plan part. The strategy part basically lays the foundation for the physical plan. However, most counties and localities also draft development strategies (although those are not mandatory). Often, there is an overlap between these development strategies and the strategy part of the spatial plan. To avoid duplication of efforts and to enable synergies, spatial plans and development strategies should be developed at the same time – i.e., leading to what a number of Romanian planners have called the single/integrated development plan (*Planul Unic de Dezvoltare*). This approach would ensure that spatial planning considerations play a role in the way the development strategy is drafted (and spatial planning plays a key role in development generally), while at the same time ensuring that the physical plan accurately reflects in space the vision of the strategy.

Ideally, the development strategy would be drafted in a comprehensive and flexible way, and form the foundation for all future development initiatives within a particular territorial administrative unit. This will avoid the proliferation of a multitude of strategies and plans, of the type that has been witnessed in Romania in recent years (e.g., strategies and plans drafted for attracting EU funds, innovation strategies, environmental strategies, climate change strategies, etc.). Such sectoral strategies could still be drafted and they may have spatial implications, but they should use the Integrated Development Plan as the basis for their elaboration.

Moreover, it is important to address capacity issues related to the elaboration, monitoring, and enforcement of those integrated plans. The reality in Romania is that very few local and county authorities are equipped to prepare proper development strategies and spatial plans on their own. Most often, they have to externalize this function to the



private sector, to public research institutes (e.g., URBAN INCERC), or to universities. In essence, this is not a bad thing, as plans are prepared at good standards. However, public authorities often do not take ownership of these documents. As such, it may pay off to think about creating a regulatory framework that would allow counties and larger urban areas to have dedicated planning agencies. These could function as public-interest NGOs, with a flexible hiring policy (allowing them to offer higher salaries and attract better qualified people), with the possibility of generating revenues from multiple sources (not just from contracts with local/county authorities), and with a status that will keep them more detached from politics.

3) Develop a planning system that will better integrate national and EU-funded initiatives.

As mentioned above, all territorial administrative units should ideally have one development strategy and one physical plan, guiding their future development. These strategies should form the basis for attracting EU funds. More specifically, EU funds should be used to fund projects that are already included in the county/local strategy, rather than preparing a separate strategy and plan just for attracting EU funds.

In essence, EU funds should be seen as complementing investments from the state and local budgets, as well as from other sources (PPPs, private investments, etc.), rather than be designed in a vacuum. This is also the thinking behind the Cohesion Policy 2014-2020, which encourages Integrated Territorial Investments that take advantage of potential synergies for maximum development impact.

For 2007-2013, territorial administrative units that attracted EU funds had to have a strategy in place justifying the need for funding as well as explaining how those funds would be used. For the 2014-2020 programming period, the requirement should be that territorial administrative units that want to attract EU funds should have comprehensive development strategies and physical plans in place, which list not only projects that will receive EU funding, but also projects that will be funded from other sources. Moreover, spatial planning will play a role in not only providing the spatial embodiment for these planned projects, but also offer key strategic guidance and ensure that future investments are properly coordinated in space.

At the same time, the next EU programming cycle provides a valuable opportunity for new funding instruments to be made available for implementing integrated development plans. Thus, rethinking the planning system in Romania could go hand in hand with the preparation of new EU funding instruments (e.g., ITI – Integrated Territorial Investments), aimed at addressing complex territorial and urban development challenges.



Introduction

- 1. This report provides an analysis of the spatial planning system in Romania and suggests ways in which it can be improved.** Such a report has been deemed necessary because of the current challenges posed to policy makers and practitioners in Romania with regard to urban and spatial planning.
- 2. Romania has experienced over the past decade a proliferation of plans, strategies, and policies developed at all administrative levels.** However, many of these initiatives exhibit a lack of spatial correlation in terms of objectives and proposed actions and have a poorly integrated territorial approach.
- 3. Adding to this, the analysis of territorial and urban development in Romania reveals important dynamics and challenges:** uncontrolled expansion of built perimeters, increased pressures on transport infrastructure and utilities, aggressive urban interventions causing disruptions and redundancies in the urban fabric. Many such challenges are aligned to broader trends manifested at the European or global level. Others are specific to Romania or generally to the post-socialist space, being correlated with political, social, and economic factors characteristic to transition economies.
- 4. Such dynamics require a new system architecture, including the design and implementation of new instruments, enhancing and mainstreaming existing ones, as well as building capacity.** Many countries have faced or are faced with similar challenges and their experience is thus useful to study and integrate, as lessons learned, in the policy and practice recommendations for Romanian stakeholders.
- 5. The timing of this endeavor places coincides with the preparation of the new EU programming period – 2014-2020.** The experience of the current and previous programming cycles revealed a poor integration of spatial planning and, in general, of the territorial dimension in the programming and distribution of funds. This has generated inefficiencies and overlaps of funds distribution, and was plagued by a lack of transparency and monitoring capacity of decision makers. It is important therefore to conceive and push for a new, enhanced role of planning that enables a better guidance of future investments – regardless of whether these are made with EU funds, budget funds, or from private sources.
- 6. At the same time, EU funds represent an opportunity for developing the planning function itself,** a resource which has been insufficiently tapped by public authorities so far. The need for capacity development and improvement of strategic planning processes can be enabled by taking advantage of resources that will become available in the following years, from EU grants and government programs.
- 7. In an effort to respond to the issues listed above and better capitalize on the opportunities posed by the next programming cycle, the Romanian Ministry of Regional Development and Public Administration has engaged the World Bank in a broader advisory services partnership.** The current analysis has resulted from the joint work implemented under this framework contract.



8. This report is meant to provide recommendations for: 1) the correlation and harmonization of different types of plans; 2) the simplification of the framework of planning in Romania; 3) the development of a planning system that will better integrate national and EU-funded initiatives.

9. The report is grouped into four main parts. The first part sets out a brief theoretical framework on what is spatial planning and why spatial planning is important. The second part outlines the current development context in which spatial planning is performed in Romania. The third and main section of the report provides a more detailed description of spatial planning system in Romania and some of its shortcomings. This includes a critical analysis of the legal framework, spatial planning instruments, and the institutions involved in planning. Lastly, the report ends with a set of conclusions and recommendations grouped into two categories: 1) recommendations pertaining to the system architecture and capacity; 2) recommendations on how distinct planning challenges can be tackled.

10. Other reports generated under the same advisory services contract complement this work and should be analyzed in conjunction. These include: the case study reports on the City of Alba Iulia, the Cluj-Napoca Growth Pole, and the County of Brăila; the *Competitive Cities: Reshaping the Economic Geography of Romania* report; and the *Growth Poles* report. The *Competitive Cities* report outlines some distinct spatial planning challenges encountered at the territorial level, whereas this report goes into more detail on a series of spatial planning challenges encountered at the urban level. As such, the two reports should be seen as a whole rather than two distinct outputs.

11. The authors of this report sought to cover a comprehensive inventory of issues relevant to the current Romanian Spatial Planning System. Still, given time constraints, the main focus of the analysis is on issues included in the terms of reference provided by the Ministry. There are, however, other spatial planning issues (e.g., capacity issues, community engagement) that would require a more in-depth treatment.



PART ONE – ESSENTIALS ON SPATIAL PLANNING

What is Spatial Planning?

12. As trivial as the chapter question might sound, it is a valid one. Spatial planning means different things in different countries, and planners of different nationalities often use a different professional jargon to describe the same things. For example, in some countries spatial planning, territorial planning, and urban planning may mean the same thing, while in others they may have completely different meanings. For example, in France, *aménagement du territoire* focuses on large scale planning at the regional and national level. In the Netherlands, the term *ruimtelijke ordering* is concerned with the management of scarce land resources. In the US, *planning* is largely associated with urban spatial planning, while *territorial development* focuses on large scale (regional, national) planning. In Slovenia, *spatial planning* primarily focuses on land use planning.

13. The Council of Europe, through the *Torremolinos Charter* (signed in 1983), provides an EU framework of understanding spatial planning. Thus, spatial planning is considered to give “geographical expression to the economic, social, cultural and ecological policies of society,” while at the same time it is “a scientific discipline, an administrative technique, and a policy developed as an interdisciplinary and comprehensive approach directed toward a balanced regional development and the physical organization of space according to an overall strategy.”

14. In 1997, the European Commission drafted the *Compendium of European Spatial Planning*. The Compendium acknowledges that different Member Countries have a different understanding of spatial planning, but provides a working definition to help lay the foundation for explaining a number of key concepts. Thus, spatial planning is understood to refer to “the methods used largely by the public sector to influence the future distribution of activities in space.” Moreover, spatial planning is undertaken with the aims of “creating a more rational territorial organization of land uses and the linkages between them, to balance demands for development with the need to protect the environment, and to achieve social and economic objectives.”

15. According to the OECD, spatial planning primarily deals with the coordination of policies. More specifically, “spatial planning considers the interaction among policy sectors according to different territorial units, national, regional and local, across a wide range of policy sectors addressing different kinds of problems, economic, social and environmental”.¹

16. The UN considers that spatial planning is more complex than simple land use regulations. In particular, it considers that of the key roles of spatial

¹ OECD. 2001. *Towards a New Role for Spatial Planning*. OECD Publishing



planning is to “promote a more rational arrangement of activities and to reconcile competing policy goals.”²

17. In Romania, according to Law No. 350/2001 (with subsequent amendments), spatial planning is a mandatory activity to be carried out through territorial development and urbanism.³ These dimensions are meant to achieve balanced spatial development, the protection of the natural and built heritage, and the improvement of quality of life in urban and rural areas. The main aim of territorial development is to harmonize national, regional, and local policies on economic, social, environmental, and cultural development, to ensure a balanced development of all regions, and to increase cohesion and socio-economic relations between these regions. At the same time, urbanism has as a main objective the sustainable development of localities through the realization of short-, medium-, and long-term development strategies.

18. In the Romanian legislation, urban planning is understood to deal with both urban and rural localities. Still, it is at the urban level where planning can play the most strategic role. According to Law No. 350/2001, the strategic objectives that should be achieved through good spatial planning include:

- a) Improving the quality of life by mitigating negative externalities and by ensuring access to infrastructure, public services, and affordable housing;
- b) Meeting the needs of children, the elderly, and people with disabilities;
- c) Ensuring efficient land management and the sustainable expansion of the built mass;
- d) Protecting and enhancing the natural and built heritage;
- e) Ensuring the quality of the built environment, public spaces, and green areas;
- f) Protecting against natural disasters.

19. While the scope and definition of spatial planning varies greatly from place to place, it is considered to serve the following key functions:⁴

- Provide a long-term or medium strategy for territories in pursuit of common objectives, incorporating different perspectives of sectoral policies;
- Deal with land use and physical development as a distinct sector of government activity alongside transport, agriculture, environment, etc.;
- Plan sectoral policies according to different spatial scales.

20. Considering the context and aim of this report, it is not just the meaning of spatial planning that is important but also the understanding of what effective spatial planning implies. As any review of a spatial planning involves the formulation of value propositions on its quality and effectiveness, a

² United Nations. 2008. *Spatial Planning: Key Instrument for Development and Effective Governance with Special Reference to Countries in Transition*. New York and Geneva.

³ Some confusion over terminology makes the understanding of the Romanian spatial planning system more difficult. Thus, while spatial planning would normally cover all levels of planning (national, regional, and local), in official translations, spatial planning is often used to refer to territorial planning (i.e., everything above the urban level).

⁴ OECD. 2001. *Towards a New Role for Spatial Planning*. OECD Publishing



few remarks on evaluating spatial planning performance are required. Faludi draws an insightful commentary on performance assessments of spatial planning systems.⁵ Any evaluation of planning, he notices, starts from the assumptions on the function and role of planning.

21. The project plan, one of the two types of plans underlined by Faludi, stands as an “unambiguous guide to action.” The project plan (or action plan) is expected to have a “determinate effect on outcomes” which therefore implies that evaluation is a matter of outcomes conforming to intentions and specifications of the plan. Since such plans are concerned with material objects, it is fair that evaluation is done in terms of material effects, Faludi explains. In the case of the Romanian spatial planning system, the recently introduced Integrated Development Plans may be considered as falling under this logic.

22. The strategic plan concerns “the coordination of projects and other measures taken by a multitude of actors” and it is therefore a “momentary record of agreements reached,” forming a “frame of reference for negotiation” and thus being indicative.⁶ As compared to project plans, strategic plans have more to do with informing and influencing choices and decision making processes rather than generating material effects. Therefore, Faludi further explains that “a planning or policy statement is fulfilling its purpose, and is in this sense performing, if and only if that statement plays a tangible role in the choices of the actors to whom it is addressed.”⁷ This reference on actors to whom it is addressed is important to keep in mind as strategic spatial planning documentation involves the action of many different stakeholders.

23. Other authors, such as Guido Wallagh, extend the discussion on effectiveness of strategic spatial planning to what they call “invisible products” of planning referring to a common appreciation of problems, a confluence of views as regards desirable solutions.⁸ These are in many cases more important than the “visible products,” the plans themselves.

24. The OECD outlines a set of three criteria defining effective strategic plans:

- “1. The plan must name the operational decisions for which it is intended as a framework;*
- 2. The plan must be of continuing relevance to the situation as it evolves;*
- 3. The plan must help in defining operational decision situations.”⁹*

These criteria are complemented by Faludi’s set of two conditions for effective strategic plans:¹⁰

⁵ Faludi, Andreas. 2001. “The Performance of Spatial Planning”. In OECD, *Towards a New Role for Spatial Planning*.

⁶ *Ibid.*, p. 108

⁷ *Ibid.*, p. 113

⁸ Wallagh, Guido. 1994. *Oog voor het onzichtbare: 50 jaar structuurplanning Amsterdam 1955-2005*. Van Gorcum, Assen.

⁹ OECD. 2001. *Towards a New Role for Spatial Planning*. OECD Publication Service.



1. *The necessary condition:* the plan must be known by decision makers, which in turn should be „part of the same community of discourse“;
2. *The sufficient condition:* the plan must be accepted by decision-makers as part of the definition of their decision situations, therefore there should be an agreement between the maker of the plan and the decision-makers to whom it is addressed.

25. It should not be interpreted that a departure from the initial intentions of the plan automatically deems the plan ineffective. Faludi argues that even in such a case, the plan „can still be a framework for deliberating about what to do [and] it continues to fulfill this function for as long as it informs decision-makers about the original intentions and the reasoning behind them, in other words for as long as, by looking at the plan, the decision-maker can learn something about his or her situation.”¹¹

Why is Spatial Planning Important?

26. This report is an argument for enhanced spatial planning in Romania. The underlying idea is that efficient spatial planning can lead to better economic, social, and environmental outcomes. Moreover, the report will argue that spatial planning can play a strategic role in driving development and it should be used effectively to this end.

27. In essence, spatial planning is about development and, more specifically, about turning development into smart development. Unlike many other public tools, spatial planning is not used just to address market inefficiencies, but also to address public sector inefficiencies especially in coordinating the development strategic goals and resources. As such, spatial planning has, or at least should have both a strategic and a coordinating role.

28. The strategic role in particular should be emphasized, at all levels at which it applies. For example, at the national level, strategic spatial planning can help the efficient distribution of infrastructure and economic activity, and address regional social welfare disparities. At the regional level, spatial planning can be used as a key instrument for guiding development initiatives. At the local level, spatial planning can be used to improve quality of life in urban areas, encourage sustainable development, and help curb negative market inefficiencies. It is in fact the urban scale where spatial planning can be most effective. It is at this scale where spatial changes occur most often.

29. Strategically, spatial planning can help drive development and curb negative market inefficiencies. For example, spatial planning tools can help identify where large trunk infrastructure should go, and the sequencing of infrastructure development to enable maximum impact. At a city level, smart zoning practices can drive dense and compact urban development practices,

¹⁰ Faludi, Andreas. 2001. “The Performance of Spatial Planning”. In OECD, *Towards a New Role for Spatial Planning*, p116.

¹¹ Ibid., p.113



which in turn can improve a city's competitiveness. Similarly, clear and properly enforced building codes can help maintain and improve a city's quality of life, which in turn will act as a magnet for people and capital and will help drive sustainable urban development. On the other hand, clear and flexible land-use regulations can ensure that a country's natural and cultural heritage is properly protected. Spatial planning regulations also have a strong social component, ensuring for example that polluting industries are not located close to populated places, and helping organize public transportation networks so as to bring opportunities closer to poor people.

30. From a coordination point of view, spatial planning can enhance the effectiveness and efficiency of government. Basically, every public investment (whether it is a new road, a dam, a new public building, a new landfill, or a new gas line) has a spatial component. For these investments to have the maximum impact, it is important that they are properly coordinated in space. For example, the development of a new regional solid waste management system (with landfills, transfer stations, and access infrastructure) should be coordinated in space with proposed new infrastructure development. This would ensure that the spatial location of the landfills and transfer stations is done in such a way as to take full advantage of the new infrastructure – i.e., enabling waste collection and transport to be carried out along the shortest and most efficient (e.g., low lying) routes, with the lowest incurred fuel usage, and taking full advantage of economies of scale (e.g., locating the landfill close to where most of the waste is produced). Proper spatial coordination in this vein can ensure that the operation of a waste collection company can be done more profitably, that waste services can be offered at lower prices to people, and that environmental pollution can be lowered (e.g., through lower GHG emissions from garbage trucks).

31. Spatial coordination should be done not only for new investment projects, but also for proposed rehabilitation work. For example, the rehabilitation of a city's water and sewage network should be closely coordinated with plans to rehabilitate the city's road infrastructure. Almost every developing country has been witness to a situation where a newly laid road was dug up again to allow work on the water pipes lying underneath, leading to a significant waste of resources.

32. While it is clear to planners why spatial planning is important, it is often hard to convince others of this. Partly this can be attributed to the nature of spatial planning. For a public entity, coordinating new investments in space represent extra work that they are often unwilling to do. For a private entity (e.g., individual or firms), spatial planning regulations are seen as an added restriction that comes on top of already existing public restrictions. Thus, spatial planning is often seen as hindering development by both public and private entities.

33. Spatial planning is a large and eclectic field that attempts to achieve many things at the same time. The UN, for example, indicates that spatial planning is critical for delivering key economic, social, and environmental benefits, and provides a list of such benefits (see table below). Besides offering a number of reasons for why planning is important this list also indicates why planning continues to have problems in building a name for itself – it simply tries



to achieve too many things. Simplicity often helps streamline a field and make it more efficient. However, when you have a field that is by design supposed to be eclectic and complex, simplicity may be harder to achieve than may appear at first glance.

The Benefits of Spatial Planning

Economic benefits:

- Providing more stability and confidence for investment;
- Identifying land in appropriate locations to meet the need for economic development;
- Ensuring that land for development is well placed in relation to the transport network and the labor force;
- Promoting environmental quality in both urban and rural areas, which can then create more favorable conditions for investment and development;
- Identifying development that meets the needs of local communities;
- Promoting regeneration and renewal;
- Making decisions in a more efficient and consistent way.

Social benefits:

- Considering the needs of the local communities in policy development;
- Improving accessibility when considering the location of new development;
- Supporting the provision of local facilities where they are lacking;
- Promoting the re-use of vacant and derelict land, particularly where it has a negative impact on quality of life and economic development potential; and
- Aiding the creation and maintenance of pleasant, healthy and safe environments.

Environmental benefits:

- Promoting regeneration and the appropriate use of land, buildings and infrastructure;
- Promoting the use of previously developed (“brownfield”) land and minimizing development on “greenfield” land;
- Conserving important environmental, historic and cultural assets;
- Addressing potential environmental risks (e.g., flooding, air quality);
- Protecting and enhancing areas for recreation and natural heritage;
- Promoting access to developments by all modes of transport (e.g., walking, cycling and public transport), not just by car;
- Encouraging energy efficiency in the layout and design of development.

Source: United Nations. 2008. *Spatial Planning: Key Instrument for Development and Effective Governance with Special Reference to Countries in Transition*. New York and Geneva.

34. Of course, this analysis is not a plea for spatial planning to become less eclectic or narrower in reach, but rather a plea for a more strategic focus.

Depending on the level at which it is applied spatial planning can and should achieve a number of key outcomes. This does not mean that it should favor some outcomes over others (e.g., economic outcomes over social outcomes), but rather that it should develop a prioritization mechanism that could bring some focus in the field.



PART TWO – SETTING OUT THE CONTEXT

Spatial Planning Challenges

35. This section will outline some ways in which the strategic objectives of spatial planning at the urban level can be achieved. The focus was purposefully chosen to be on the urban level, because the territorial level (generally everything above urban level) was treated in more in-depth in the *Competitive Cities: Reshaping the Economic Geography of Romania* report. The *Competitive Cities* report looked in a sense at the system of cities in Romania, and larger spatial planning issues, while this section will look at city systems and spatial planning challenges encountered at the urban level.

36. The starting point for the analysis is that cities are products of market forces and public interventions, where the latter usually look to enhance positive market externalities (e.g., economies of scale and agglomeration) and control negative market externalities (e.g., sprawl, congestion, pollution, slums). As such, this report claims that local and national policymakers need to have a good understanding of market forces, a proper awareness of socio-economic dynamics, and an adequate knowledge of the spatial planning tools that can be used to drive sustainable development.

37. In particular, a defining characteristic of Romanian cities is their unique history of central planning. Romanian cities, like other cities in the Soviet Bloc, were part of the world's largest urban development experiment. They were basically the drawing boards of central planners, who put into practice whatever they considered to be good planning solutions. As we shall see, central planners got a lot of things right – easy access to public transportation, socially integrated neighborhoods, district heating networks, and almost universal access to water systems. However, they also failed to acknowledge the importance of markets (e.g., land and housing markets) and the importance of individual choice in shaping sustainable and congenial places to live in. In one of the hallmark books on planning, *The Death and Life of Great American Cities*, Jane Jacobs noted:

“[M]ost city diversity is the creation of incredible numbers of different people and different planning organizations, with vastly differing ideas and purposes, planning and contriving outside the formal framework of public action. The main responsibility of city planning and design should be to develop – insofar as public policy and action can do so – cities that are congenial places for this great range of unofficial plans, ideas and opportunities to flourish, along with the flourishing of the public enterprise.”

38. No planner can decide how to make a city successful as a place to live and work in — only the people can decide that. What is within the purview of planners is to make it easier for residents and firms to choose among available alternatives (e.g., move to a different city or build strong roots locally). Good planning assists in ensuring that certain socially valued outcomes will take place, and that individuals' pursuit of well-being does not unduly affect the well-being of others. Good planning is a fundamental tool of efficient local governance—a

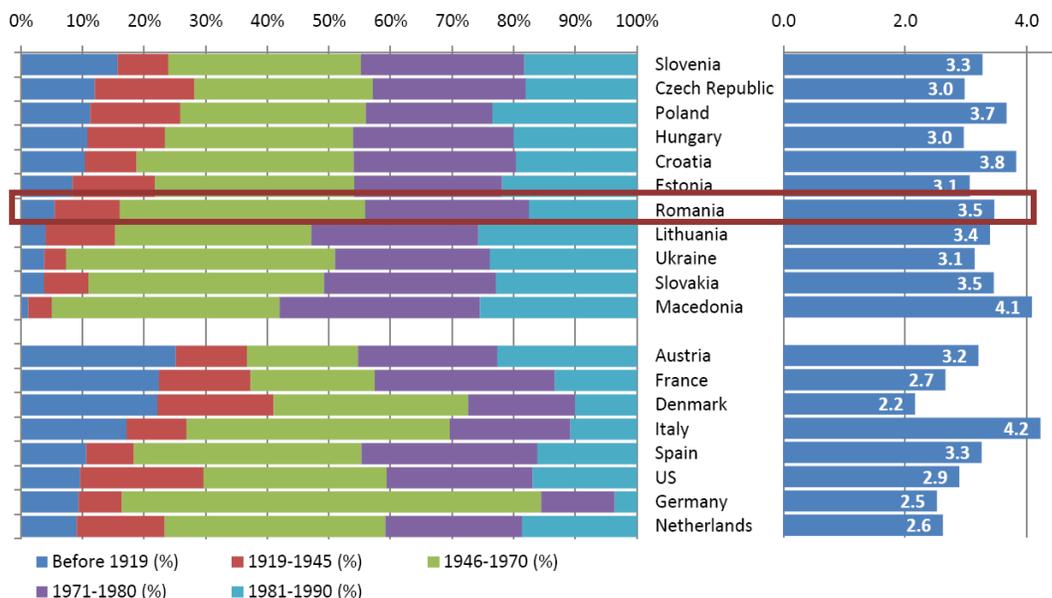


means of expressing and carrying out public choices about how the community will grow and develop.

39. In communist Romania, almost all decisions were taken at the central level, with virtually no powers or major responsibilities devolved to local authorities. There were few levers or incentives to promote efficient local governance. Urban officials could not receive signals from the market, so they used planning in a directive rather than corrective manner. The physical development of cities was based not on zoning plans (which would guide development and indicate only what is not acceptable), but rather on master plans (which dictated what was permitted). Land markets were nonexistent (all land was publicly owned), housing markets were weak and inflexible (governed by a city permit system, and designed and developed by central authorities), rental markets were mainly run in the “gray area” (informal), and services and infrastructure provision were heavily subsidized and coordinated from the center, primarily to serve the production processes and citizens as workers in that system.

40. Central planning has left a deep imprint on Romanian cities. By 1990, when the communist system fell apart, almost 85% of the dwelling stock existent in Romania had been constructed after 1945 (see figure below). Consequently, learning how to improve their planning requires tailored solutions. At the same time, international best practices may provide some clues to how Romanian cities can more rapidly adapt to organic growth patterns that are more responsive to the needs and wants of the citizenry as a whole, rather than the needs and wants of a small number of planners.

Figure 1. Dwellings by year of construction (% of all dwellings in 1990) and people per dwelling in 1990



Source: UNECE and World Bank



Urban Development Dynamics

41. Global urban dynamics remain distant to most local authorities. This does not happen because they do not care what happens in other cities; quite the contrary, many mayors are keen to learn from their peers. It happens because cities are notoriously hard to study. First and foremost, there is a data problem. Local data are often hard to secure and even when such data are available, the scope and scale of the analysis pose challenges. Most importantly, it is hard to determine where a city begins and where it ends. It is well known that the functional areas of cities often cross-jurisdictional boundaries. As such, to understand a city's economy and its social and environmental impact, one has to look at a much larger scale. How to define that scale precisely and properly, however, is an issue that has not been resolved to date. Given that cities are dynamic living organisms, it is often hard to compare them to an ever-changing baseline over longer periods of time.

42. In addition to data unavailability, there is also the challenge of comparability. It does not help if data for a particular city are abundant, if other cities lack similar data completely, or if they collect a different set of indicators. National measures, such as the Gross Domestic Product, have been crafted and improved over the years, and yet there still are differences in how these indicators are put together and used to compare various countries. It is that much harder to compare two localities that rarely even have their boundaries clearly defined.

43. Given the difficulties involved in studying and comparing cities, few attempts have been made to look at global urban trends. The World Bank has undertaken a number of studies in this area, but these research efforts are costly, time-intensive, and they need to be repeated regularly – which is often hard when budgets and priorities change. The UN had started a much praised attempt to collect city-level data for a number of cities around the world and it had begun to put together a standardized database. Those efforts were stopped however because of the resources that this exercise required and because of the difficulty of selecting comparable standard indicators– i.e., which would allow the comparison of a city from Africa, with cities from Europe, Latin America, Asia, the Middle East, and North America.

44. The truth is that cities have idiosyncratic features that make them very hard to compare. Nonetheless, the global studies that have been undertaken so far, by international finance institutions, multilateral organizations, and academia, have brought to the fore a number of interesting dynamics that all local authorities should consider. Ultimately, informed stakeholders who know best the specific context should take decisions on urban development strategies locally. But these decisions should not ignore larger global dynamics that may have a bearing on local trends as well.

45. The following sections describe three key dimensions of urban dynamics: density, structure, and size.



Density

46. For the purposes of this analysis, density will be defined as the number of people within the built-up area of a city. Often, the population density of a particular place is calculated by dividing the number of people living there to the area included in the administrative boundary. However, this measure is misleading because within administrative boundaries there often are large tracts of unused land, forests, green belts, water bodies, and so on. Thus, a city of high-rises that has large tracts of protected green land within its boundary may show up as being less dense than a suburban community with no or little open space. Of course, deciding on how to define the built-up area of a city is a process in itself, with some people excluding large tracts of land such as airports, areas under construction, or abandoned lands.

47. Density matters for sustainability. As detailed in policy papers, reports, and academic treatises, the promotion of dense development patterns can help cities become more sustainable. As noted before, dense cities require less investment in public services infrastructure development and maintenance (roads, water networks, sewer lines, street lighting, solid waste management, public transport, etc.), they allow higher profitability for public transport operators (since every transit stop serves on average more people than in less dense cities), they enable walking and biking as means of commuting, they discourage car use and transport-related pollution, they can help lower greenhouse gas (GHG) emissions, they require less energy expenditures for the delivery of key public services (e.g., pump costs for water, fuel costs for garbage collection), and, most importantly, they can usually offer a better quality of life for people to the extent that diseconomies of scale and agglomeration are properly controlled. To take one of the above-listed examples, it is estimated that the energy consumed for transport needs in a city with a density of less than 25 people per hectare may reach an annual average of 55,000 mega joules per person. By comparison, in an urban area with a density of 100 people per hectare, this figure is about three times lower.¹²

48. The well-known examples of Atlanta and Barcelona vividly show why density is important. Both cities have similar populations, but Atlanta has a built-up area that is 26 times larger than the built-up area of Barcelona (see maps below). Because Barcelona is so compact, around 20% of daily trips are done by walking, whereas in Atlanta very few people walk to work. Both cities have a metro network. Barcelona totals 99 kilometers of metro lines, with 60% of the population in the city living within 600 meters (less than a 10 minute walk) of a metro station, and with 30% of daily commutes done by metro. In Atlanta, the metro system is 74 kilometers long, with only 4% of the population living within 800 meters (a 10 minute walk) of a metro station, and with only 4.5% of daily commutes done by transit.¹³

49. If local officials in Atlanta would aim to have 60% of residents within 600 meters of a metro station (as in Barcelona), they would have to build an additional 3,400 kilometers of metro tracks and around 2,800 new metro stations. This huge investment would allow the public transport network in

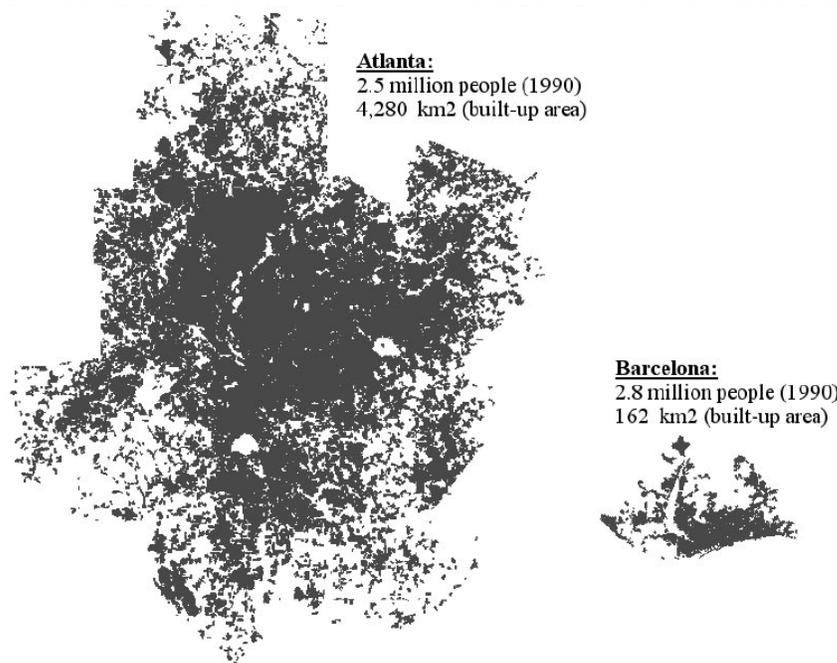
¹² European Environment Agency. 2006. *Urban sprawl in Europe: The ignored challenge*. Copenhagen: European Environment Agency (Report No. 10/2006).

¹³ See alain-bertaud.com



Atlanta to service the same amount of people the Barcelona transit system serves with only 99 kilometers of track and 136 stations. Even so, people may still not switch to a public transportation system if they are accustomed to driving on a daily basis and unless the costs of driving (e.g., parking fees) significantly rise.

Figure 2. The built-up area of Atlanta and Barcelona represented at the same scale



Source:

http://alain-bertaud.com/images/AB_The_spatial_organization_of_cities_Version_3.pdf

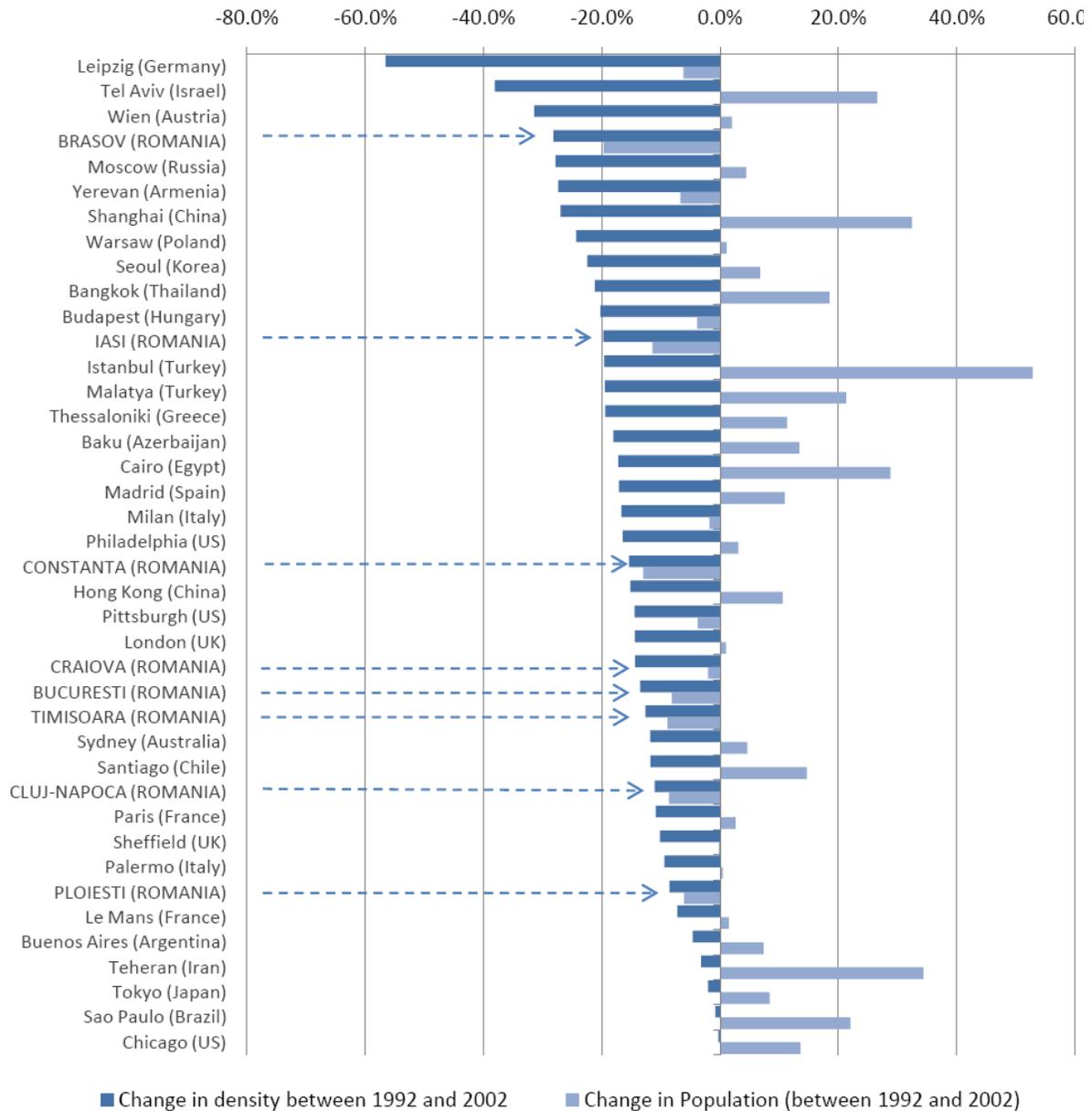
50. Beyond a certain point, the advantages of density disappear, giving rise to diseconomies of scale such as congestion, pollution, disappearance of green space, and health problems. Also, in areas with very high densities, the high cost of land may drive up the cost of new infrastructure investments, as well as the cost of maintenance and operation. If urban growth is not properly planned, the development of new infrastructure in very high-density areas may become a very costly endeavor. A study done in 247 large counties with a density of around 30 people per hectare (p/ha) in the US has shown that the maintenance costs of public services goes down when density increases, but only up to a point. Once urban densities pass a certain threshold, maintenance costs grow sharply – exceeding 43% over the recorded minimum in very dense counties.¹⁴ Similarly, another study has shown that the costs of installing water and sewage networks are around 20% higher in very dense areas than in low-density areas.¹⁵

¹⁴ Ladd, Helen F. 1992. "Population Growth, Density and the Cost of Providing Public Services", in *Urban Studies*, vol. 29, No. 2, pp. 273-295.

¹⁵ Transportation Research Board, National Research Council. 2002. *The Cost of Sprawl*. Washington DC: National Academy Press.



Figure 3. Cities are losing density regardless of whether they have growing, declining, or stagnating population



Source: World Bank

51. Whether planners attempt to encourage a rise or a fall in density, it is clear that density matters. One critical fact that local, regional, and national policymakers should know about density is that it is disappearing in almost every city on the face of the planet, including in Romania. Rich or poor, growing, stagnating or declining, large or small, in cold or warm climates, in car-centric or public-transport-centric countries, cities are losing density (see figure above).

52. A study undertaken by Solly Angel for the World Bank has shown that, among a sample of 120 global cities, almost all have lost density between the



1990s and 2000s. It did not matter where the cities were from and whether they had growing or shrinking population; most of them had an urban mass that was growing faster than their population. Among the 120 cities selected for this study, there were unfortunately no cities from Romania. We have decided to use the same methodology from the Solly Angel study and have collected similar data for the 8 largest cities in Romania (the seven designated Growth Poles under the Regional Operational Programme, plus București) over the same time period. We tried to primarily select GIS (Geographic Information Systems) data for 1992 and 2002, because these two years correspond to the years of the National Census, and as such provide the most accurate population figures.

53. As the graph above shows, cities in Romania do not differ from the global norm, with densities dropping by as much as 28% in Brașov and 20% in Iași. We have taken this study further and looked at what happened in these 8 cities over the past decade, comparing the 1992 to 2012 change. As expected, densities have continued to decrease, by as much as 50% in Brașov and by over 30% in București, Constanța, Craiova, and Iași. Of course this evolution has clear and wide-ranging implications for policymakers in Romania, ranging from the planning and management of transport infrastructure to the design and implementation of economic development strategies.

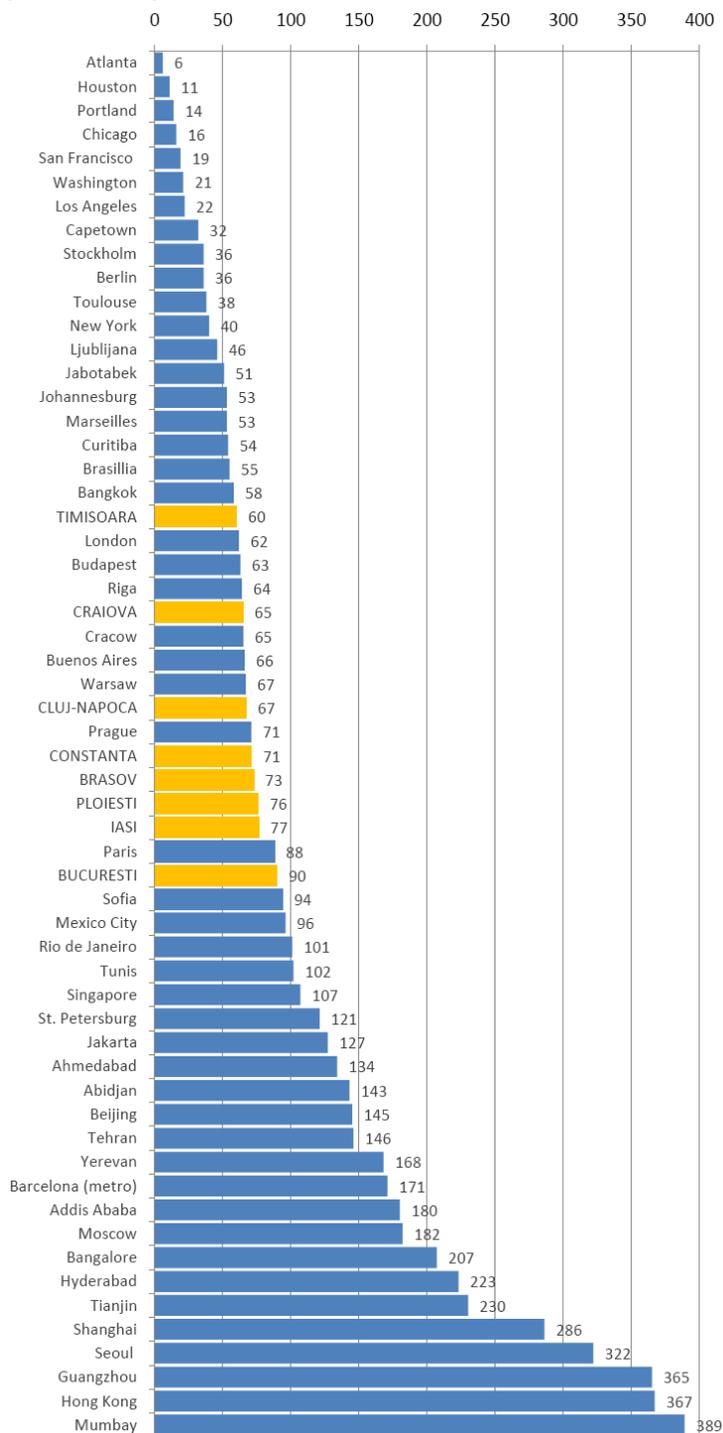
Table 1. Densities have been dropping quickly in Romanian cities

	Population Density in Built-up Areas (people/hectare)			Change in density
	1992	2002	2012	1992 to 2012
Brașov	101	73	52	-48.4%
București	104	90	70	-32.7%
Cluj-Napoca	76	67	58	-23.6%
Constanța	84	71	56	-33.7%
Craiova	76	65	47	-37.6%
Iași	95	77	62	-34.6%
Ploiești	83	76	61	-26.7%
Timișoara	69	60	55	-20.6%

54. Romanian cities face the same challenges as most other cities in the world and their overall density pattern fits well within the European urban space. As the figure below highlights Romanian and other European have general densities in built-up areas higher than in well-known sustainability capitals like Stockholm, Berlin, and New York. București, although it has lost over 33% of its population density in the past two decades, is still one of the densest cities in Europe.



Figure 4. Average population density in built-up areas, in selected cities (around 2002)



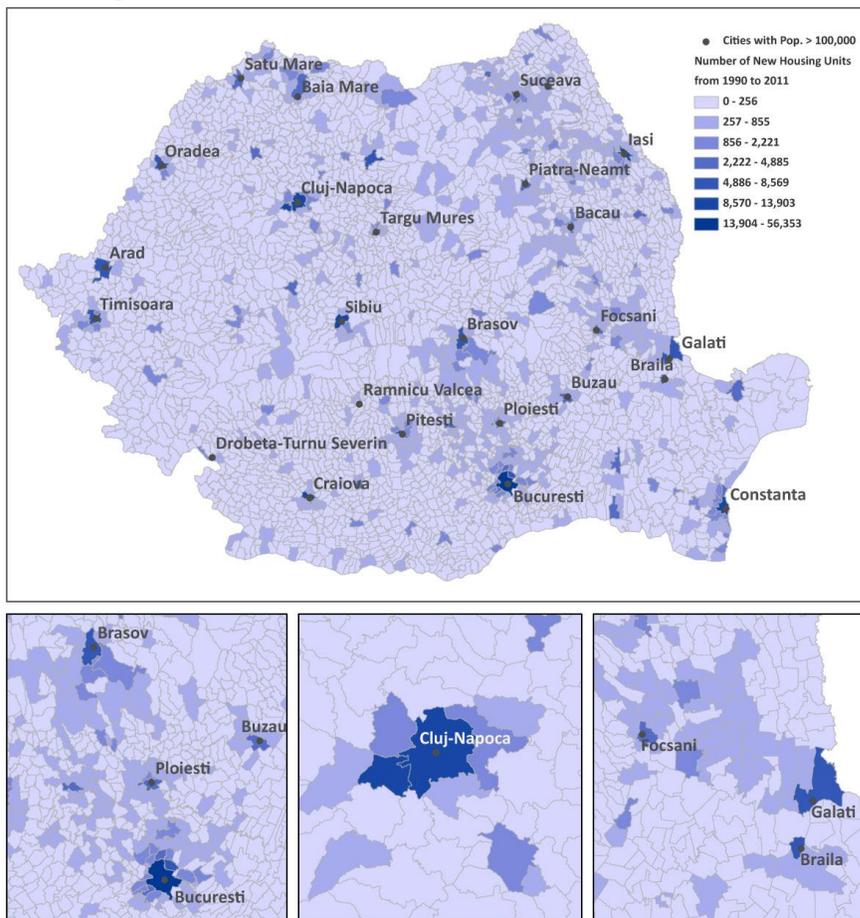
Source: Bertaud, Alain. 2004. "The spatial organization of cities" [Available at: http://alain-bertaud.com/images/AB_The_spatial_organization_of_cities_Version_3.pdf], and authors.



55. Much of the population density loss in Romanian cities can be explained by overall demographic trends, with almost every city in Romania having lost population in the past two decades. However, the loss in density has been more pronounced than the population decrease (see figure 3). In fact, the loss in density has been in some cases an order of magnitude higher (see, for example, Craiova).

56. While the population of Romanian cities has been decreasing, their urban fabric has continued to grow. And indeed, as the figure below indicates, almost every locality in Romania has seen new buildings go up between 1990 and 2011, even though the numbers were insignificant in some cases.

Figure 5. Almost every locality in Romania has seen its built-up area grow, or at least change



Data Source: National Institute of Statistics

57. Unsurprisingly, the largest expansion of the built mass has happened in the largest urban areas (see table below). The cities that have expanded the fastest include the cities with the largest density drop (e.g., Braşov) and the cities with the largest difference between the population change and density change (e.g., Craiova). Bucureşti has seen the most dramatic growth in absolute terms, with its urban mass growing by over 3,000 hectares between 1992 and 2002 – basically adding an area the size of Ploieşti to its existent urban fabric



(see figure below). This trend is likely to continue in most Romanian cities, so it is important for policymakers to understand why this is happening, and how they can respond, if at all, to this dynamic.

Table 2. While population numbers have gone down the size of urban built-up areas has gone up

	Built-up Area of Selected Cities (in hectare)			Change in built-up area
	1992	2002	2012	1992 to 2012
Braşov	3,511	3,928	4,360	24.2%
Bucureşti	20,251	21,497	23,955	18.3%
Cluj-Napoca	4,295	4,410	5,346	24.5%
Constanţa	4,258	4,382	4,566	7.2%
Craiova	4,045	4,628	5,152	27.4%
Iaşi	3,596	3,966	4,224	17.5%
Ploieşti	3,039	3,120	3,238	6.5%
Timişoara	4,920	5,130	5,568	13.2%

Figure 6. Bucureşti has added an area the size of Ploieşti to its urban fabric



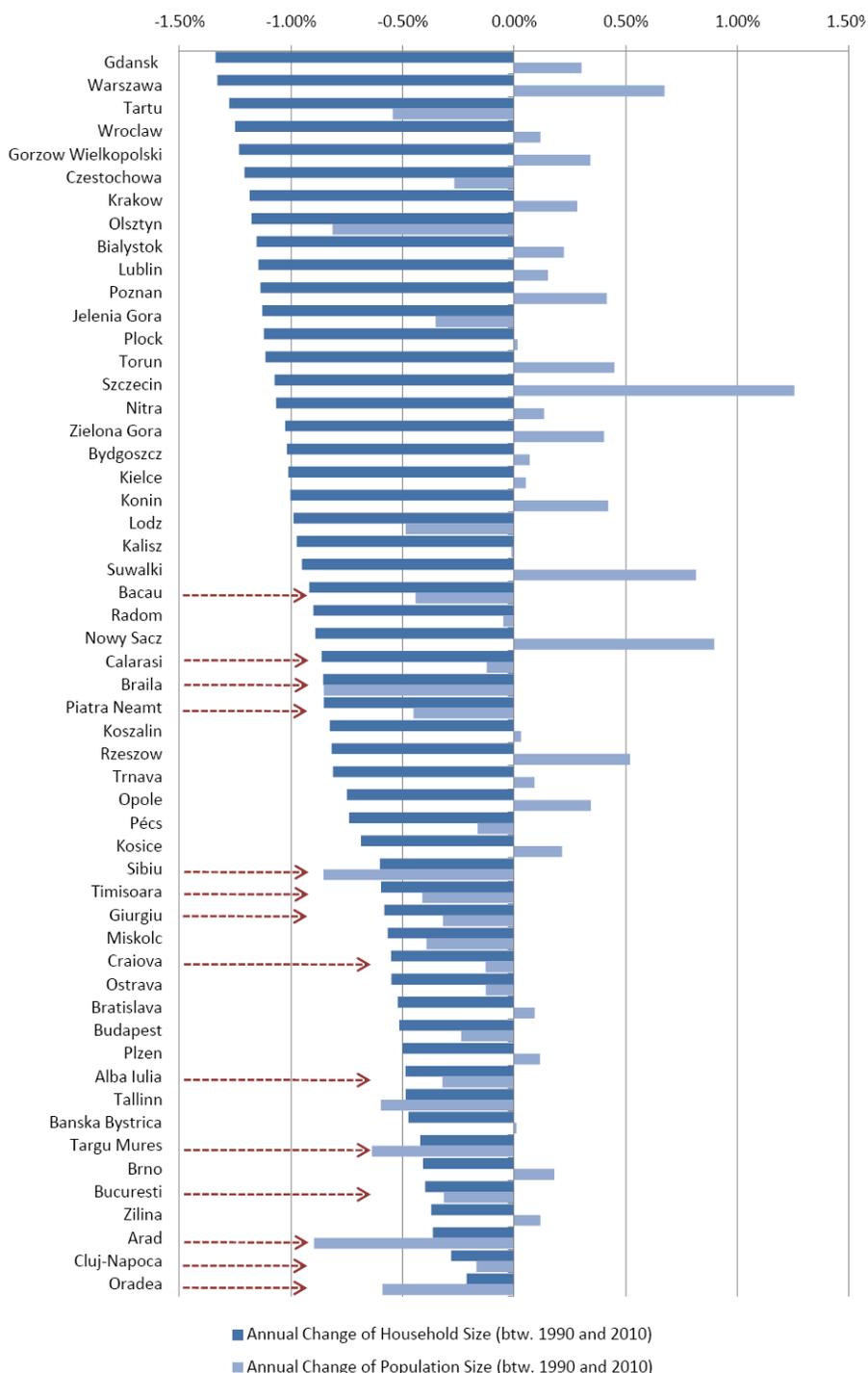
Source: Advanced Studies and Research Center, Bucureşti

58. One of the main explanations for the decrease in urban densities is the atomization of households. Throughout the world, households have decreased in size, as incomes have risen and as family units have become smaller. In Eastern Europe, the decrease in household size has been more pronounced than in the rest of the world. As the figure below indicates, in some Polish cities the compound annual decrease rate has been over 1%. Romanian



cities have seen a similar decrease in household size, but less pronounced than in other East-European cities.

Figure 7. The decrease in household size has been more rapid than the decrease in population size, driving up the need for new dwellings



Source: EuroStat



59. There is an obvious correlation between the decrease in household size and the rise in incomes. The easier it is for people to purchase or rent a new home, the more new dwellings will arise. Obviously, the rate of increase in new housing units in East-European cities has been strongly influenced by the actual development registered by countries in the region. As Romania will continue on its development path, it is likely that households will keep decreasing in size, which will continue to fuel the expansion of cities' built-up area.

60. Among household types, it is the one-person households that have seen the fastest increase (see figure below). In most cities in Eastern Europe, the number of one-person households has increased an order of magnitude faster than all other household types. One-person households include students who now afford to live on their own, young professionals, singles, and pensioners. Of these, it is female pensioners who have registered the highest share of the growth. With a continued aging of the population, there has been a continuous increase in the number of retired female households. This has very important implications for how cities are managed, as the demography in certain neighborhoods changes dramatically. Thus, a significant decrease in density may make some neighborhoods' existent public transport lines unprofitable and increase the cost of public service provision (as the over-sized infrastructure, originally designed with a larger, growing population in mind, has to serve an increasingly smaller population).

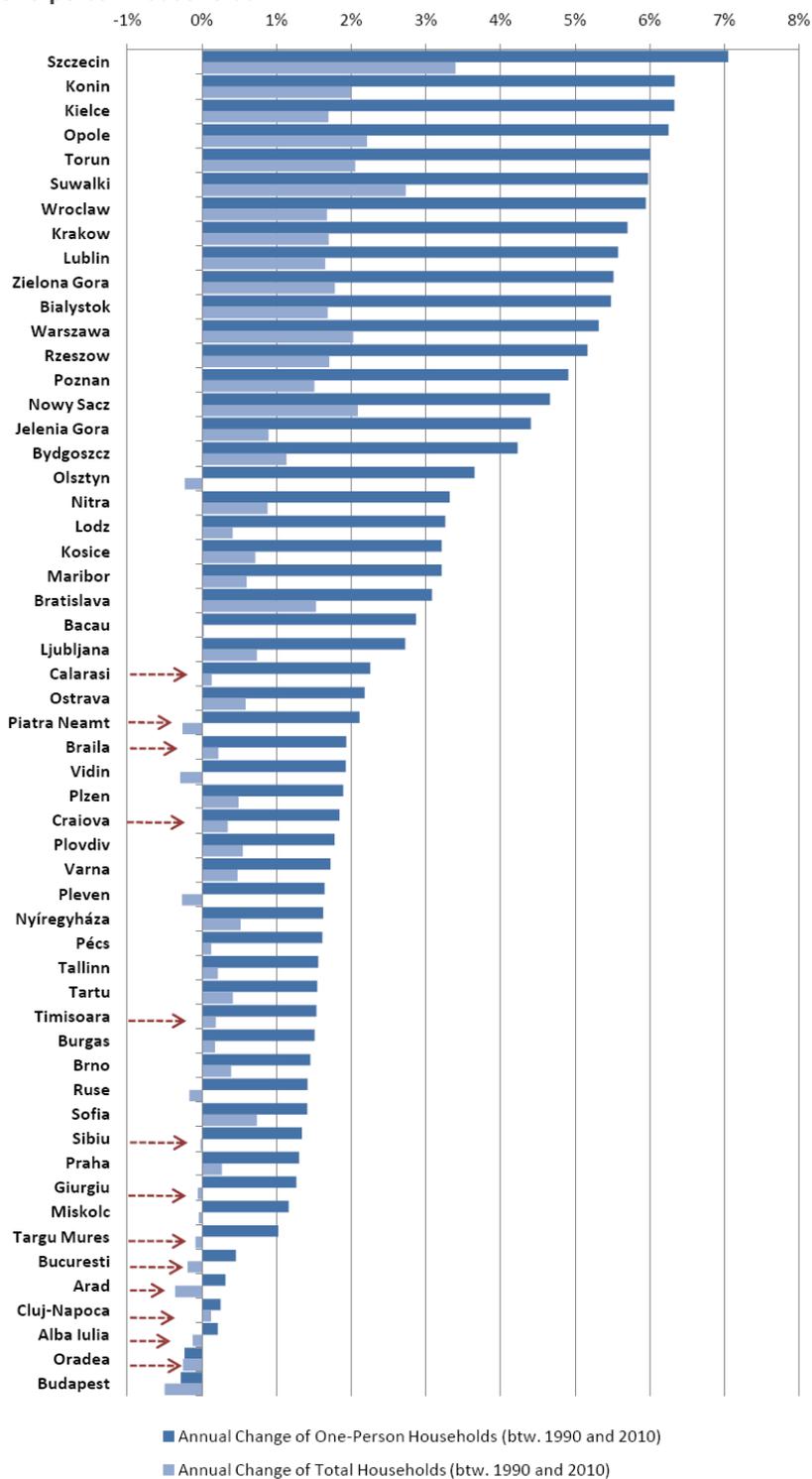
61. It is interesting to note that while Romanian cities have also seen an increase in the number of one-person households, many have seen a net decrease in the overall number of households. This reflects the dramatic population decline and also the slower pace at which households in Romania have atomized. In essence, many urban dwellers still cannot afford to move to a new unit, as incomes have not grown enough to allow them to make this move.

62. As incomes grow, the demand for new dwellings is likely to go up. This means that more young families will afford to move out of their parents' homes to their own homes; more students will afford to live on their own; and more young professionals will be able to acquire or rent a place with greater ease. As figure 7 shows, in 1990 the average household in Eastern European countries was larger than the average household in Western European countries, reflecting unmet demand for housing. With an expansion of the economy, the demand for new units is likely to continue growing.

63. Housing demand patterns reflect the need for different types of housing. Dwellings developed under communism were characterized by standardization and poor quality. The large majority of newly constructed dwellings were units in apartment blocks, most often with less than four rooms, and with cost of execution as a more important criterion than aesthetics. These buildings were poorly insulated, had common-use areas that were often not properly maintained, and they did not come close to meeting people's wide range of needs and tastes for housing.



Figure 8. Eastern European cities have seen a dramatic rise in the number of one-person households

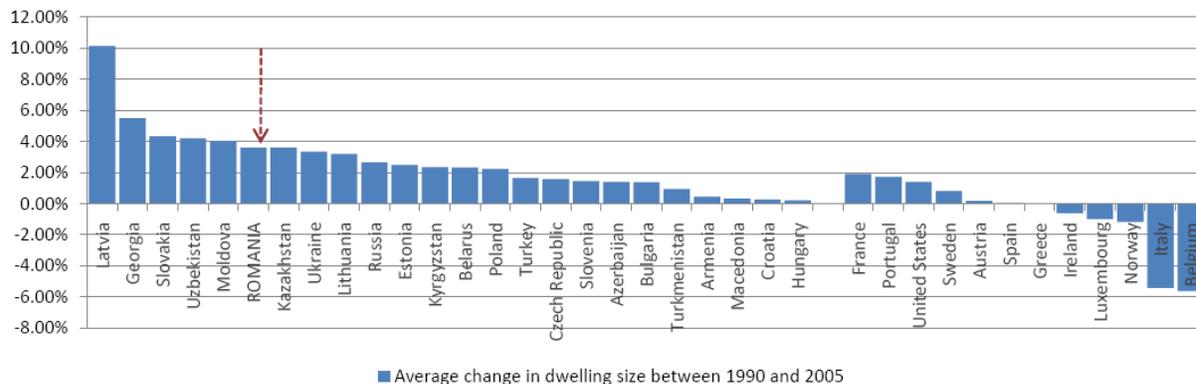


Source: EuroStat



64. One of the main characteristics of dwellings built after 1989 is that they are larger than dwellings built before. As figure 9 showcases, the average dwelling size in Romania has increased by almost 4% annually between 1990 and 2005. The real-estate boom that followed 2005 increased the size of new dwellings even more, as people started looking not just for larger apartments, but also for individual detached housing (with corresponding green spaces and gardens) outside cities.

Figure 9. People typically prefer larger and larger dwellings, both in the developing and in the developed world



Source: UNECE

65. In sum, the decline in urban density in Romania can be attributed to a number of different factors. As data from the Romanian National Institute for Statistics, EuroStat, and UNECE show, there is still an unmet demand for housing, the average household size has decreased, and the average size of new dwellings has increased. These trends have led to an expansion of cities outward and to a loss of density in central areas – particularly in the historic cores. The way policymakers will respond to these development patterns will have significant consequences for cities’ overall sustainability.

Structure

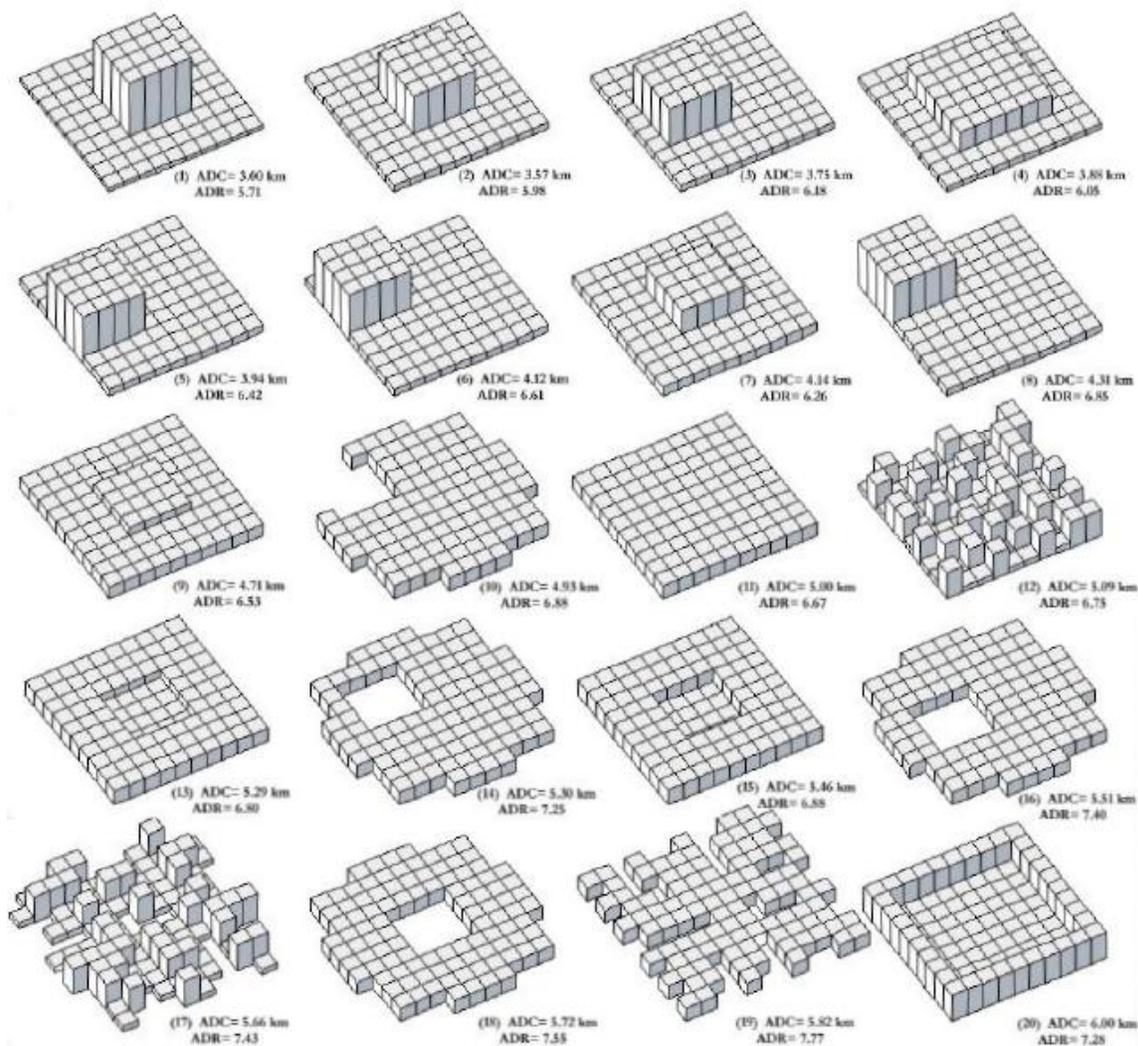
66. Urban structure is just as important as urban density in enabling a sustainable development pattern in cities. For the purpose of the current report, the urban spatial structure can be understood as the city’s form, and can be studied looking at average land consumption, the spatial distribution of population, and/or the pattern of daily trips. Some urban spatial structures are more conducive to sustainable development than others. For example, monocentric cities (where major commuting pattern follow a hub-and-spoke system, with trips made from the periphery to the center and back) are considered to be more efficient than polycentric cities (which have more centers of activity and more random commuting patterns).

67. There are two trends related to urban spatial structures that seem to hold true in almost every context. For one, urban structures are very resilient. Urban planners can rarely change the shape of a city once it has been cast in the land. They can merely try to guide future development. At the same time,



empirical evidence seems to show that as they grow cities tend to evolve from a monocentric structure to a polycentric one.

Figure 10. Schematic representation of different distributions of density in a city with constant average density and built-up area



Source:

http://alain-bertaud.com/images/AB_The_spatial_organization_of_cities_Version_3.pdf

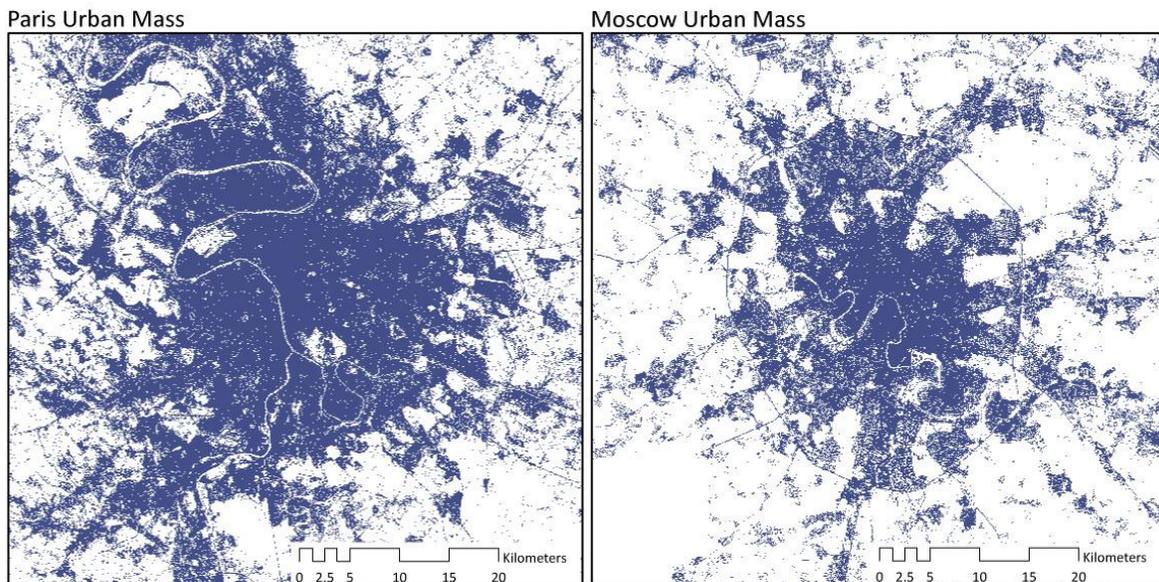
Note: ADC=Average distance per person to center of gravity; ADR=Average distance per person between random point; One cube represents 10,000 people.

68. A city may have a very densely developed urban mass, but the urban mass may be scattered over a large area. As the figure above shows, cities with the same average density and with the same built-up area may require quite different travel times for people, showing that city form matters. Moreover, as Bertaud suggests, current decisions on city form may have significant repercussions in the future. Most notably, city form is highly resilient and difficult to change once it has taken shape. As such, urban growth patterns have to be carefully monitored through every step of a city's growth.



69. **The example of two large cities, Paris and Moscow, further illustrates the importance of city structure.** Paris has a built-up area of around 937 km², which is almost exactly double the size of the built-up area of Moscow – 470 km². The maps below show the two cities at scale to convey a better idea of the difference in proportion between them. Yet, although Paris is double the size of Moscow (i.e., Moscow has higher densities in the built up area), average travel times to the city center are about the same. In other words, although Paris has lower densities than Moscow, it has a more efficient city structure – at least as far as mobility and transport are concerned.¹⁶ How this is possible is again explained by Bertaud in a number of path-breaking articles (available at: <http://alain-bertaud.com>).

Figure 11. Paris is double the size of Moscow, but average travel times to city center are the same (10 km)



Source: World Bank

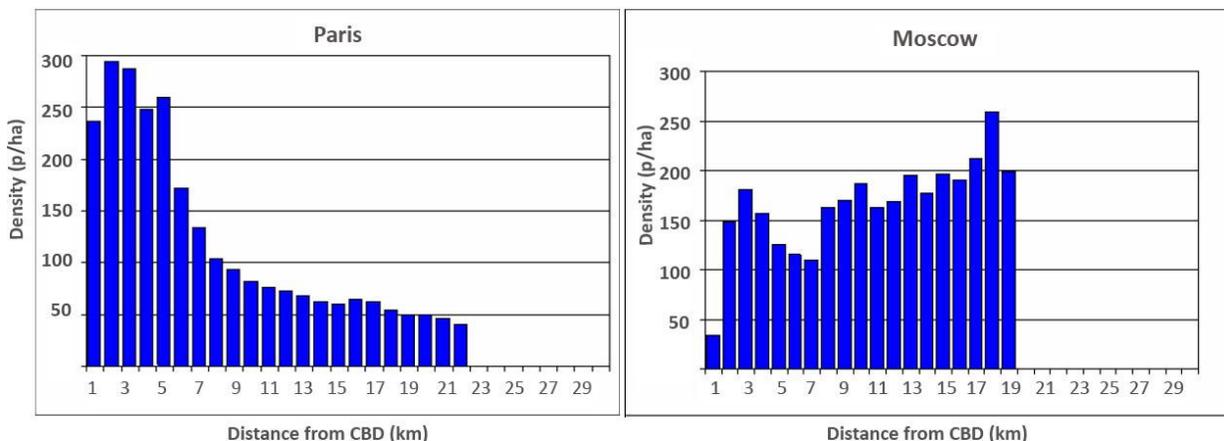
Note: Both cities are at the same scale to make size comparison easier.

70. **What Bertaud has noticed is that cities that develop organically have a downward sloping density profile.** The graphic representation of this technical term can be seen in the figure below. What the downward sloping density profile shows is that land close to the city center (where many of the jobs, retail activity, and other city attractions are concentrated) is the most valued piece of real estate, and naturally the most densely developed one. People value being close to the center, so cities naturally develop higher densities in and around the center.

¹⁶ Bertaud, Alain. 2002. "Note on Riga Spatial Structure". [Available at: http://alain-bertaud.com/images/Note_on_Riga_Spatial_Structure_Rev.pdf]



Figure 12. Paris' market-driven density profile makes it more efficient than Moscow's centrally planned density profile



Source: http://alain-bertraud.com/images/AB_Budapest_new2a.pdf

71. In centrally planned cities (like Moscow), by contrast, land was allocated at the whim of central planners. Without active land markets in place and with land having no real value (it was all owned and controlled by the state), central planners developed cities according to what they considered to be the best choices. What they did in effect was to develop large housing estates close to industrial areas (which at the time was not a bad choice), and then progressively build-out the city as population numbers rose. As building techniques improved, larger and larger buildings went up further and further away from the city center.

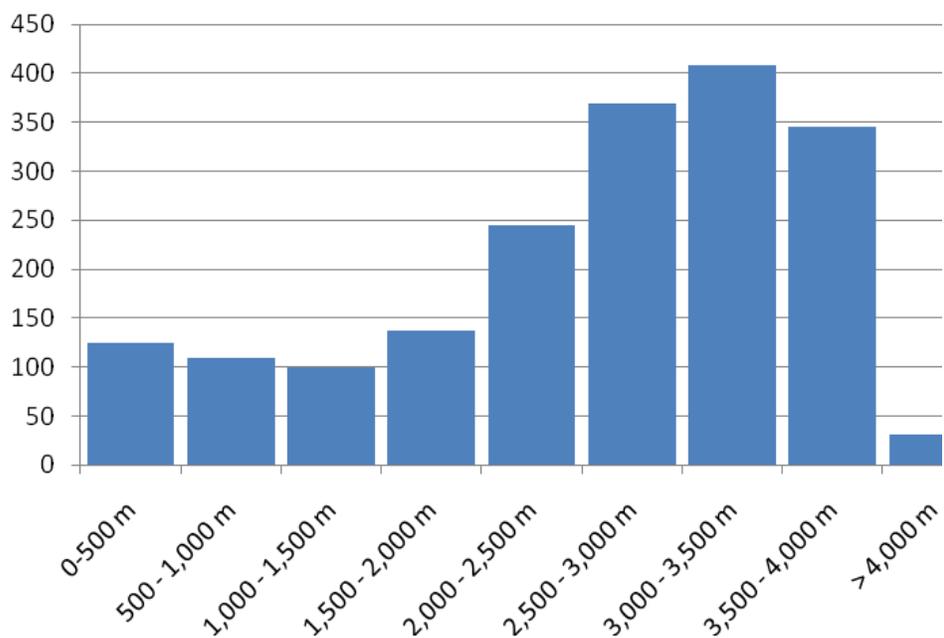
72. This development pattern has lent most centrally planned cities what Bertaud calls a “camel-back” density profile. Thus, from their center outward, these cities will have relatively dense historic cores, followed by lower density areas (most often represented by industrial platforms), and then by high-density areas again. Such a density profile might have been useful when it came to enabling commuting to industrial areas, but it is relatively inefficient within the context of a market-driven economy. From an economic point of view, an efficient urban structure is one that would allow all people within the metropolitan area to reach their place of employment within 1 hour (see for example UN's *Urban Planning for City Leaders*). Once travel times exceed this threshold, city growth may be stunned (i.e., because of diseconomies of scale), or it may continue rising following a polycentric pattern, with several individual centers of growth, which in turn leads to forgone benefits and synergies from a higher economic mass and economies of scale. Arguably, a well-integrated monocentric economic zone is more productive than one that is split into several individual cores.

73. The “camel-back” density profile can also be observed in Romanian cities. To demonstrate this, we have collected population data at the census tract level. Unfortunately, the tract level data for the 2012 Census were still being processed at the time of this analysis writing, hence the use of 2002 data. These show more vividly the legacy of central planning, as the density profile in Romanian cities has likely changed with the real-estate boom of the past decade.



74. For instance, the density profile of Cluj-Napoca shows the same camel-back density profile. The observation holds even though the city is an order of magnitude smaller than Moscow. Thus, the relatively dense historic core is followed by a number of lower density areas within 1 km and 1.5 km from the city center. These lower density areas are mostly made up of low density housing settlements, remnants of the old city structure, which were not re-developed by central planners. To the extent that these lower density settlements do not represent protected historic and cultural heritage sites, it may pay to think about zoning these areas to encourage higher density. As we will see later, the demand for land and housing in these areas is quite high.

Figure 13. Cluj-Napoca has an inefficient camel-back density profile

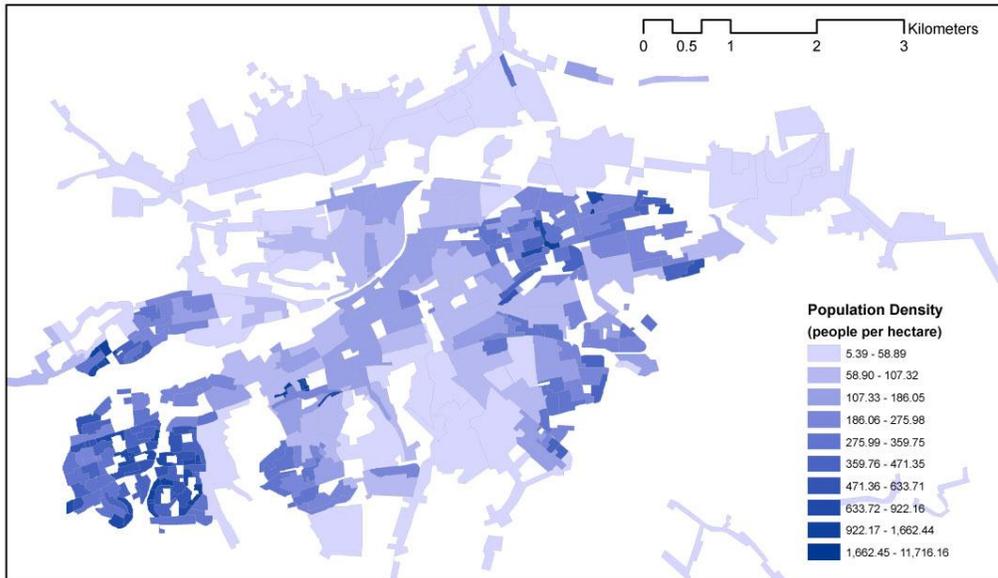


Data Source: National Institute of Statistics and author's calculations based on 2002 census data

75. To have a better idea of how the density profile of Cluj-Napoca looks like physically, we have produced a density map for the city (see below). Indeed, the highest density areas are in peripheral neighborhoods where central planners developed standardized concrete apartment blocks. This has left the city with an inefficient urban structure, which affects economic vitality (as employment centers have gradually shifted from the city's industrial platform to other areas), mobility and transport, and delivery of public services.

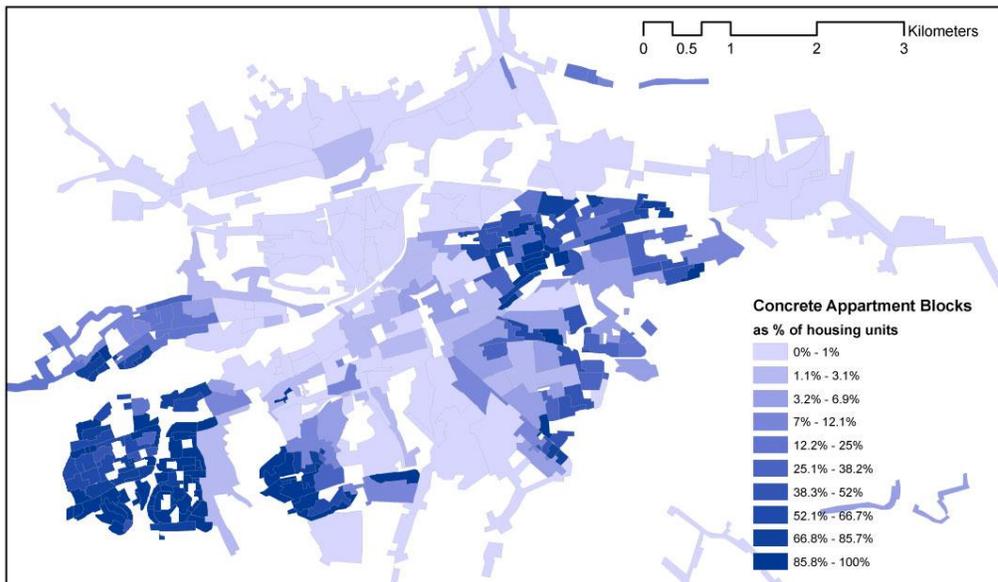


Figure 14. The densest neighborhoods in Cluj-Napoca are peripheral



Data Source: National Institute of Statistics

Figure 15. Peripheral neighborhoods in Cluj-Napoca are mainly made up of standardized concrete apartment blocks built during the communist years

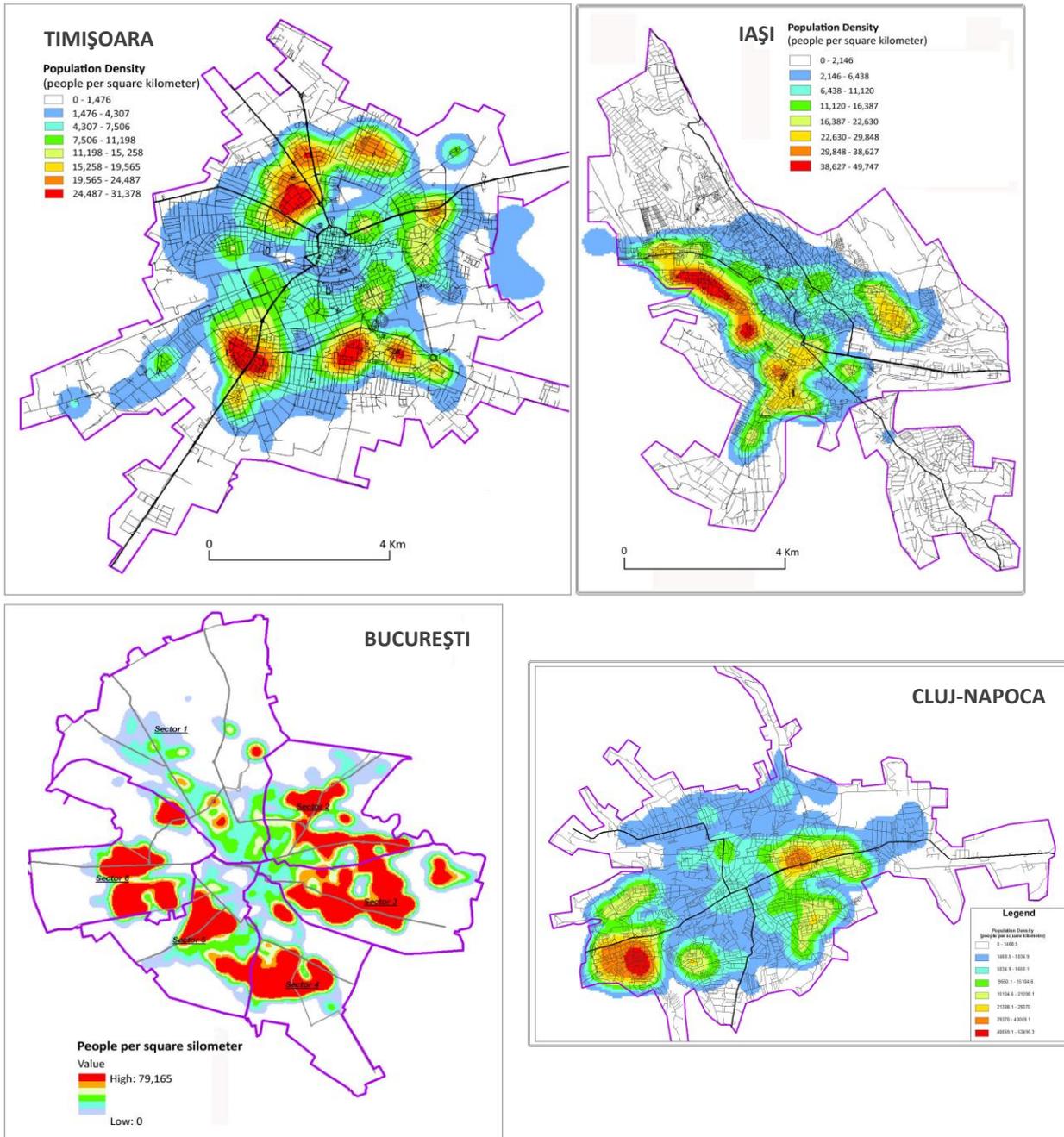


Data Source: National Institute of Statistics

76. Cluj-Napoca is not the only city that inherited this density profile from the communist era. The large majority of cities in Romania that have developed during the 1950-1990 decades have a similar profile, although at different scales. From the capital, București, to other large economic centers, like Timișoara and Iași, the “camel-back” pattern is encountered without exception (see figures below).



Figure 16. Density profile in other Romanian cities



Source: MicroMapper

Size

77. For a long time public officials have tried to control city size as a way of addressing some of the negative externalities that came with city growth: congestion, pollution, crime, health problems, social cleavages. Such policies have usually failed – including in centrally planned countries. People will always



find a way to move to the centers of opportunity if they so desire. There is little policymakers can do to hamper that pattern.

78. Still, cities do not continue to grow forever, as there are diseconomies of scale that kick in as soon as cities reach a certain size. In an often-cited paper, Vernon Henderson has developed an economic model showing that cities will grow only insofar as they provide a high-value economic base. More specifically, as cities grow, so do the costs of living in the city. Commutes will become more costly, land and housing will be more expensive, and rents for business will be higher. This means that people have to earn higher salaries to be able to live there. Higher salaries can usually be offered by industries where higher levels of individual productivity can be achieved. That is why, for instance, there are no mining metropolises (as salaries remain relatively low in this sector), and that is why a city like New York was able to continue to grow by switching from manufacturing to high-end services (e.g., finance, media, education).

79. It is hard to predict how much cities will grow, but larger countries generally enable the development of larger-size cities. Overall, primate cities (i.e., the largest city in a country) manage to hold their “pole position,” and only under exceptional circumstances are they over-taken by another city (the lock-in effect and path dependency play a strong role in maintaining this dynamic). When it comes to lower-ranked cities, however, switching positions is more common.

80. Some of the forces that drive a city’s growth are within the hands of local policy makers, but most are not. Overall, a city will generate the resources for continued growth if it will manage to generate a steady stream of jobs that can offset the growth in the cost of living. That means a city’s economic structure has to be dynamic and ever-evolving to adjust to new realities. This is a process that local authorities cannot always influence. What they can do is to create the conditions for continued investments and job creation – e.g., good quality of life, easy access to opportunities for people and easy access to labor and markets for companies, and strong institutions that allow people and firms to focus on what makes them most productive. Bertaud notes:

“The fact that large cities have grown and keep growing, in spite of national policies which were biased against them, suggests that some potent economic reason might be behind this growth. Large cities become more productive than small cities when they can provide larger effective labor markets. [...] A large unified labor market is the raison d’être of large cities. Megacities’ capacity to maintain a unified labor market is the true long run limit to their size. [...] A viable type of urban structure should therefore allow complete labor mobility within a metropolitan area. Households, whatever their location within the metropolitan area, should be able to reach within a reasonable time (say less than an hour) all the locations where jobs are offered.”

81. It is also important to note that large cities create their own success. Large cities have large markets and large labor pools, so they naturally attract firms and capital. People follow jobs, amenities, opportunities, and other



people. As more people move to large cities, so will firms and capital, in a virtuous circle that will drive city growth until diseconomies of scale kick in (e.g., when average salaries offered can no longer cover the cost of living, or when the quality of life is negatively affected because of high commuting times, congestion, and pollution). For local authorities that manage large cities, the main task will therefore be to address negative market externalities (such as congestion, pollution, and the rise in land prices and rents). For planners working in smaller-sized cities, the challenge is to create the conditions that allow people, firms, and capital to relocate there more easily (e.g., dynamic and flexible land and housing markets, strategic investments in infrastructure, public services, and other amenities).

82. Also, some additional circumstances may influence the degree of fragmentation of labor markets. For example, historical urban centers that have few amenities, a high level of private car ownership, and cheap land, may encourage a polycentric development model. By contrast, historical centers with a high level of amenities, a well-developed public transport network, and a radial primary road network may encourage a mono-centric development pattern. Few cities, however, are 100% mono-centric or 100% polycentric, and cities in developing countries (where private car ownership is lower and where access to land and housing is harder) generally tend to follow more of a mono-centric development pattern.

Market Forces Shaping Spatial Development

83. Cities are the product of market forces and public interventions. *Market forces* refer to the myriad of individual choices made by people living within a city or outside the city – for example, the decision to move or to stay, the decision to start a business or build a home, the decision to visit a park daily or go to the cinema every week, the decision to eat out and meet with friends in the city center or go shopping in the suburbs, the decision to live in an apartment block close to the city core or to live in a detached home with lots of open space on the outskirts of city, the decision to commute to work by private car or by public transportation, the decision to walk or to drive to places of interest in the city, etc. *Public interventions* are called upon when one of these individual choices, or the sum of a number of individual choices, create outcomes that negatively affect other people – for instance, by creating congestion that may increase commuting times, generating pollution that affects the health and wellbeing of everybody living in the city and surrounding areas, skewing housing markets that limit poor people’s access to opportunities, or creating an inefficient spatial structure that may stunt the city’s economic development and growth prospects.

84. Good spatial planning should be both about enhancing positive market externalities and reducing negative market externalities. In reality, many people believe that spatial planning is primarily about the latter. That is, public interventions are needed to correct the areas where markets (or the sum of people’s individual choices) go wrong. In truth, however, good spatial planning should recognize the wisdom of people’s individual choices, but also create the levers to correct the situation when our individual choices are not



optimal. For example, when the market calls for higher densities in some city areas, urban planners should respond by allowing higher densities. At the same time, if that particular area represents a cultural heritage site or a protected green area that all citizens benefit from, they should ensure that the area is properly protected. In *The Darwin Economy*, Cornell economist Robert Frank gives a wonderful example of how collective choices can be sub-optimal and would require outside intervention. Thus, for a number of years, the use of helmets was not mandatory in the American Hockey Association. The large majority of players decided to play without a helmet. Despite the higher collective risks, this allowed them to see the field better, it enabled them a quicker response time, and it was perceived as more “manly”. However, when they were asked to vote whether helmets should be made obligatory, the large majority voted yes. They basically realized that they were better off if there was a rule in place that required everybody to wear helmets. In other words, a rule (i.e., an institution) was created to deal with a sum of sub-optimal individual choices.

85. This subchapter is about some of the most important market forces guiding spatial development and about what government can do to encourage their positive effects. The claim is made that centralized planning was primarily about dealing with market inefficiencies, in a system that did not abide by market rules (central planners considered that the market was inherently capable of generating the right outcomes for the economy and society), although informal market principles governed the day-to-day life of individuals (e.g., bargaining for housing in better city locations). In cities that grow organically, the decisions on how the city will look like and how it will develop are taken by a myriad of actors (preferably by everybody living there). Urban planners are merely referees, setting and adapting the rules of the game according to circumstances, and making sure that everybody respects those rules. In centrally planned cities, a handful of people decided how land will be developed, where and how to place functions, where will the jobs would be, and how people would get to work and back home. Some of those choices were not bad at the time. But they failed to see that cities are ever-evolving organisms – they grow or shrink, they have changing economies, and people have ever-evolving needs and desires. No central planner in the 1980s saw the end of communism coming, the growing dependence on private cars, the technological advancement made possible by the IT industry, or the growing need for more urban amenities such as restaurants, bars, pubs, supermarkets, barber shops, banks, etc.

86. The gamut of market forces that could be included in this discussion is large, but this report focuses on those market forces that play the biggest role in shaping urban space: land markets, housing markets, and the cost and pricing of public services.

Land Markets

87. Well-functioning land markets play a critical role in the development of cities and they are critical for the optimal allocation of urban and peri-urban land. Thus, based on the law of supply and demand, land will be more expensive in coveted cities and less expensive in less popular ones. Similarly, within cities,



land will be more valuable in certain areas and less so in others. For example, in monocentric cities, land in the center of the city tends to be most expensive and it gets progressively cheaper away from the center. In polycentric cities, land tends to be more expensive around the main centers of activity, wherever these may be located.

88. Land and the possibility of pricing land (based on strong and clear property rights) is one of the major tenants of a well-functioning market economy.¹⁷ City planning and development are inexorably influenced by land and its characteristics (price, ownership structure, geographic location, etc.).

89. Land within and around Romanian cities in the communist days had two major characteristics: it virtually had no value (in the sense that central planners did not factor land value in their city development decisions) and **it was all centrally owned** (offering local stakeholders no option for flexibly responding to local dynamics). Land uses were basically allocated at the whim of central planners. Master plans were devised for all cities, and neighborhoods were designed and constructed wholesale. Individual preference did not play a role and housing was often allocated based on how close it was to the place of work.

90. However, in market-economy cities, land is traded freely by agents who are thought to be the best judges of the locations most favorable for increasing their well-being and profitability. Urban planners in cities following market-based rules merely play the role of watchdogs, ensuring that the well-being and profitability of some does not impede on the well-being and profitability of others. Zoning regulations, for example, ensure that arsenic plants are not constructed next to a school. Similarly, floor-to-area ratios (FAR) are meant to ensure that skyscrapers are not built in the middle of a townhouse neighborhood, while historic preservation laws should guarantee that historic buildings are not mindlessly destroyed.

91. In the same vein, urban planners often work as intermediaries between disagreeing parties within a city. In this role, they reduce transaction costs and increase information flows in situations where property rights alone cannot ensure that a compromise can be reached. For example, communities that live next to an airport might complain about the noise produced by airplanes. City planners could work with the airport authorities to reduce the noise level of landing airplanes (e.g., by changing the point of entry for landing airplanes), and they could zone the land around the airport to prevent further housing construction. A good urban planner should first and foremost know that a city cannot always be optimally planned. Alain Bertaud eloquently argues:

“Because of the complexity of the changing factors influencing labor mobility, it is not possible to design a city structure that would permanently optimize the mobility of labor and goods. Darwinian evolutionary forces are constantly putting pressure on urban spatial structures. As technology and economic parameters change over time, a city spatial structure would evolve toward increased efficiency only

¹⁷ See for example De Soto, Hernando. 2003. *The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere Else*. Basic Books



*when households and firms are able to make multiple trade-offs between location, the mode of transport, and the consumption of land and floor space. In a well-functioning market, the spatial distribution of real estate prices would reflect multiple and competing consumers' preferences. [...] To ensure that urban spatial structures stay efficient governments have to allow real estate markets to work with as few distortions as possible.*¹⁸

92. As such, land within a city should be traded freely. Property rights should be guaranteed, and transaction costs within land markets (e.g., the cost of finding who the owner of a parcel of land is) should be reduced. There needs to be a balance between publicly owned land (needed for key public projects) and privately owned land (needed for the organic development of the city). Moreover, planners should follow price signals (housing prices and rents) when devising spatial plans. Areas where land and housing prices are higher may benefit from higher-density zoning. Areas with lower prices may more easily accommodate lower-density zoning.

93. Much of the urban fabric in Romania was built in the complete absence of land markets. New developments followed the designs drawn up by central planners and uses were not allocated in a dynamic fashion. Usually, high-density neighborhoods were built close to industrial facilities to encourage easy commutes to and from work. Land uses were usually limited – including housing, some amenities (such as neighborhood stores, schools, health-care centers), and industrial uses. As cities in Romania are now guided by market principles, it will be important to deal with some of the inherited inefficiencies of central planning.

94. The fall of communism and the emergence of markets have also found Romanian cities with relatively rigid structures in place. Most importantly, large housing estates were left in places where other uses would be more efficient now (e.g., an office building), and with an ownership structure (everybody owns their own apartment) that makes it hard to redevelop these spaces. Thus, new service companies, the fastest growing sector in the Romanian economy, are often hard pressed to find enough office space in center cities, and a new phenomenon – the “apartment firm” – has become prevalent in urban economies.

95. Similarly, entire neighborhoods were developed in communist times without many of the amenities that people and the new economy were asking for. There were for example no spaces available for banks, insurance companies, restaurants, pizzerias, supermarkets, bars, pubs, hair dressing salons, and so on. All of these had to carve some space out by replacing housing units (usually first floor apartments) with new uses – as in the image below. These “additions” are often seen as a scar on the face of cities – unaesthetic and chaotic additions to the urban space. And while these additions are most often not very visually pleasing, they do reflect a very powerful market dynamic – i.e., when it comes to amenities such as grocery stores, barber-shops, or repair shops, convenience is critical. That is, people do not want to spend a lot of time to get food, have their

¹⁸ Bertaud, Alain. 2010. *The Development of Russian Cities: Impact of Reforms on Spatial Development*. Draft report. Washington, DC: World Bank.



hair cut or their shoes repaired. Thus, rather than prohibiting the conversion of former housing spaces into service spaces, local authorities should think of how sound urban and spatial planning could reduce the average distance to amenities. In this respect, a flexible and dynamic land-use strategy that enables mixed uses would go a long way.

Figure 17. In almost every Romanian city people have adjusted rigid land uses prescribed by central planners to a new set of evolving needs (e.g., corner shops and grocery stores)



Source: Norc.ro street view

96. The focus on industry and industrial development in the pre-1989 years left many cities in Romania with large tracts of industrial land, which are often located in prime locations. As the maps below highlight, these industrial tracts occupy land that may garner cities higher dividends if they were converted to other uses. They also form an urban barrier, forcing the expansion of the city in other directions. Some of the former industrial platforms have now been sub-divided, are used by many smaller companies; some contain significant tracts of unused or under-used land; and many are abandoned. Often, this land is polluted from years of industrial production (requiring remediation), but it also has infrastructure on site (roads, public transport, water, sewage), making it highly attractive for redevelopment.

97. It is important that all local authorities have a complete inventory of land parcels within the city. This inventory should allow public officials to have a clear idea of parcels that are idle, underused, polluted, or in public property and may be used for strategic development projects. Land is the most critical asset for a city's development and its efficient management is vital for good spatial planning. By recycling land that is not used to its fullest potential, local authorities can offset or reduce the need to develop new land in peri-urban and suburban areas. However, this requires accurate land registry system and digitized cadaster, both rare resources for Romanian cities.

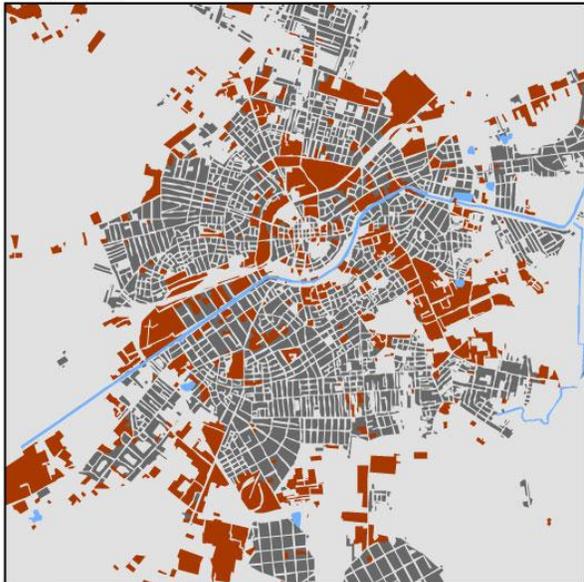
98. Overall, cities in Eastern Europe are known to have a higher share of their land dedicated to industrial uses than their Western counterparts. Unfortunately, it is hard to find comparable data that evidences this dynamic. One of the few studies that showed the misallocation of land for industrial uses in centrally planned cities is Bertaud's "The Spatial Structure of Central and Eastern European cities: More European than Socialist". That study shows that while most cities in the West have converted their land to new uses, formerly centrally planned cities still have large tracts of industrial land within their boundaries. For example, in St. Petersburg and Sofia around 44% and 27%,



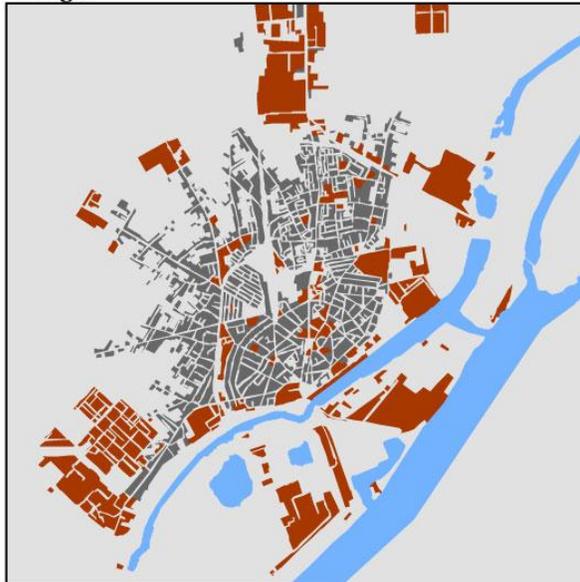
respectively, of urban land is dedicated to industrial uses. London and Paris, by contrast, only have around 5% of land dedicated to such uses.

Figure 18. Industrial areas cover significant tracts of land in Romanian cities

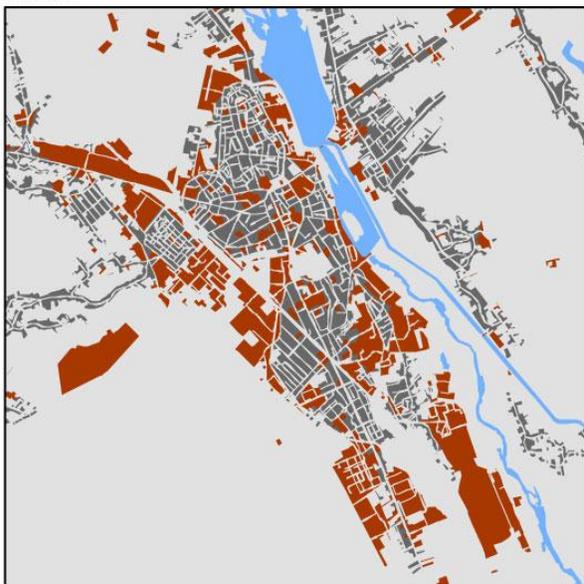
Timisoara



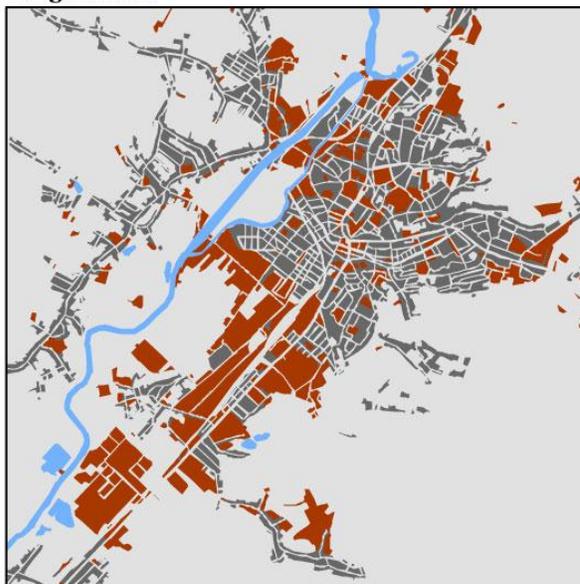
Giurgiu



Bacau



Targu Mures

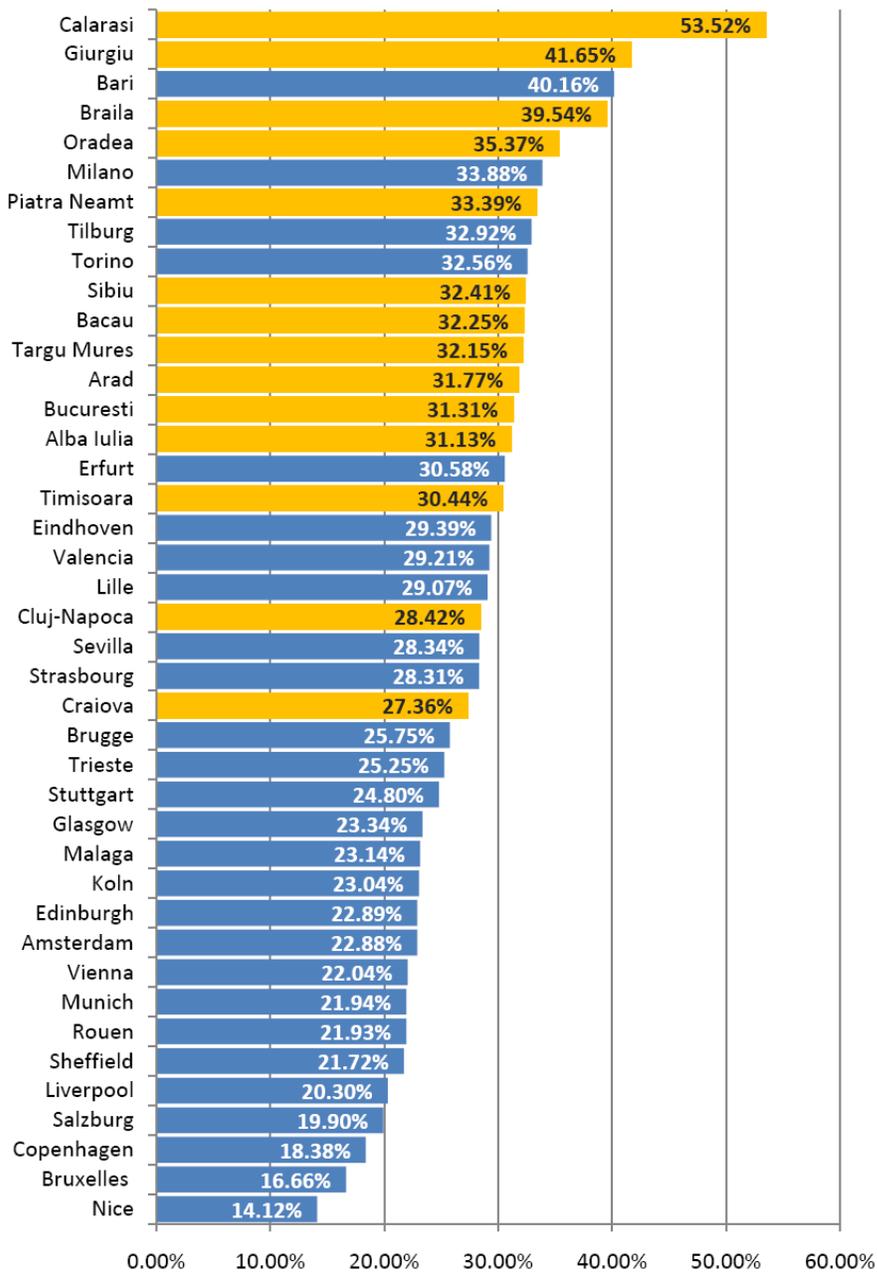


Data Source: European Environment Agency (EEA)

Note: The data provided by EEA has clustered together industrial, commercial, public, and military uses. As such, the map above also includes parcels of land that may not have purely industrial uses.



Figure 19. Romanian cities still have a disproportionate amount of land dedicated to industrial uses



Source: European Environment Agency

99. City-to-city comparisons are notoriously hard to perform given the different methodologies used by cities to assign land uses. To overcome this challenge, the EU has undertaken the ambitious task of collecting standardized indicators, including spatial indicators, for a large number of cities in Member States and accession candidates. These indicators allow for easy city-to-city comparison. The figure below includes data extracted on spatial indicators. It becomes immediately obvious that cities in Romania, when compared to



Western counterparts, have a disproportionate amount of industrial land included within their boundaries. It is safe to assume that not all of this land is used to its full potential, and may require redevelopment. As a cautionary note, it is important to emphasize again that the data from EEA were not broken down by uses, so industrial areas were clustered together with commercial, public, and military uses. Nonetheless, it is clear that from a spatial perspective that the share of land assigned for commercial uses is likely to be larger in Western cities, which underscores that industrial land represents a significant challenge for Romanian cities.

100. While Romanian cities have large tracts of underused or unused industrial land close to city centers, the parcels of land available on the periphery are quite small. These represent small slivers of agricultural land that have been divided and subdivided over the years, as they were passed on from one owner to another and following the land restitution reforms after the fall of communism. The problem is that these slivers of land are elongated parcels – more efficient for agricultural use, but suboptimal for accommodating new urban settlements. As the image below highlights, in the absence of effective and efficient land markets that would allow for an easier assembly of land parcels, and in the absence of sound urban and spatial planning regulations, development takes a peculiar form. In essence, developers buy parcels of land which they “stuff” with as many buildings as they can, paying no attention to how their developments relate to everything around them, and often with little consideration of connectivity and mobility aspects.

Figure 20. Urban expansion of Romanian cities most often happens on small slivers of agricultural land, as in Florești, Cluj County



Source: Google Earth

101. Another important issue related to land markets is the uncertain situation of property titles and the national cadaster system. In short, it is not clear who owns what, and the property restitution process that started after 1989 is far from over. Without clear property titling and without a precise understanding of where one’s land is situated and within what boundaries, it is hard to have well-functioning land markets as buyers are weary of subsequent claims on a piece of land. It is therefore important to finish the work started by



the Cadaster Agency: map all land parcels in Romania, digitize the data, and ensure that everybody has easy access to this information.

Housing Markets

102. Housing prices and rents, like land prices, are one of the key barometers to be used by urban planners. These prices give an indication of which locations are most preferred by people (e.g., a location next to a new employment center, such as a large office building), as well as locations that are not as desirable.

103. If land is critical for city development, housing is critical for running a city. It provides shelter for a city's life-blood – its people. As with any living organism, the better the quality of the housing, the better off are people living there and the more able the city to attract and retain highly trained human capital.

104. Unfortunately, quality did not rank high on central planners' agenda. Housing had to be built cheaply and fast to accommodate the rapidly growing population and its massive and sometimes forced relocation from rural to urban areas. As housing production technologies improved, the quality of housing decreased. The only redeeming quality of many of the buildings built during communism was that they were cheap. Still, most apartment blocks were built with a shelf-life (some, with an "expiration date" as low as 30 years); they were poorly insulated; the interiors looked shabby; there were few common areas; hallways, staircases, and elevators were often unaesthetic and unsanitary. Many of the buildings finished during those times had an effective shelf life of less than 15-25 years, and many should not be currently inhabited due to safety risks and high maintenance and living costs.

105. From the Elbe River in Eastern Germany to Vladivostok in Eastern Russia, 53 million such apartment flats were developed, housing around 170 million people.¹⁹ The share of this type of housing within the total building stock varied from country to country, reaching 56% in the highly urban USSR and around 26% in the more rural Romania. The floor area of these poorly performing buildings is staggering, covering a surface the size of a small country. Dealing with these large pre-fab apartment blocks is and will be one of the most important tasks for both urban planners and national policymakers across Eastern Europe.

106. If one looks at individual cities, the share of large housing estates within the total building stock is even larger. For example, in Romania the large rural population (45% of the total) dilutes the importance of flat panel housing in urban areas. If, however, one looks at the capital, București, large housing estates represent 82% of the total building stock – one of the highest shares in Europe.

¹⁹ Knorr-Siedow. 2000. *Present and future outlook for large housing estates*. European Academy of the Urban Environment.



Table 3. A significant share of people in Romania live in large housing estates developed during communism

Large Housing Estates in Eastern Europe, in 1990

Country	% of Dwellings Built between 1960 - 1990	% of All Existing Dwellings, in 1990	Floor Area (mil. m ²) of Large Housing Estates
Bulgaria	55.00%	27.00%	64.7
Czechoslovakia	66.00%	36.00%	189.7
Poland	61.00%	35.00%	345.7
Romania	49.00%	26.00%	136.4
USSR	64.00%	56.00%	3,133.1
Hungary	52.00%	29.00%	106.1

Source: <http://www.eaue.de/Housing/housfut.htm>; UNECE; UNEP; EEA; Banjanovic, 2007; and authors' calculations

Table 4. Ratio of inhabitants living in large housing estates in 1995, in selected cities

City	Country	Population	% in Large Housing Estates
București	Romania	2,045,000	82.00%
Bratislava	Slovakia	452,000	77.00%
Klaipeda	Lithuania	203,000	70.00%
Lublin	Poland	355,000	67.70%
Katowice	Poland	351,500	60.00%
Sofia	Bulgaria	1,192,700	60.00%
Warsaw	Poland	1,637,550	56.00%
Talinn	Estonia	434,763	55.00%
Tartu	Estonia	103,907	55.00%
Kaunas	Lithuania	418,700	51.60%
Budapest	Hungary	1,906,800	38.00%
Prague	Czech Republic	1,209,855	32.00%
Ljubljana	Slovenia	296,621	24.10%

Source: European Academy of the Urban Environment

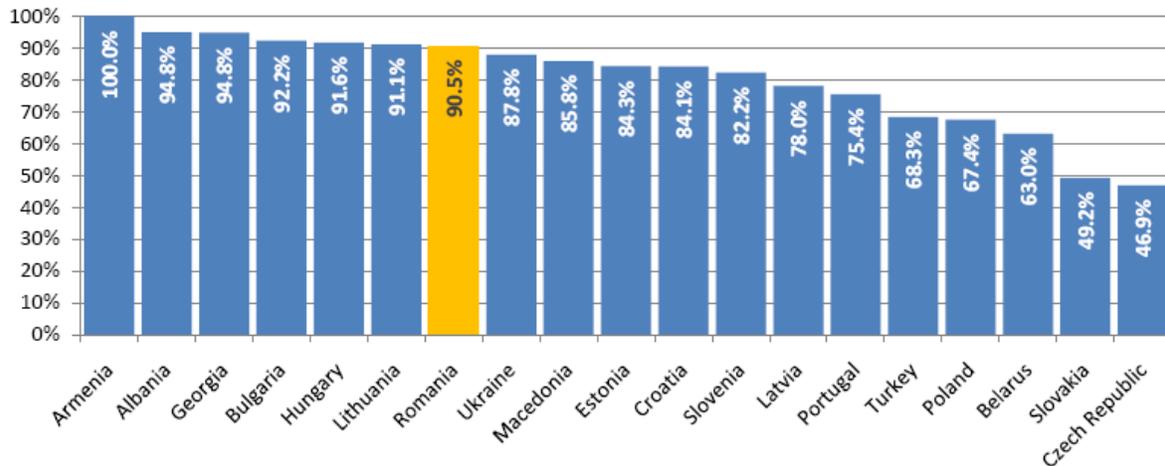
107. These large housing estates were in effect nothing more than poor quality vertical dormitories with artificially and arbitrarily set values. In recent years, housing markets have started to work much better and the apartments built during communism are in most cities the cheapest stock of real estate available. Unless they are in a very good location, people generally prefer older buildings (developed before communism) or newer buildings. As we shall see later on, sale prices and rents (some of the most significant market barometers) for communist dwellings are among the lowest in Romanian cities.

108. Another distinct characteristic of housing in Romanian cities is that it is largely owned with relatively low rental rates. After 1989, much of the available housing stock in Romania was offered up for purchase, usually at very low prices, as there were no real market mechanisms in place to assess the real value of these apartments. This led to a situation of very high ownership rates – as in most other East European Countries (see figure below). While home ownership has many benefits (it gives people stability, it is a form of storing value, and can be used for obtaining credit), it can also have negative side-effects. When home-ownership rates are particularly high, rental markets may



suffer, and when rental markets suffer, it is harder for people to pursue opportunities and relocate from one place to another.

Figure 21. High ownership rates (included in figure below) hamper mobility and the development of rental markets



Source: UNECE

109. Another negative side effect of the rapid changes after 1989 is the alteration of public spaces in and around apartment blocks. Without clear rules in place, people changed the exterior and interior of their apartments as they saw fit. However, when clear urban planning rules are in place, such alterations are usually not permitted. The reason is relatively simple: the exterior of buildings represents public space, and it should be treated as such. In addition, there are economic consequences to such alterations. For example, if someone modifies the exterior of their apartment, they may lower the value of all the other surrounding apartments. When people chose where to live, they often prefer aesthetically pleasing locations.

Figure 22. The way people have interpreted private property has often led to questionable outcomes



Source: Norc.ro Street View



110. Consequently, the choice of one household may impact the welfare of everybody in that apartment block, the value of their housing units, and even the city's tax base. As such, there is a need for clearer urban planning regulations and stronger household associations to regulate the changes permitted to buildings' exterior and conserve or increase housing values. As the images from above highlight, a lack of strong planning rules and regulations that govern the use of public goods, leads to aesthetically suboptimal outcomes and often to safety violations. In most cities from the developed world, a normative set of rules is considered critical the sustainable development of the city. These rules are a way of dealing with market inefficiencies. City regulations are in turn doubled by homeowners associations' rules, which dictate external and internal modifications to the building that are permitted.

111. The lack of clear urban guidelines in place distorts the functioning of housing markets. Basically, the more the interior and exterior of building deteriorates, as in a typical "tragedy of the commons" situation, the less desirable these areas become, giving birth to what some urban planners have called "vertical slums." This may in effect accelerate the suburbanization of cities, hollowing the centers of cities, the way it has happened in American urban agglomerations. To avoid this situation, it is important for local authorities to realize that the exterior of buildings is not just an aesthetics issue, it is a very important economic issue, influencing the value of housing, land, and other assets in the area.

112. Moreover, the quality of a neighborhood influences the amount of property taxes that can be collected. If property taxes will become an important source of income for local budgets in Romanian cities, local officials will have to invest more in creating a set of rules and regulations for sound urban development and good building maintenance to maintain and even expand a strong tax base.

Figure 23. Most neighborhoods built during communism look the same



Source: Bing Maps



113. The lack of quality of communist housing units is doubled by a lack of diversity. People who have seen a communist neighborhood have seen them all. Central planners put those neighborhoods up with the sole purpose of housing people, not to create congenial living environments. The needs, desires, and wants of people were not taken into consideration. Most people got the same standard 2-4-room apartment in a non-descript building, within a non-descript neighborhood. The image below is illustrative in this sense. While it was taken in Ploiești, it could have been taken in any larger city in Romania.

114. The lack of diversity is in turn doubled by a lack of a building mix. In *The Death and Life of Great American Cities*, Jane Jacobs brilliantly observes the importance of older buildings in sustaining diverse and dynamic neighborhoods (her argument is also a harsh criticism of the urban renewal movement that was very popular among US urban planners at that time). Older buildings tend to be fully amortized and usually offer rental spaces at lower prices than new buildings (which have to cover construction costs, and as such have higher rents). A mix of older and newer buildings allows neighborhoods to house a variety of uses, by offering more diverse rental spaces. Thus, antique shops and used bookstores can exist and prosper next to a new bank and a chain restaurant. In Jane Jacobs' own words:

"If you look about, you will see that only operations that are well established, high-turnover, standardized or heavily subsidized can afford, commonly, to carry the costs of new construction. Chain stores, chain restaurants and banks go into new construction. But neighborhood bars, foreign restaurants, and pawnshops go into older buildings. [...] As for really new ideas of any kind – no matter how ultimately profitable or otherwise successful some of them might prove to be – there is no leeway for such chancy trial, error and experimentation in the high-overhead economy of new construction. Old ideas can sometimes use new buildings, [but] new ideas must use old buildings."

115. Centrally planned neighborhoods have few old buildings, if any, and a very limited variety of urban structures. Apart from the aging apartment blocks, there are no other street-front buildings that could morph into commercial strips. Moreover, there is little space for new businesses to take shape and flourish. Since there is a big lack of office space in centrally planned neighborhoods, people have improvised solutions. Thus have appeared the apartment firms – microenterprises that are run out of the residence of the owner, or out of rented flats. For what they are worth, these spaces serve their purpose well for some uses (e.g., software production), but they are inadequate for other uses (e.g., businesses that need more visibility).

Costs and Pricing of Public Services

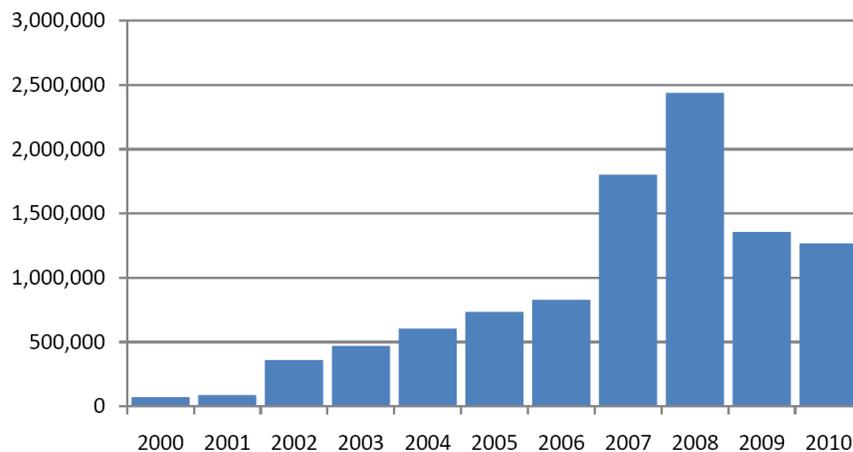
116. Public services infrastructure plays an important role in how a city develops. Roads, water pipes, sewage, public transport systems, etc., can be used strategically to guide city expansion. To ensure efficiency, the cost of providing such public services should be kept low (e.g., public transport is more profitable the denser and more compact a city is) and pricing should be kept at



market level. If the price of delivering public services is kept artificially low, it may lead to unsustainable development patterns. For example, if a public transport ticket has the same value if one commutes in from the periphery, or from anywhere within the city, there are fewer incentives for people to look for housing closer to the city center.

117. Another issue present in many Romanian cities is the lack of adequate parking spots. Centrally planned neighborhoods were developed during a time when car ownership was relatively low. After 1989, car ownership increased at a rapid pace (see image below). Unfortunately, the creation of additional parking spaces did not keep up with the number of new cars.

Figure 24. Number of new cars registered in Romania



Source: National Institute of Statistics

118. The lack of parking spots has led to the development of makeshift parking structures in most centrally planned neighborhoods and to illegal parking habits. As the image below indicates, makeshift garages often take up space that could be used for other, more valuable public spaces – e.g., playgrounds, green areas, or community centers. More often than not, people who park their cars in cities pay only a small sum for keeping their cars there. This distorts the way land is used, leading to the overcrowding of valuable public spaces. The fact that parking is most often not priced at market level can be demonstrated with a simple example. Many European cities have an average density of the urban mass of around 250 people per hectare, which corresponds to a land consumption ratio of around 40 m² per person. A private car, when parked, needs about the same amount of space. However, the relative rents that people and businesses pay to occupy the same amount of space are much higher than the price charged for parking a car. Since land is a valuable asset, and since land should be used to its most productive use, it should also be priced accordingly when only used for parking. New York is one of the wealthiest cities in the world, on average, but also one with relatively low car ownership rates because keeping a car in the city is prohibitively expensive and the public transportation network is extensive and reliable.



Figure 25. Valuable public space, which is small as it is in large public estates neighborhoods, has been taken over by makeshift garages



Source: Bing Maps

119. The pricing of other public services also plays a role in the spatial development of cities. For example, people who live in low-density, suburban neighborhoods should be charged more for key public services such as water, sewage, garbage collection, public lighting, and so on, proportional to the actual cost. Indeed, delivering these services to low-density neighborhoods requires higher expenditures (e.g., more energy, more piping, more pumping, more fuel, etc.) and the bills sent to individual households should reflect these costs. This would not only reflect the market value of these services, but it would also act as an incentive for more dense and compact spatial development.



Romanian Spatial Planning within the EU Policy Context

120. The European Union has adopted a unique model for its spatial planning policies. Formally, Member States are fully responsible for spatial planning over their sovereign territory, at national, regional, and local levels. As Andreas Faludi puts it, “the spatial planning that the EU wants no part of are those functions of a body of government, with a legal mandate, to control development, usually with reference to a statutory legally binding land-use plan.”²⁰ But scholars also generally agree that the EU-level understanding and application of the concept of spatial planning has transcended this narrow definition to include terms like territorial cohesion, coherence, and cooperation. In many ways, the evolution of the spatial planning framework in Europe mirrors wider efforts to achieve a balance between sovereignty and deeper integration, an endeavor that ultimately remains at the heart of the EU project.

121. Spatial planning has impacts beyond regional and national borders. The proliferation of policy guidelines (e.g., the Territorial Agenda of the EU (2007), the Green Paper on Territorial Cohesion (2008), the Leipzig Charter on Sustainable European Cities (2007)) reveal the drive to coordinate spatial planning policy among European countries and negotiate a common understanding of challenges and approaches. A significant step in this direction has been made through the elaboration of the European Spatial Development Perspective (ESDP, 1999), which promotes the concept of sustainability in spatial planning across Europe, emphasizing the need for vertical and horizontal policy co-ordination as well as geographical integration between regions and across boundaries. The Romanian spatial planning system should follow broad European tendencies as it continually improves itself.

122. This section draws on a few key sources in the specialized literature to provide an overview of the evolution of spatial planning at the EU level. Scholarly accounts typically differentiate between multiple time periods. Before 1989, awareness of a “European dimension of spatial planning” remained generally weak and was “slow to emerge.”²¹ It is true that, in the aftermath of World War II, a few planners – particularly in the Netherlands – were inspired by vast planning initiatives in the United States and the United Kingdom and were beginning to envision large-scale land-use projects that went beyond national borders.²² More generally, however, the sense of spatial planning remained centered around the French meaning of *aménagement du territoire* and more specifically “[giving] direct funding for projects designed to smooth out spatial imbalances [as opposed to a formal statutory plan].”²³ By 1975, the European Regional Development Fund (ERDF) was established as a financial instrument to

²⁰ Andreas Faludi, “European Spatial Planning: Past, Present, and Future,” Centenary Paper, 2009.

²¹ Patrick Sales, “How Europe Comes to Spatial Planning: From the Birth of Regional Policy to the Green Paper on Territorial Cohesion, the Emergence of the community as a Player over more than 20 Years,” July 2009.

²² Faludi, p. 5.

²³ Ibid.



reduce regional imbalance. Still, the ERDF lacked a specific policy framework defining clear goals and strategies.

123. With greater economic integration among EU Member States, it became clear that a more EU-wide spatial planning function was needed. As such, the EU's spatial planning model emerged as a functional product of economic integration, not as a top-down, imposed requirement. 1985 and 1988 marked important progress points: first, the community's cohesion policy was launched and then the structural funds were reformed to include regional and cross-border dimensions. Gradually, the EC became an active player in this space, launching a series of studies that emphasized both the diversity of spatial planning across EU member states and the need for increased coordination.²⁴ This led up to the publication of the 1999 European Spatial Development Perspective (ESDP), the first official EU policy document on spatial planning, negotiated by Member States and the European Commission.

124. For all its political significance, the ESDP did not commit Member States to any specific objectives, but asserted a common aim to work toward balanced and sustainable development of the EU territory. The ESDP described three major goals related to: economic and social cohesion; conservation and management of natural resources and the cultural heritage; and more balanced competitiveness.²⁵ The document also noted a set of important principles, such as: "The ESDP is a suitable reference document for encouraging cooperation, while at the same time respecting the principle of subsidiarity. [It] does not provide for any new responsibilities at the community level."²⁶ In other words, much like other EU-level instruments, the ESDP cannot impose any measures on Member States, but it can use certain incentives to promote coherent spatial planning at the national level and across borders. In his noteworthy study, Patrick Salez also points out the importance of terminology: specifically, the ESDP used the term "space" instead of territory as a less intrusive concept to alleviate concerns about a negative impact on state sovereignty; also, the term development was preferred to the more top-down, centralized meaning of "planning." All this would seem to suggest that, at a basic level, the ESDP remained a relatively "toothless" instrument, in line with many Member States' desire to maintain control over their national territory's development.

125. Nevertheless, on the basis of the ESDP, advocates for EU-level spatial planning were able to advance their agenda in more recent years. The Lisbon Treaty and subsequent reports on cohesion added the concept of territorial alongside economic and social cohesion, turning it into "the European spatial planning activity for which the European Commission was said to be lacking a competence."²⁷ Experts also observe a reframing of spatial planning / territorial cohesion in terms of policies promoting competitiveness (e.g., in the EU's Territorial Agenda and the Commission's 'Green Paper').²⁸ At a practical level,

²⁴ See, for instance, "Europe 2000: Outlook for the Development of the community's Territory" and "Compendium of Spatial Planning Systems and Policies in the European Union).

²⁵ European Spatial Development Perspective, May 2009.

²⁶ Ibid.

²⁷ Faludi, p.15.

²⁸ Ibid., p.16.



initiatives like INTERREG.III and INTERREG.IV, the latter with a budget of almost 7.8 billion euro, advanced the EU's territorial cohesion objectives in very concrete terms, while the launch of the European Spatial Planning Observatory Network (ESPON) maintained an open dialogue around the dynamics of EU territories and the impact of sectoral policies. As Salez notes, the ESDP also directly influenced Member States – on a voluntary basis, of course – as countries like Ireland, Slovenia, and Portugal developed spatial strategies in line with EU-level principles.

126. More recently, the European Commission adopted the “Green Paper on territorial cohesion: turning territorial diversity into strength.” This identified three critical dimensions, corresponding to the basic framework also used by the World Bank for the 2009 World Development Report:

- Overcoming differences in density
- Overcoming distance by connecting territories
- Overcoming division through cooperation

127. The Green Paper emphasizes the importance of economies of scale, high-quality connective infrastructure (from roads to railways and high-speed internet), and the need to further reduce division in order to address an increasing number of cross-border challenges (e.g., climate change). At the same time, this important document recognizes the importance of economic geography and the need to recognize the issues faced by regions with specific geographical features (mountain regions, island regions, and sparsely populated rural and border regions). The Green Paper also provides an inventory of the main EU policies with a territorial dimension, from agriculture to environment, transport, employment, maritime basins, research and development, and competition. Importantly, the EC explicitly recognizes the difficulty involved in making progress: “[This is] partly because of a perception in the Member States that national - or regional - competence over matters concerning land use and development planning was open for discussion. It should be made clear that it is in no way intended to call into question national and regional competences in these areas. These issues remain outside the scope of the debate launched by this Green Paper.”²⁹

128. In the wider conversation sparked by the publication of the Green Paper, three issues emerged as critical.³⁰ First, a more clear distinction between the terms of “territorial cohesion” and “spatial planning” became apparent – with the latter firmly under the mandate of national authorities. Second, there was increasing recognition of the fact that administrative boundaries do not always match functional areas, pointing to the advantages of a flexible cohesion policy that is more aligned with actual needs of territories. Along the same lines, rural-urban relations need to be rethought in line with urbanization processes, whereby “peri-urban areas, for example, have assumed considerable importance.”³¹ Finally, many expert observers pointed to the need of expanding territorial cohesion beyond regional development policies to include other sectoral policies (e.g., agriculture, transport, competition, etc.) that impact

²⁹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0616:FIN:EN:PDF>

³⁰ Salez, p.12.

³¹ Ibid., p.13.



territories. Some of these elements are expected to play a more critical role in drawing up the 2014-2020 priorities and resource allocations.

129. In terms of aims, an increased concern on the role and importance of spatial planning to improve environmental sustainability is observed. As Vincent Nadin highlights, “technological, economic and social forces give rise to spatial development patterns with negative environmental effects across Europe.”³² Examples of such forces enumerated by Nadin include the rapid conversion of rural land to urban uses (leading to fragmentation and sprawl of new urban development), increase in the need to travel and decreased economic efficiency of supplying urban services, derelict and contaminated land, polarization of economic development, which leads to negative externalities such as congestion, failure to protect areas of environmental importance, and the deteriorating quality of urban and rural environments.

130. Such a focus of planning aims is accompanied by a gradual shift of scope. Of the two models of spatial planning distinguished by Nadin, namely land use/physical planning and sectoral spatial policy integration, the latter is increasingly considered by spatial planning reforms.³³ While land use planning refers to a regulatory system aiming to achieve a more “rational organization of the territory,” the other perspective on planning which gradually gains ground seeks to coordinate and territorially integrate different sectoral policies in pursuit of common objectives.

131. Both elements above demand significant changes in terms of institutional systems and approaches to spatial planning. Inter-disciplinarity and joint work among different policymakers, although not easy to achieve, are the main challenges of the spatial planning processes in this context.

132. Scale is also an element of debate. While there seems to be a general agreement that challenges addressed by planners are best met by solutions designed and implemented at the local/regional level (following the subsidiarity principle), there is also an increasing awareness of the growing interdependence of nations and regions.

133. Ultimately, however, the hard reality is that EU-level spatial planning cannot continue to advance substantially under the current framework dominated by sovereignty concerns. As Salez bluntly argued: “Acknowledging the existence of a European *space* and dealing with its organization [...] is no longer sufficient: we will have to ‘make the jump’ toward a shared strategic planning of the European *territory*, based on an overall vision of its future development.”³⁴ It is reasonable to expect that the EC will continue to push for greater territorial cohesion through incentives for coordination, at least through the 2014-2020 programming period. In the longer term, deeper changes are also possible.

³² Nadin, Vincent. 2001. “Sustainability from a National Spatial Planning Perspective” . In OECD, *Towards a New Role for Spatial Planning*, p. 79.

³³ Ibid, p.85.

³⁴ Ibid., p.17.



PART THREE – ROMANIAN SPATIAL PLANNING SYSTEM

General Overview

“CEE cities should adopt an urban planning strategy that, while dealing resolutely with the liabilities left by the socialism era, reflects their European culture: a strong and prestigious historical center served by transit while allowing large suburbs to develop in any way consistent with unavoidable increase in motorization.”³⁵

134. Following the fall of the centralized planning system in 1989, Romania had to learn to do planning from scratch. This process has been arduous, plagued with fits and starts, and it is ongoing. The legal, regulatory, and institutional framework has been continuously evolving to respond to evolving needs and challenges. In the past 20 years, Romania has, arguably, shifted from radical centralized planning to no planning and further on to a struggle to redefine and impose a new scope and aim of spatial planning functions. The effort implied in terms of building a more or less entire system from scrap as well as the implications in terms of perception of planning in public discourse and mentality are not to be neglected.

135. Three specific challenges should be highlighted, setting out the context of the current spatial planning system in Romania.

136. First, the entire legislative framework of the country has been (re)drafted in the last 23 years, from constitutional aspects to secondary legislation. There was obviously sequencing in this complex process, which implied that the design of the spatial planning system, including primary and secondary legislation, has been mostly developed in the last decade. Going forward, more sophistication and subtler improvements may be possible only after revisions of the first set of laws laid out in the 90’s, before the spatial planning system had been fully conceived and tested. Some of these revisions also include a number of constitutional aspects, which will be discussed later on.

137. Second, the spatial planning system has required – and still needs – an enormous effort of capacity building. Besides some several thousand professionals required to fill in the technical positions at different layers of public administration, this also implied designing, testing and improving instruments and decision making systems, working on adjacent (but essential) aspects such as statistical infrastructure, cadaster, as well as accumulating a critical mass of body of knowledge. All this has happened during a period where powers and mandates of lower levels of administration have developed and consolidated gradually, as per the different stages of the decentralization and devolution process.

³⁵ Bertaud, Alain. *The Spatial Structures of the Central and Eastern European Cities: more European than socialist?*



138. Third and last, but not in the least, planning is by its nature a process which involves and affects the activity and lives of many different stakeholders. In this context, the acceptance and mainstreaming of planning processes are essential for spatial planning to be assumed and deemed effective. Education, transparency, public participation is in this sense not just basic principles underlying the planning process but also prerequisites of its performance. In a country where the very notion of “planning” has been associated, in its recent history, with centrally directed (imposed) policies, building a public acceptance and awareness on a new perspective of planning requires a sustained communication and education exercise.

Legal Framework

139. Law no. 350/2001 on spatial and urban planning (abbreviated throughout this document as L350/2001-2011) **represents the backbone of the Romanian spatial planning regulatory framework.** The law also marks the start of a rather prolific decade in terms of new legislation and regulations that have gradually defined the policy and practice of spatial and urban planning. Previously, the post-communist regulatory framework was based mainly on Law 50/1991 (on the authorization of construction works and certain measures for housing development), a law with few mentions regarding spatial planning, and with a strong focus on specific building regulations.

140. The legislation and administration of planning in Romania is a shared competence carried out by the central Government and the two levels of local public administration, namely county and cities and communes. From a spatial planning point of view, București, as the capital city, has no specific status or type of plan, and operates the planning competences together with its six subdivisions (formally called sectors).

141. During the last decade, adjacent and secondary legislation developed considerably and the Romanian spatial and urban planning policy and practice accumulated knowhow and has been increasingly exposed to EU practices. Consequently, ever since its issue in 2001, L350/2001-2011 has been object to a wide series of amendments. All in all, eight amending acts have been endorsed by the date of the present report. The majority of the regulatory acts relevant for spatial and urban planning (see the selection included as Annex 1) has either been issued or incurred consistent amendments during the last decade.

142. L350/2001-2011 sets out the principles, objectives, activities, and institutions that pertain to the spatial planning system in Romania. A set of general terms are extracted in the table below:



Table 5. Principles of spatial and urban planning, according to Law 350/2001-2011

Art. 3: Spatial planning must be:	Art. 4: Urban planning must be:
a) <i>“Global, aiming at coordinating different sectoral policies in an integrated manner;</i>	a) <i>“Operational, by detailing and on-field delimitation of spatial planning acts provisions;</i>
b) <i>Functional, having to consider the natural and built environment, build on cultural values and common interests;</i>	b) <i>Integrative, by synthesizing sectoral policies regarding the territory management of settlements;</i>
c) <i>Prospective, having to analyze long term development trends of economic, ecologic, social and cultural phenomena and interventions as well as consider those when applied;</i>	c) <i>Normative, by regulating land use, defining destinations and building volumes, including infrastructure, amenities and plantations.”</i>
d) <i>Democratic, ensuring the participation of the population and its representatives in decision making processes.”</i>	

143. Adding to the principles set above, Art. 5 mandates that spatial and urban planning should *“respect the local autonomy, based on the principle of partnership, transparency, decentralization of public services, public participation in decision making process as well as sustainable development.”*

144. The difference between the two policy and practice areas consists first in the territory level under consideration. While territorial planning refers mainly to the national, regional/zonal and county tiers, urban planning looks at a lower territorial level, be it an urban or rural settlement or a section of those. Both layers retain a strategic development oriented purpose as well as a regulatory control oriented one. However, the former has a more prominent strategic and integrative role while the latter retains a more detailed and concrete normative scope. The objectives of territorial planning and urbanism are laid out in articles 9 and 13 respectively, presented below, followed by what is presented as main and adjacent activities.

Table 6. Objectives of spatial and urban planning, according to Law 350/2001-2011

Art. 9: Main objectives of spatial planning	Art. 13: Main objectives of urban planning
a) <i>“balanced economic and social development of regions and areas, while respecting their specificities;</i>	a) <i>“Improve life conditions by eliminating dysfunctions, ensure access to infrastructure, public services and affordable housing to all inhabitants;</i>
b) <i>improve the quality of life of people and human communities;</i>	b) <i>Create the conditions for satisfying special needs of children, elderly and disabled;</i>
c) <i>responsibly manage natural resources and protect the environment;</i>	c) <i>Rationally utilize land, in agreement with adequate urban functions; controlled expansion of built up areas;</i>
d) <i>rationally utilize land.”</i>	d) <i>Protect and capitalize on natural and built cultural heritage;</i>
	e) <i>Ensure the quality of the build and planted environment of all urban and</i>



- rural settlements;
f) *Protect settlements against natural hazards.”*

Art. 14. The main activities of territorial planning and urbanism consist in the transposing, at the level of the entire national territory, of the strategies, policies and programs of sustainable development in a spatial perspective as well as monitoring their application in accordance with the special legal documentation approved.

Art. 15. Adjacent activities of territorial planning and urbanism refer to:

- a) *Research in the field of territorial planning and urbanism, elaboration of studies designed to substantiate strategies, policies and territorial planning and urbanism acts;*
- b) *Initiate, maintain, expand and develop the database of information and documents;*
- c) *Elaborate strategies and policies in the field;*
- d) *Endorse and approve territorial planning and urbanism documentations;*
- e) *Elaborate documentation with normative character or norms in the field;*

Monitor and control the transposition in practice of strategies, policies, programs and operations that pertain to territorial planning and urbanism.

145. Activities a) – c) retain a rather analytic and strategic role while points d) – f) imply control functions. Instruments and institutions regulated by this law are presented in the following chapters.

146. The context of this legal framework, as well as the aspects analyzed in the next chapters, must be seen in light of a lack of an overarching territorial planning or urban development policy. The L350/2001-2011 has indeed evolved in the past year to expand its both operational as well as strategic provisions. However, if the purpose of legal frameworks is to enable the implementation of strategies and policies in the referred field, than an analysis of the former is limited by the lack of the latter.

147. In essence, there is no policy document that lays out how territorial and urban planning can play a strategic role for development. A normative framework is created, and some guiding principles are provided, but one does not have a clear sense of how territorial and urban planning can play more than just a coordinating role.

148. The Ministry of Regional Development and Public Administration, through its Directorate General for Territorial Development, is indeed preparing a national territorial development strategy. This strategy will provide a solid foundation for revamping L350/2001-2011, if deemed necessary. All in all the amendments brought to the spatial planning law were re-active in nature, and punctual, rather than reflecting a clear understanding of territorial and urban dynamics and providing a comprehensive overhaul.



149. L350/2001-2011 designs a cascade of instruments of spatial and urban planning that are interdependent and should correlate vertically. Sequencing is therefore very important, as the elaboration of lower level plans should correlate and come after the elaboration of upper level plans. Each of the categories below is presented in the following subchapters.

Table 7. Overview of current spatial and urban planning documents

Type of plans	Technical approval	Approval
A. Spatial plans		
National Spatial Plan	Government	Parliament
Zonal Spatial Plan	<ul style="list-style-type: none"> ▪ MRDPA ▪ De-concentrated government institutions and interested territorial and local agencies 	<ul style="list-style-type: none"> ▪ County Council ▪ Local council ▪ General Council of Bucharest Municipality
<ul style="list-style-type: none"> ▪ Regional or inter-counties ▪ Inter-cities or inter-communes ▪ Borders ▪ Metropolitan, peri-urban for main municipalities and cities 		
County Spatial Plan	<ul style="list-style-type: none"> ▪ MRDPA, De-concentrated government institutions and interested territorial and local agencies 	<ul style="list-style-type: none"> ▪ County Council ▪ General Council of the Bucharest Municipality
B. Urban plans		
General Urban Plan and Regulations		
Bucharest Municipality	<ul style="list-style-type: none"> ▪ MRDPA, De-concentrated government institutions and interested territorial and local agencies 	<ul style="list-style-type: none"> ▪ General Council of the Bucharest Municipality
Municipalities	<ul style="list-style-type: none"> ▪ MRDPA, County council ▪ De-concentrated government institutions and interested territorial and local agencies 	<ul style="list-style-type: none"> ▪ Local Council
Cities	<ul style="list-style-type: none"> ▪ County council ▪ De-concentrated government institutions and interested territorial and local agencies 	<ul style="list-style-type: none"> ▪ Local Council
Commune	<ul style="list-style-type: none"> ▪ County council ▪ De-concentrated government institutions and interested territorial and local agencies 	<ul style="list-style-type: none"> ▪ Local Council
Municipalities, cities and communes which include tourist resorts	<ul style="list-style-type: none"> ▪ MRDPA, County council ▪ De-concentrated government institutions and interested territorial and local agencies 	<ul style="list-style-type: none"> ▪ Local Council (city or commune)
Zonal Urban Plan and Regulations		
Inner part of the city of Bucharest or other area of interest	<ul style="list-style-type: none"> ▪ MRDPA, De-concentrated government institutions and interested territorial and local agencies 	<ul style="list-style-type: none"> ▪ General Council of the Bucharest Municipality



Inner part of municipalities or other area of interest	<ul style="list-style-type: none"> ▪ MRDPA, County council ▪ De-concentrated government institutions and interested territorial and local agencies 	<ul style="list-style-type: none"> ▪ Municipal Council
Inner part of the city/communes or other functional areas of interest	<ul style="list-style-type: none"> ▪ County council ▪ De-concentrated government institutions and interested territorial and local agencies 	<ul style="list-style-type: none"> ▪ Local Council
Protected areas or areas under specific restrictions, as well as those that extend over the limits of a territorial administrative unit/including Bucharest municipality	<ul style="list-style-type: none"> ▪ MRDPA ▪ County council ▪ De-concentrated government institutions and interested territorial and local agencies 	<ul style="list-style-type: none"> ▪ Local Councils/General Council of Bucharest Municipality
Detail Urban Plan		
Buildings listed as historical sites as well as those situated in protected areas	<ul style="list-style-type: none"> ▪ MRDPA ▪ County council ▪ De-concentrated government institutions and interested territorial and local agencies 	<ul style="list-style-type: none"> ▪ Local Councils/General Council of Bucharest Municipality
Any other buildings	<ul style="list-style-type: none"> ▪ Interested territorial agencies 	<ul style="list-style-type: none"> ▪ Local Councils/General Council of Bucharest Municipality
C. Planning Regulation		
General planning regulation	<ul style="list-style-type: none"> ▪ MRDPA, De-concentrated government institutions and interested territorial and local agencies 	<ul style="list-style-type: none"> ▪ Government

Source: extracted from L350/2001-2011

Constitutional aspects of regulating property and users rights

150. One of the key components of spatial planning is defining user rights. Defining a forest as a protected area means that the owners of that forest cannot develop it. Similarly, zoning an urban parcel as ‘industrial’ means that the owner cannot develop a housing unit there. However, defining user rights can be even subtler than that, particularly in situations when defining the user right for one property may affect user rights for another. For example, granting a property owner the right to develop a skyscraper on his/her property, may significantly limit what the neighbors may be able to develop on their properties.

151. The planning law has some weaknesses stemming from the constitutional base of defining property rights. Several articles in Romanian Constitution set the basis for planning legislation, mainly concerning: (a) the organization of the national territory in administrative units; (b) the organization of central and public administration and the local autonomy; (c) the private and public property; (d) the property right as a basic citizen’s right. The Constitution



provides that “private property is inviolable, within the conditions of the organic law” (Art. 136) and also states “the general legal regime of property and inheritance” should be subject to an organic law (Art. 73). However, such a law has never been adopted therefore legal provisions with regard to property are stipulated in various laws (including the Civil Code and Law 18/1991).

152. It is actually the definition of property rights, as stated in the Constitution, which sets the base for the planning legislation. However, the constitutional provisions in this respect are rather general. The private property constitutes the subject of article 44 in the Constitution; here, the reference to the law that must state “the content and limits of property right” is made. In this article, both the expropriation – as a radical measure to take over a property for public interest cause (and detailed by Law 33/1994, replaced by laws 255/2010 and 205/2011) – and the “use of underground area of any real estate property for general interest works,” with due compensation, are mentioned. The same article states “the property right includes the obligation of respect of all *servitudes* [obligations imposed by law on property] concerning *environment protection* and *good neighborhood conditions*, and also the respect of other obligations which, according to law or tradition, are owner’s duty.” As vague as it may seem, this is the constitutional base for restrictions imposed on land and construction, by the planning legislation. This is reinforced by the provisions of article 53, which enumerates, among the situations in which the exercise of rights might be restricted by law: “defense of public health, [...] of citizens’ rights and liberties, [...] prevention of consequences of natural calamities, disasters or very grave events.”

153. In terms of the exercise of individual rights, the legislation on planning and constructions poses limitations such as: (a) total or partial restrictions on use of the property – in particular unlimited or temporary interdiction of building the property; (b) restrictions concerning the area of a plot that may be built or the amount of building that may be done on one plot (floor area ratio); (c) restrictions concerning the placement of the building related to plot limits (and thus, neighboring buildings), or the relationships between buildings on the same plot; or (d) restrictions (more subtle to define) concerning height, volumetric appearance or architectural features of the buildings.

154. The planning legislation and plans’ provisions and rules have to clearly define all the cases for these restrictions – in *which situation*, for *which purpose*, and *who institutes* the restrictions. Otherwise, as it happened in many cases in Romania, the plans’ provisions or building permit restrictions are “weak” in the Courts, which may in fact dismiss them, or worse (as often is the case, according to chief architects) they may impose/establish values for these plot use indicators.

155. The absence of the above-mentioned law regarding property rights (an organic law) results in the need for the Planning Law to be qualified as organic law and to clearly state in each case the restrictions mentioned above. As it can be seen in the following, this has to be correlated with spatial plans’ statute.



156. The local public administration authorities are defined in articles 120-123 in the Constitution and the entire organization and functioning of local public administration are stated by *an organic law* (Law 215, previously 69/1991). As a consequence, any provision of Planning Law that exceeds or does not build on provisions in the Law on Local Public Administration, is disputable, unless the Spatial Planning Law (350/2001) is or becomes *an organic law*.

157. The above two situations (relationships of spatial planning legislation with property right and with local public administration law) **are crucial both with regards to the system of plans and their power** (including planning processes) **and with regards to the legal status of planning and building restrictions** established by plans and planning rules. They are relevant also for the manner in *which* various plans might or might not supersede other plans; the way in which “inferior” plans will have to comply with plans above; or “superior” plans might take into account recently elaborated lower plans. Consequently, even if a hierarchy of plans is established, their correlation is not as simple, due to both changes in spatial evolutions and decisions taken at different levels.

158. As a conclusion to the above, the Romanian planning legislation needs to either (a) clarify the *restrictions* that might be imposed on property and duties for local authorities in planning, by giving *status of organic law to the Spatial Planning Law*, and thus limiting interpretations in courts; alternatively, officials should define, within the existing legal framework, *only those restrictive measures* that are working without being turned-over by courts.

Spatial Planning Instruments

National Level

159. According to L350/2001-2011 (art. 41), the National Spatial Plan (NSP) has a directive character and represents the synthesis of the medium- and long-term national sectoral strategic programs. All provisions of the NSP are mandatory for all other spatial planning documents that are actually meant to detail NSP provisions for different specific territories.

160. The NSP consists of several thematic sections stipulated in Law 350/2001-2012 (Art. 41 / Par. 4), namely: communication networks, waters, protected areas, settlements network, areas prone to natural hazards, tourism, and rural development. Other sections can be proposed as well. Sections are elaborated separately and each endorsed by a specific law. Up to the date of the current report, the following sections have been issued and approved:

- NSP Section I - Transport networks, endorsed by Law 363/2006
- NSP Section II - Waters, endorsed by Law 171/1997
- NSP Section III - Protected areas, endorsed by Law 5/2000
- NSP Section IV - Settlements network, endorsed by Law 351/2001, amended 2006, 2007
- NSP Section V - Areas prone to natural risks, endorsed by Law 575/2001
- NSP Section VIII – Areas with tourist resources, endorsed by Law 190/2009



161. The MRDPA website notes that two more sections on education infrastructure and, respectively, rural areas are currently under preparation.

162. The NSP Section I on Transport networks has been elaborated and endorsed in 2006. Resembling the Section II on Waters (the first section issued), the NSP Transport consists of a list of investment in upgrading, rehabilitating and extending different transport infrastructure segments. All types of transport are covered, including mentions on intermodal infrastructures. Besides this, provisions are relatively similar, stipulating the mandatory character of law provisions and the need for the public authorities to collaborate and allocate funds for its endorsement and implementation. The Transport section of the NSP is also correlated upward at the European level, indicating for example the pan-European transport corridors – in particular Corridor IV (which is now under construction), Corridor IX (linking Moldova to Bucharest and the border to Bulgaria), and Corridor VII (linking the South-West of the country to Europe).

163. The NSP Section II on Waters was the first section elaborated and endorsed in 1997. The document consists of a significant list of short term (1998-2005), medium term (2006 – 2015) and long term (2016 – 2025) works divided in three chapters: water for population, water for industry and water for irrigations (National Spatial Plan, Section II - Water, 1997). The few hundred projects mentioned include detailed information on the county, locality and waterway targeted. Other information covers works meant to improve drinking water supply, development of sewage systems, and rehabilitation of areas with water resources polluted by industry, rehabilitation or extension of irrigation systems. The law endorsing the NSP Section II Water stipulates that works listed “are of national interest and represent public utility cause” (Art. 2) and the provisions “are compulsory for the authorities of the public administration.” Also, Art. 5 provides that the works “shall be included in the investment lists annex to the budgets of the main credit release authorities, based on the technical and economic specifications, prepared and approved according to the legal provisions, and shall be financed in completion according to the funds assigned for this destination by the annual budget laws.”

164. The next NSP Section that has been elaborated covers protected areas (Section III), having been approved by Law 5/2000. The document consists mainly of an inventory of designated natural protected areas as well cultural heritage sites. Specific provisions regard the mandatory character of setting protection areas surrounding such protected sites as well as reference to the requirement to elaborate zonal urban plans for all protected built up areas.

165. Section IV Settlements network (or the system of cities) was issued in 2001 and has been subject to adjustments several times (2006, 2007). This section clarifies a series of important aspects such as criteria of distinction between territories designated as rural or urban, a ranking system to differentiate between perceived degrees of importance assigned to different settlements, and recommendations of policy approaches with regard to peripheral/profoundly rural areas. For instance, the NSP Section IV identifies a series of areas which, on a radius of 25 km, lack any urban settlement, and designates that in such areas there should be priority measures to either declare



new towns or support existing rural settlements to help serve the surrounding area. The NSP Section IV also sets out rules to declare new communes or upgrade existing communes to town status. The law explains the methodology behind the ranking system and the rank assigned is set to influence access to different types of investment programs as well as local fiscal rules.

166. Section V on areas prone to natural hazards was issued shortly thereafter and then endorsed by Law 575/2001. As the previous section, the NSP Section V makes an inventory of areas exposed to different natural risks ranging from earthquakes, flooding and landslides, presented in both lists as well as cartographic representations.

167. The NSP Section VIII on Tourism, issued and endorsed in 2009, suggests a methodology to estimate tourism potential of different areas in the country. Based on a clearly defined set of criteria, all communes and towns are marked with a score ranging from 1 to 100. The areas thus graded build on a map of each county illustrating different degrees of tourism potential.

168. The amendments to L350/2001-2011 in 2008 (Government Ordinance 27/2008) as well as 2009 (Law 242/2009) have introduced the Territorial Development Strategy, as a distinct national strategic document to be elaborated by the mandated ministry (Art. 14). This territorial development strategy is conceived as a long term programmatic document setting out guidelines for the development of Romanian territory (based on a strategic concept), as well as long term implementation frame for a horizon of 20 years, at regional, inter-regional, national scale, also integrating aspects relevant for cross border and transnational levels (Art. 14, Par. 3). An addendum to Art. 14 elaborates that the territorial development strategy must follow a specific set of strategic principles namely:

- a) *connecting the national territory to the European and intercontinental network of development poles and transport corridors;*
- b) *develop the settlements network and structure functional urban areas;*
- c) *promote urban-rural solidarity and appropriate development of different categories of territories;*
- d) *consolidate and develop a network of inter-regional links;*
- e) *protect, promote and capitalize natural and cultural heritage.*

169. In preparation of this territorial development strategy, the Ministry of Development, Public Works and Housing has elaborated, in 2008, a Strategic Concept for Territorial Development, *Romania 2030: A competitive, harmonious, and prosperous Romania*.³⁶ According to the law, the strategic concept should lay the basis of the Territorial Development Strategy, to be elaborated by the ministry under the auspices of the Prime Minister. The strategic concept represents a first strategic exercise integrating the principles set out by European documents such as The Leipzig Charter for European Sustainable Cities, the Territorial Agenda of the EU, as well as the Green Paper on Territorial Cohesion. As of the date of the present report, the national

³⁶ Available at:

[http://www.mdrl.ro/_documente/publicatii/2008/Brosura%20Conc_strat_dezv_teritorial a.pdf](http://www.mdrl.ro/_documente/publicatii/2008/Brosura%20Conc_strat_dezv_teritorial_a.pdf)



strategy for territorial development is in preparation, the MRDPA having already contracted part of the technical assistance required for its elaboration.

170. In addition to the documents mentioned above, the MRDPA is also currently preparing a National Strategy for Regional Development (NSRD), which should integrate and coordinate, at national scale, the regional development priorities. The NSRD elaboration is closely linked to the strategic planning for European funds for the next programming period, as Regional Development Agencies are currently preparing Regional Development Plans which should outline their needs and funding priorities for 2014-2020. The NSRD is thus perceived to bring together the work of the RDAs, ensuring inter-regional coherence and alignment to national level priorities in terms of reducing inter-regional development disparities.

Correlations with other strategic documents

171. The coherence of the strategic national spatial planning exercises has been assessed with reference to the NSP, as the national spatial planning documents, according to the law. Considering the themes covered by the NSP and its definition, by L350/2001-2011, as synthesis of sectoral strategic programs on medium and long term, inter-ministerial cooperation and joint effort in implementing its provisions are essential. Correlation of NSP has been evaluated relative to other strategic documents as well as vis-à-vis sectoral operational programs designed to direct disbursement of EU funds over the period 2007 – 2013.

172. NSP Section I – Transport networks. Both the Sectoral Operational Program (SOP) on Transport 2007-2013 and the Strategy for Sustainable Transport 2007 – 2013 – 2020 – 2030 elaborated by the Ministry of Transport declare compliance to the provisions of the NSP Section 1 Transport. However, the NSP Section 1 Transport lacks priority recommendation, containing rather a consistent wish list of transport works with no timeline proposed or priority earmarking. Coherence, in this context, is difficult to attain.

173. NSP Section II – Waters. The Sectoral Operational Program (SOP) on Environment includes an axis specially designed to fund water infrastructure including sewage, wastewater facilities, drinking water infrastructure, etc. (MEF 2012). No reference is made, all throughout the SOP Environment and adjacent applicants' guides to Law no. 171/1997 and the investment priorities included in the NSP Section II Water. Adding to this, works regarding rehabilitation and extension of irrigation infrastructure can be funded for both public and private beneficiaries via the National Rural Development Plan (Axis 1, Measure 125) (MARD, 2012). This programming document does not consider nor makes any reference to the priorities listed in the NSP Section II Water.

174. NSP Section III - Protected areas. With regard to protected areas, the sites that are object to Section III of the NSP lie under the jurisdiction of the Ministry of Environment and Climate Change (e.g., natural protected areas) or the Ministry of Culture (e.g., built-up heritage sites). Both ministries mentioned have issued laws and have designated departments/agencies that manage and protect the sites, none of these including any reference to the NSP. For instance,



with regard to heritage sites, the authority in charge with the designation of new such areas and updating the registry is the National Commission on Historical Monuments.³⁷ The legal framework guiding its activity has no reference or binding to the above-mentioned NSP.

175. NSP Section IV - Settlements network. The NSP Section IV regarding the settlements network is under no doubt the most cited section as it also includes most technical provisions. However, most strategic documents consulted refer to NSP Section IV as it regulates a series of methodological aspects – i.e., ranks of settlements of distinction between rural and urban settlements. Such correlation is less prominent with regarding to the strategic aspects and policy approaches suggested by NSP Section IV. For instance, the provision that requires priority actions to tackle profoundly rural areas with no urban settlements on a radius of 25 km is not mainstreamed into any of the National Rural Development Plan (NRDP) funding lines. Also, designation of potential new towns that the NSP suggests in such areas is not matched by any funding priority under the Regional Operational Program or other government funds. Moreover, as such towns would most probably be positioned under benchmark of 10,000 inhabitants they are excluded to start with from the list of eligible settlements to receive funding under the ROP.

176. NSP Section V - Areas prone to natural risks. The natural hazards that are covered by this NSP section are tackled by either the MRDPA (areas affected by earthquakes), or the Ministry of Environment and Climate Change (when it comes to floods and landslides). The National Strategy of Risk Management in Case of Floods 2010 – 2035 does not however do any reference to the NSP Section V. Interestingly, the strategy does refer to NSP Section IV when detailing responsibilities based on settlements ranks.

177. NSP Section VIII – Areas with tourist resources. The tourism section (NSP VIII) has been assessed in correlation to programming documents such as the Regional Operational Program 2007-2013 funding investments in tourism infrastructure (Axis 5) as well as the National Rural Development Plan (NRDP), funding similar investments in rural settlements (Measure 313). The former (ROP 2007-2013) does not consider, in project evaluation, the grading methodology for prioritizing investments funded nor includes any mentions to the NSP Section VIII. The NRDP does not ensure correlation either and, adding to this, it proposes its own distinct methodology of scoring tourism potential of rural settlements that substantiates funding decisions.

178. Correlation between different sections of the NSP should also be considered for analysis. A first prominent feature of the NSP sections is that they are not consistent in terms of type of content and provisions. For instance, NSP Water consists of lists of investments while NSP Protected Areas includes and inventory of these areas – outdated already, since the Ministry of Culture administers the registry for protected areas. As the NSP sections are elaborated separately, each covering a specific themes, and substantiation studies are not made public, it is difficult to assess to what extend priorities listed – in the

³⁷ Attributions of National Commission on Historical Monuments are available at; <http://inp.org.ro/hg-593>



sections that do contain priority investments – are correlated. What is obvious, however, in such a context, is that the NSP sections fail to fulfill their mission – that is, to ensure integration at territorial level of different sectoral strategies – since the NSP sections themselves are elaborated sectorally and they lack the integrated perspective. Adding to this, it is expected the newly initiated strategies for territorial development and, respectively, for regional development, will have overlapping missions, among themselves, on one hand, and with respect to various NSP sections, on the other hand.

179. Since the NSP assumes an integrative role at the territorial level among national sectoral strategies, a structure based on thematic sections may not be entirely suitable for such an endeavor. The fact that such sections are elaborated separately, with considerable time span differences and having different types of content and structure makes it difficult to ensure coherence and correlation among them. The selection of themes is also questionable as it is unclear where issues such as social or economic infrastructure are covered while some themes may be overlapping (for instance protected areas and tourism, waters and areas prone to natural hazards).

180. Preparing a comprehensive territorial development strategy, based on an extensive consultative process, may give a better indication of what type of sections the national spatial plan should include. It may turn out that some sections of the national plan do not really have relevance for lower level plans, while other sections that should be included are absent. In particular, L350/2001-2011 does indicate that spatial plans should include a strong socio-economic component. The national spatial plan gives no guidance in this respect though.

181. Also, the analysis of other national sectoral strategies reveals different degrees of understanding and engagement from the part of other line ministries with regard to the role and provisions of the NSP. While some ministries do mainstream spatial planning documentation provisions within programming exercises, most of them have only specific/limited mentions or no consideration to such legally endorsed plans.

182. Adding to this, the NSP itself is not conclusive with respect to monitoring and implementation attributions and how different sections link and should be mainstreamed in other programming exercises. As the current context shows, some sections (for instance those on water or heritage areas) seem to be parallel redundant legal frameworks with no obvious institutional or regulatory connection to the authorities mandated to deal with the respective policy areas that issue their own laws, strategic documents, and funding programs dealing with the respective sectors.

183. With reference to the connection between the NSP and other strategic planning exercises that the MRDPA is currently leading, the legal framework (namely L350/2001-2011), while mentioning both the NSP and the National Territorial Development Strategy (NTDS), fails to explain how these strategic documents should relate to one another. In parallel, the National Strategy for Regional Development is not mentioned in the law above, however



it is assumed as an endeavor by virtue of the planning architecture agreed for the 2014-2020 programming period.

184. Last but not the least, the analysis of national strategic planning documents, in conjunction with the overarching legal framework indicates a subtler missing layer. Linking back to Faludi’s conception of planning doctrine, as system of beliefs and principles underlying the practice of spatial planning, it is difficult to underline from this perspective what is the common theoretical ground of these instruments. The amendments of the legislative framework have developed a series of planning principles aligned to EU conceptual and policy framework. However, these are poorly captured in the existing national spatial planning documents. Therefore lower tier spatial and urban planning lacks the solid ground that could have ensured meaning and consistency.

County Level

185. The County spatial plans are, according to L350/2001-2011, mandatory spatial planning documents with directive character, which have to correlate with the NSP, zonal spatial plans as well as other sectoral government programs. These plans represent the spatial dimension of the county socio-economic development program. Their provisions are based on the regional and national spatial plan regulations and further detail long, medium and short terms measures to tackle problems and disparities identified in the county.

186. County spatial plans are initiated and elaborated by county councils. Unlike the case of urban planning documentations, the elaboration of county spatial plans is not guided by any methodological framework issued by central authorities (e.g., guides). According to the law, county spatial plans should proceed and condition the elaboration of General Urban Plans, the latter being meant to operationalize the provisions included in the former. However, an inventory elaborated by the MRDPA in 2010 revealed that 5 out of 41 counties did not have such spatial plans and 10 county councils were in elaboration or different approval/endorsement stages. Also, more than a third of all existing and approved county spatial plans (10 out of 26) were elaborated before year 2000, therefore, considering the validity of 5-10 years stipulated in the law, they could be considered obsolete.

Table 8 Status of the elaboration of County Spatial Plans

	With finalized and approved CSP	Out of which, CSP with elaboration date previous to year 2000 (therefore expired)	With CSP in elaboration or approval process	No or CSP	TOTAL
No of counties	26	10	10	5	41
% of all counties	63%	24%	24%	12%	100%

Data Source: Data processed from <http://mdrt.ro/stadiul-realizarii-planurilor-de-amenajare-a-teritoriului-judetean-2010> (valid for year 2010)

187. Considering these issue dates, it can be concluded that correlation between urban plans and county spatial plans has been difficult if not



impossible in many Romanian counties. Adding to this, the issue dates of different subsections of the National Spatial Plans (1997-2009), make that upward correlation difficult as well, since some of the NSP sections have been elaborated after 2005 (Section 1 – Transport networks, 2006 and Section VII – Tourist Areas, 2009) while other sections are still in elaboration.

188. To allow proper correlation, spatial plans should ideally be completed in a hierarchical sequence – with higher-level plans drafted first. If the lower level plans are drafted earlier than higher level plans, there is in essence nothing to correlate with. As far as spatial planning in Romania is concerned, the mechanics of the whole process are rather difficult and almost impossible to fulfill. A simple mathematical analysis can prove this point eloquently. Spatial plans are usually prepared for a 10-year period (at least county plans and urban plans). Preparing such a plan and getting it approved (which often takes longer than the actual plan preparation) takes in many cases around 3 years. Thus, if the national plan takes 3 years (assuming all its individual sections are finished at the same time), and the county spatial plan takes 3 years, than by the time the general urban plan is finished, the national plan has to be renewed. If additional layers are added in (e.g., a regional spatial plan, or a zonal spatial plan), it will be almost impossible to correlate lower level plans with higher-level plans – the latter will simply be outdated by the time this cascade of plans reaches the lowest levels.

189. Unlike urban planning documentations, the county spatial plan lacks a specific methodology that would guide its content and elaboration process. Content analysis of the county spatial plans available online does however show important similarities that may be attributable to the fact that there are few service providers on the market that are generally contracted for such assignments. A few common features:

- Complex and vast documentation. For instance, the CSP for Timiș County, currently posted online for consultation consists of no less than 2,355 pages (substantiation studies alone are 493 pages), excluding visual representations which are as well some several dozens. In most cases, the documentation is thus only partially made available online, in large downloadable files. It is a rarity to find a brief executive summary that would facilitate understanding by common people.
- The general content is structured in thematic substantiation studies, diagnostic analysis (identification of challenges and dysfunctions) and strategy formulation, all accompanied by visual representations (maps, cartograms). In few cases, issues related to implementation methodology, monitoring and evaluation are being covered.
- Focus on physical endowments rather than analysis, from a spatial perspective, of social and economic processes. Such a focus is, to a certain extent, understandable, considering the scope of spatial plans. However, the fact that aspects such as poverty, competitiveness, and sustainability are insufficiently covered is a significant gap – especially since L350/2001-2011 expressly asks for such an analysis.



Correlation with other strategic documents

190. It is common for county councils to elaborate county development strategies. This is nevertheless a provision of the Law for local public administration (215/2001) which indicates that it is the responsibility of county councils to adopt strategies and programs of socio-economic and environment development. Such documents are either general interdisciplinary strategic planning exercises or cover only a subset of themes (e.g., socio-economic development, tourism potential, etc.).

191. County development strategies, although not specifically set as mandatory, are more frequently used as strategic planning instruments than county spatial plans. An overview of county council webpages indicated that only 7 county councils did not have any such strategy published (out of which 2 acknowledge that CDS are in preparation), as compared to 23 which did not have published county spatial plans (see Annex 2). Adding to this, the analysis of county council web-pages for instance showed that county development strategies are generally made much more easily accessible and better promoted (e.g., direct link on homepage) than county spatial plans (which are generally posted under the urban planning departments, together with situations on planning permits).

192. Ideally, a county spatial plan should draw on the county development strategy and vice-versa. A strategy should be followed by an action plan, which, if it has an effect on space, should be laid out in a spatial plan. The strategy should include much of the substantive analysis that the spatial plan will draw on. However, while no methodology is made available for county spatial plans (CSPs), the content analysis shows that CSPs do contain sectoral substantiation studies, strategic priorities and objectives to guide the county development as well as lists of projects proposed. The fact that different contracted parties most probably elaborate such documents, at different moments in time, also implies a redundancy of effort, consultation process, and monitoring and implementation effort. Not to speak of the lack of correlation within the same administrative unit.

193. Another aspect to consider is that in many cases the county development strategies are elaborated and managed by distinct departments within the county council apparatus (i.e., department of strategies, projects, investments, EU Funding), while the Chief Architect Office manages the CSP. Often, inter-departmental cooperation as well as awareness/ownership of such strategic documents is poor.

194. Other strategic documents frequently elaborated by county councils include waste management plans, tourism development strategies, social assistance strategies, and risk management plans. Some county councils seem particularly active in terms of strategic planning, listing up to 7 different sectoral strategies besides the CSP and CDS³⁸.

³⁸ For example, Harghita, Vrancea or Vâlcea County Councils



195. The elaboration of county development strategies may have been incentivized by EU funds allocated for improving local strategic planning process under the Operational Program Administrative Capacity Development (OP ACD). This program subsidized local authorities to acquire technical assistance for elaborating development strategies. Under the current programming cycle, 10 county councils have accessed such EU funding to for the elaboration of county development strategies (MA OP ACD, 2012). This is an important aspect to highlight since lack of funds is often presented as an explanation for why county councils lack spatial plans.

196. Adding to this, and maybe even more importantly, most EU funding lines for public authorities specifically require applicants to mention how the projects that they solicit funding for are aligned to such development strategies. Interestingly, such funding request forms do not contain any requirements to justify strategic alignment of projects proposed for funding to urban and spatial plans, besides the usual planning permits that must accompany applications.

197. Other strategic documents often elaborated by county councils have also been made possible by the availability of funding, as well as through program design. The waste management plans, for instance, have been required as well as funded under the Environment SOP. The content of these plans is much more detailed and technical, presenting and recommending different solutions to improve collection and treatment of waste.

198. The correlation of county spatial plans with higher-level plans (e.g., national plan) is made easier if higher-level plans are simplified. The national spatial plan does provide a good structure in this respect. Its individual sections are relatively bare bones, and provide major guidelines for lower level plans (e.g., the national system of cities, major planned infrastructure, risk areas, protected areas, etc.). It is not hard to follow those plans. Other higher-level plans (e.g., regional and zonal spatial plans) are much harder to follow. They usually contain extensive analyses, a lot of data, and a plethora of maps. To this one can add the fact that regional and zonal plans have no legal bite – i.e., lower level plans do not necessarily have to correlate with them, although it is recommended that they do.

Regions - New Level Proposed?

199. The Zonal Regional Spatial Plan (ZRSP) is, according to L350/2001-2011, a zonal plan covering the territory of a region. It has a guiding character, coordinating the implementation of development programs and projects at regional level, in order to tackle specific sectoral problems.

200. According to the law, the Zonal Regional Spatial Plan is initiated and elaborated by the MRDPA and should substantiate the Regional Development Plans and ensure vertical coordination between the NSP and CSP. There are no specific provisions regarding the ZRSP in the law, and few such plans have been prepared (e.g., the North-West region has drafted one). The problem is that even if such plans are in place, it is not clear who has to implement them, and there is no legal provision that they should be followed. In a sense they serve more of a consultative and guiding role.



201. The Regional Development Agencies (RDAs) prepare Regional Development Plans (RDPs) as a foundation for accessing EU funds under the Regional Operational Programme (ROP). The RDPs are insular in their approach, as they are specifically designed for the accession of structural funds. Even when the plans themselves go beyond the scope of what can be funded through the ROP there is no administrative tier that could take such regional projects on. The RDAs themselves function as NGOs of public utility and are intermediary bodies between the Managing Authority of the ROP and beneficiaries. The RDAs also do not assume, according to Law 151/1998 and Law 315/2004 on regional development, which laid the basis of their existence, any spatial planning attributions.

202. To an extent, this is what has prompted the current Government to initiate an administrative reform towards introduction of regions as an administrative tier. The debate on the regional administrative tier has been going on for a number of years, and it primarily had economic motives at its foundation. Basically, Romania could access more EU funds if some of the operational programs were organized at the level of the regions. At the same time, the authorities managing the Regional Operation Programme, and the beneficiaries who access ROP funds, realized that the ROP itself would function more seamlessly if decisions were taken at the regional level. In fact, A World Bank survey has shown that 86% of ROP beneficiaries were satisfied with the work of the Regional Development Agencies.

203. One can arguably say that the administrative reform in Romania was driven by the desire to access more EU funds. As such, the creation of the regional tier should be thought of within this context. The way the regional system will look like is still uncertain. It is not known whether the regions will be kept as they are, it is not known what attributions they will have, and it is unclear what institutional frameworks will be created to help them function efficiently. The Government has the ambition however to finish the regionalization process by the end of 2013.

204. In what follows we will provide some recommendations for the regionalization process, with the caveat that these should be taken at face value. A proper analysis of this issue would require a separate and stand-alone project. The focus will be on spatial planning, and what spatial planning attributions should be devolved to a regional administrative tier.

205. One of the key principles that should be followed when organizing spatial planning at the regional level is the subsidiarity principle. In essence, one has to determine what will remain the exclusive competences of the central government, what will be shared with other administrative tiers, and what will be delegated. Whenever possible, functions should be devolved to the lowest administrative level that can fulfill those functions efficiently. Planning should be as close to the people as possible. The table below includes a potential configuration of the spatial planning system in Romania, with the regional tier included. It follows the current spatial planning configuration, but it offers no details on the potential distribution of competences. The next paragraphs will delve more into this topic.



Table 9. A potential configuration of the spatial planning system with the regional tier included

	Responsibilities planning instruments formulation	Național sistem	Sistem sub national- level 3	Sistem sub national- level 2	Sistem sub national - level 1
		MDRAP/NASP	region	county	city/commune
I	Planning Act	—————→			
II	Planning guidelines	—————→			
III	Spatial development policies national	—————→			
	regional→	—————→		
	county→→	—————→	
	city/commune→→→	—————→
IV	Spatial development programs national	—————→			
	regional→	—————→		
	county→→	—————→	
	city/commune→→→	—————→
V	Spatial development strategy national	—————→			
	regional→	—————→		
	county→→	—————→	
	city/commune→→→	—————→
VI	Spatial plans national	—————→			
	regional	—————→			
	county→	—————→		
	city/commune→→	—————→	
VII	Zoning regulation national	—————→			
	county→→	—————→	
	city/commune→→→	—————→
VIII	Planning certificate county→→	—————→	
	city/commune→→→	—————→
IX	Buildings certificate county→→	—————→	
	city/commune→→→	—————→



206. A simple way of determining regional competences is by following administrative boundaries. For example, national level spatial planning issues, such as the national transport network, national waterways, protected areas, should be the exclusive competence of the central Government. These issues cross regional boundaries, and require a holistic vision. Issues such as the system of cities, natural risk areas, tourist areas, and heritage areas, could be a shared competence between the national government and regional governments. More specifically, the central government can provide some guidelines for these respective issues, but spatial planning attributes in these areas could be devolved to regional governments.

207. A second issue to be taken into consideration is the level of autonomy regions will receive. If they were designed to have a high level of autonomy (e.g., fiscal autonomy), then a large share of spatial planning attributions would fall within their competences.

208. Looking at lower-level administrative tiers, it will be important to determine whether counties will be kept as such, or whether regional governments will absorb their functions, partly or wholly. For example, solid waste management systems are organized at the county level, and could be kept at that level. County councils also do planning for the water and wastewater networks, although these systems often cross county boundaries (i.e., they serve two or more counties). Infrastructure development could be a shared competence of regional and county governments, with regions being responsible for developing regional infrastructure, while counties could be in charge of developing and maintaining country roads. As is shown by the experience of other countries that have undergone a regionalization process (e.g., Spain and Poland), spatial planning responsibilities mainly sit with municipalities and regions, with little spatial planning responsibilities allocated for the central government and counties.

209. Land use and zoning decisions should ideally be devolved at the lowest level possible. This will mean that localities with a spatial planning department will be in charge of devising their own zoning ordinances. When a locality (especially a rural one) does not have a spatial planning department, spatial planning functions should be taken on by a higher administrative tier. Ideally, the higher administrative tier will be as close to these localities as possible and county governments could fulfill this function better than regional governments.

210. Spatial planning considerations should play a key role in how regional development strategies and plans are drafted. Currently, the Regional Development Agencies do not have clearly assigned spatial planning departments. It is true that most of them have on staff people with a spatial planning background (e.g., GIS specialists, urbanists, architects), but none of them prepare spatial plans. Basically, the regional development plans are purely operational in nature, and are implemented either by local authorities or by county authorities. It is not clear what function the RDAs will play within the new administrative framework, but it will be important to take advantage of the experience they have developed in regional management and planning.



211. Finally, since the regionalization process is likely to be quite complex, it may pay off to do it in stages. More specifically, the Government could start with a “light” regionalization, taking advantage of the functioning RDAs, their regional managerial experience, and the regional development plans they have prepared. This will allow a more seamless transition to a new administrative tier, and it will enable the least amount of disruptions in the preparation and implementation of EU operational program for the 2014-2020 programming period.

Zonal Level

212. A fifth tier that is considered in spatial planning is the zonal one. Zonal spatial planning is required for areas with distinct characteristics (geographical, economic, social, environmental, etc.), which do not fall neatly within one of the administrative tiers mentioned above. These plans are usually commissioned by the Ministry of Regional Development and Public Administration, by county councils, or by associations of localities, to address spatial planning issues at the inter-county, inter-municipality, inter-community, peri-urban, or metropolitan level. For example, the zonal spatial plan for Valea Jiului looks for spatial solutions in an area with a myriad of dis-affected mines and high unemployment. The zonal spatial plan for the Apuseni Parc identifies solutions for the management of natural, economic, and human capital resources in a mountainous with tourism potential.

213. Correlation with zonal spatial plans is usually not done, as these are not statutory plans. They may offer guiding principles and general directions, but they are not mandatory for lower level plans. Quite the contrary, zonal spatial plans should take normative plans into consideration, even when these are drafted at a lower level.

Urban Level

214. The local planning documents referring to towns (urban settlements) or communes (rural settlements) consist, according to Law 350/2001-2011, of the following urban planning documentations:

- General Urban Plan (GUP) together with the adjacent local planning regulation; the GUP has a directive character and includes operational regulations, thus being the legal basis for implementing development programs and actions. (A more detailed discussion on GUPs is included in Annex 3).
- Zonal Urban Plan (ZUP) with the adjacent local planning regulation; The ZUP is an urban planning instrument which contains specific regulations pertaining to specific territory (areas composed of several communes and/or towns – which include metropolitan areas, areas spanning over county administrative limits, or regions). Its role is to coordinate the “integrated urban development of specific areas which are characterized by a high degree of complexity or a pronounced urban dynamic” (Art. 47, Par. 1). The same article stipulates that the ZUP ensures the correlation of integrated urban development programs



with the GUP. (A more detailed discussion on ZUPs is included in Annex 4).

- Detail Urban Plan (DUP); DUP is a planning document resulting from an urban planning process regarding a specific territory. The scale in this case is a smaller one, having a regulatory character for a single land plot. The elaboration, endorsement and approval processes are also less complex, as the document does not include new regulation but rather details on existing ones provided in the ZUP or the GUP. (A more detailed discussion on DUPs is included in Annex 5).

215. The 2011 amendments to the law have introduced a new integrated territorial planning document referring to metropolitan areas. Such Metropolitan Territorial Development Strategies should lay the basis for GUPs of all component localities, namely the polarizing city as well as the peri-urban communes. Since this is a recent amendment, no adjacent methodologies have been issued yet.

216. The urban planning documentations have a specific directive character, setting out rules that apply directly to settlements or parts of settlements, down to the level of cadaster land parcels, constituting mandatory elements for issuing planning certificates (Art. 3 of Law 350/2001-2011). The GUP can identify and designate areas object to regulations that cannot be amended by zonal urban plans or detail urban plans. Such provisions are clearly stipulated in the Local Planning Regulation. The Local Planning Regulation, which accompanies the GUP, consists of a set of detailed provisions elaborating on aspects such as land use, placement or volumetric constraints, etc. of buildings or public spaces/ green areas.

217. Although GUPs are mandatory planning documents with a specific validity period (5-10 years), the map below reveals that most local administrative units have obsolete planning documentations. The status varies from county to county, whereby in counties such as Tulcea up to 98% of local administrative units do not record having a valid GUP while in Călărași 85% of local administrative units record GUPs elaborated in the last 6 years, and only 10% of local administrations are behind the requirements. These significant differences between counties reveal an important role of the county authority in supporting local authorities to comply with such planning regulation requirements.

218. There are also differences in terms of urban versus rural localities; however, those are not at a significant scale. 67% of all urban localities have expired GUPs as compared to 62% of all rural localities. A breakdown on size groups shows the largest share of localities with expired GUPs are cities with a population larger than 100,000 (83%).³⁹ This is indeed a very interesting finding, as it shows a higher rate of poor spatial planning practice in large cities, where spatial planning tools are usually most needed.

³⁹ The size groups have been computed based on demographic size per year 2008.



Figure 26: Spatial distribution of local public administrations by year of GUP approval

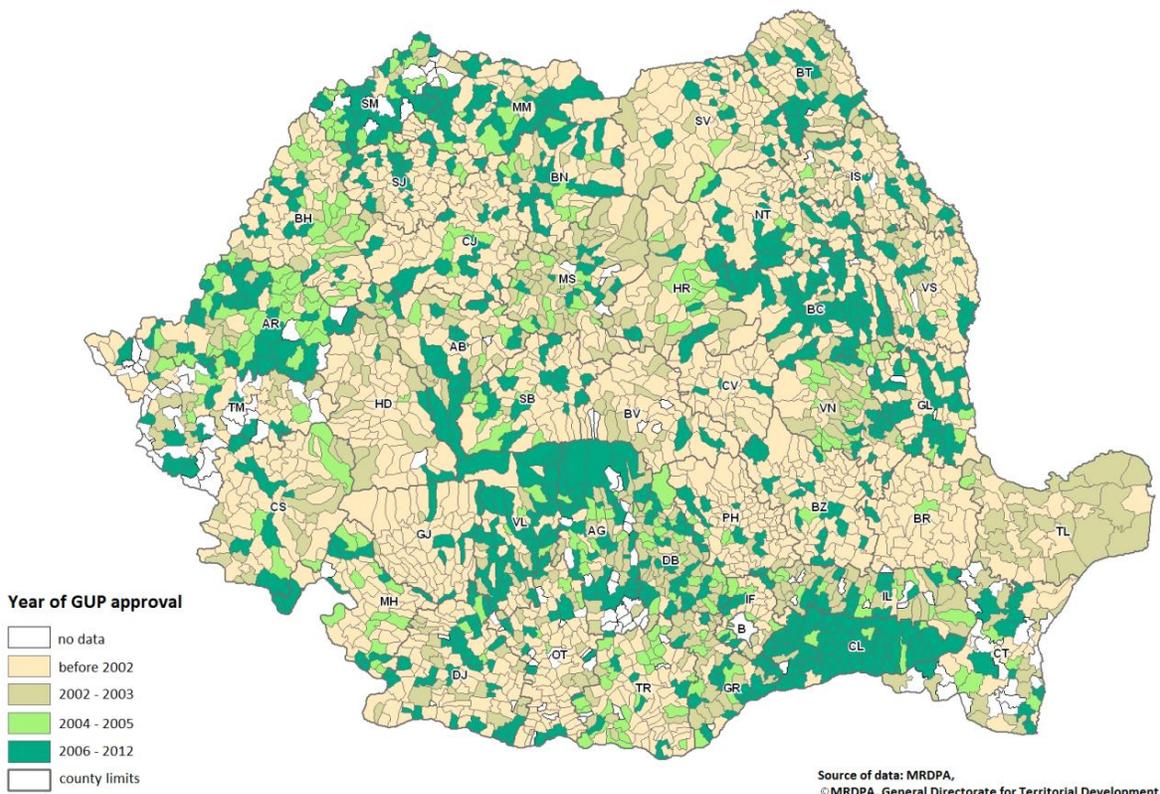
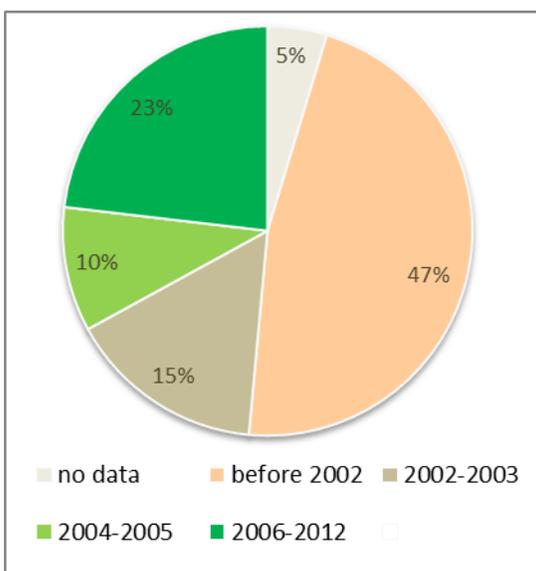
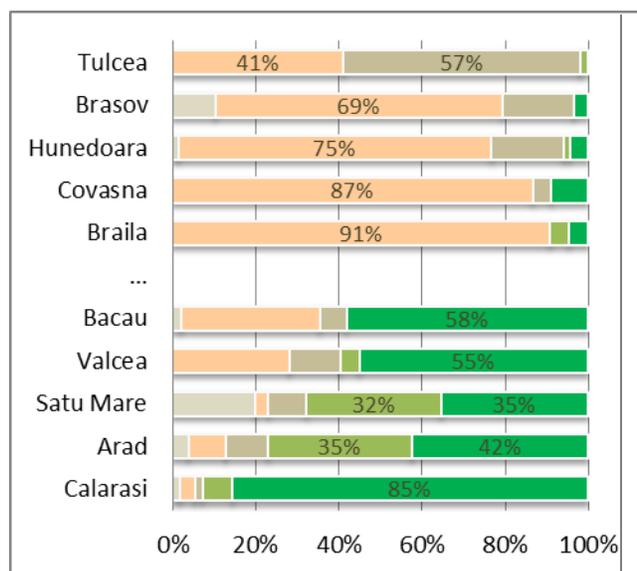


Figure 27: Share of local public administrations, by year of GUP approval



Source: MRDPA (2012), data processed by author

Figure 28: Ranking of counties by number of local public administrations having obsolete GUPs (approved before 2003)





219. In terms of content, urban planning documentations have corresponding methodologies endorsed by law. For GUPs, the methodology has been issued in 1999, so it builds on the legislative framework that was in place before the issue of Law 350/2001-2011 on spatial and urban planning (namely Law no 50/1991 regarding building authorizations and measures for housing construction, republished). For this reason, the guide is behind a number of current legislative provisions, including more recent amendments of Law 350.

220. According to Law 350, GUPs should be elaborated based on the local development strategy of the respective town/commune and correlated with the budget and public investment programs of the locality. This provision has been introduced rather recently (with the law amendment in 2008) and should be however considered in conjunction with the GUP methodology that unfortunately has no/too few mentions on the connection and interrelation of GUP with other strategic documents.

221. Another more recent law amendment (from 2011) detailed that the GUP also assumes a strategic role and not just a directive character (Art. 42, Par. 1, reformulated by EO 7/2011). This represents another inconsistency between Law 350/2001 and the GUP methodological guidelines, which approach the GUP from a more narrow regulatory scope. The recently re-enforced strategic scope of GUPs sets the ground of a debate on whether a GUP is sufficient as a strategic and directive planning document for towns/communes, or whether the local development should integrate part of the GUP. Another alternative is to see these two documents as separate, but complementary strategic planning documents.

222. The planning instruments above have been complemented, in recent years, by integrated urban development plans, which were a precondition for cities to attract EU funding under the Regional Operational Programme. Funding has been made available under Axis 1 "Sustainable Urban Development" for local public administrations governing municipalities/towns to elaborate such plans as well as implement them. This has been indeed an innovative instrument that made funding available for both strategic planning and project implementation. Table 10 below shows the different target groups of this funding. For all three funding lines, funding beneficiaries could be individual local authorities, inter-community development association or partnerships between local authorities. Particularly in the case of growth poles, such IUDPs were indeed elaborated by inter-community development association established to govern the respective metropolitan areas as well as monitor de plan implementations. In the case of urban development poles and urban centers, the IUDPs were elaborated and submitted by individual city municipalities, the projects covering clearly defined areas of urban action, be it the town center, another perimeter with specific aspects to be tackled or the whole town itself. For instance, a large local authority such as Sector 2 Bucharest has elaborated an IUDP for Baicului Area and is currently implementing the adjacent portfolio of projects (sub-domain "urban centers"). Other smaller municipalities have elaborated such plans based on an analysis and covering interventions on the entire municipality.



Table 10. Funding lines for integrated urban development planning under Axis 1 of ROP

Category	No of potential beneficiaries	Target group	Actual beneficiaries
1 National growth poles	7	Braşov, Cluj-Napoca, Constanţa, Craiova, Iaşi, Ploieşti and Timişoara, as designated by GD 998/2008	7
2 Urban development poles	13	Arad, Baia-Mare, Bacău, Brăila, Galaţi, Deva, Oradea, Piteşti, Râmnicu-Vâlcea, Satu Mare, Sibiu, Suceava, Târgu-Mureş, as designated by GD 998/2008	13
3 Urban centres	181	Towns over 10,000 inhabitants, not covered by any of the categories above	75

Source: data processed from database of beneficiaries and payments available on inforegio.ro and National Institute of Statistics (Tempo database)

Correlations with other strategic documents

223. As in the case of counties, the proliferation of strategic planning documents is staggering. Where the existence of such documents formally conditioned access to funds (i.e., the case for IUDPs), there is a plethora of strategies. The methodology included in the ROP funding guides make these documents rather homogenous. Even though IUDPs for growth poles should also cover peri-urban areas, the number and diversity of projects targeted to the peri-urban settlements is limited as compared to those planned for the central city. Also, management structures reveal the rather weak capacity of inter-community development association, which in very few cases engage as contracted beneficiary for adjacent projects.

224. The overlap between local development strategies and GUPs is prominent. However, only two of the analyzed municipalities (the growth poles) had full GUP documentation online, three out of seven having no spatial plans on-line, while the rest only posted single cartographic representations. The GUPs generally have a local strategy component, besides a much more complex set of supporting substantiation studies, problem identification diagrams and visual representations of solutions suggested. The local development strategies, as standalone documents, are generally made more visible, user friendly and accessible, in terms of content.

225. The quality and relevance of the data used in the GUP elaboration process are critical for the quality and relevance of the planning documents resulted. While the methodological guide does mention an indicative list of (basic) data to be analyzed, no recommendations are made with regard to time references, statistical units/scale, or privileged access to statistical sources. Since planning documentations analyze and regulate intra-urban aspects, using statistics aggregated at municipality/town/commune does not meet the need to inform decisions and regulations directed at sub-sections of the respective settlements. Indeed, promoting and enforcing better statistical accuracy is also reliant on other regulatory changes regarding the Romanian statistical infrastructure that may exceed the object of the current report. However, this aspect must be considered in any endeavor aiming to improve the quality, reliability and credibility of planning exercises.



Table 11. Strategic documents of local authorities governing growth poles in Romania

Growth pole	General Urban Plan	Integrated Urban Development Plan (for the Growth Pole Area)	Local development strategy	Other strategies
Braşov	Elaborated in 2010, not available online	Integrated Urban Development Plan for Braşov Growth Pole	Local Sustainable Development Strategy Braşov 2030 (elaborated 2011)	<ul style="list-style-type: none"> Local Agenda 21 for Braşov Municipality (elaborated 2005) Sustainable Development Strategy for the Braşov Metropolitan Area 2012 - 2020 (elaborated in 2011 with EU funds under PO DCA)
Cluj Napoca	Updated in 2012, currently in approval	Integrated Urban Development Plan Cluj Napoca Metropolitan Area 2009-2015	Development Strategy (elaborated 2006)	<i>No data</i>
Constanţa	<i>No data</i>	Integrated Urban Development Plan Constanţa (elaborated 2010)	<i>No data</i>	<ul style="list-style-type: none"> Local Agenda 21 (elaborated 2008, horizon 25 years)
Craiova	Elaborated in 1997, only partially available online	Integrated Urban Development Plan for Craiova Growth Pole	Local Development Strategy (elaborated 2006)	<i>No data</i>
Iaşi	<i>No data</i>	Integrated Urban Development Plan Iaşi Growth Pole 2009-2015	Economic and Social Development Strategy Horizon 2020	<ul style="list-style-type: none"> Local Agenda 21 (elaborated 2002, horizon 25 years)
Ploieşti	Elaboration date unknown, only partially available online	Integrated Urban Development Plan Ploieşti – Prahova 2025	Development Strategy 2007 - 2025	<ul style="list-style-type: none"> Local Agenda 21
Timişoara	Elaborated in 2012	Integrated Urban Development Plan Timişoara 2010 - 2015	Local Development Strategy (outdated)	<ul style="list-style-type: none"> Masterplan Timişoara Metropolitan Area (2009), Local strategy on climate change Local strategy on green spaces

Source: data processed from city hall webpages

226. Planning methodologies can and should have a significant role in guiding local planning processes toward achieving wider national policy frameworks and objectives. Similar documents prepared in other countries abroad emphasize more ways in which national objectives and priorities as well as overarching planning principles should be reflected in local planning processes. Examples of such issues include: recommended planning approach for ensuring vitality of town centers or fostering architectural quality, recommended planning policies and regulations to boost town competitiveness and support land and property markets function for the benefit of local communities and economies, national approach and recommended actions for mitigating urban sprawl etc. Such orientation included in a methodology is thus provided upfront, in the form of planning guidelines. The current GUP methodology does consider this need but rather post-factum, at the end of the



planning process, in the form of endorsement rights by line ministries. This approach may miss the objective of ensuring alignment to national policies (i.e., there is less incentive to consistently adjust a document that has already been drafted) plus it may lead to waste of resources as well as increase the time and bureaucracy required in the elaboration of planning processes.

227. This is, obviously, favored by the lack of consistent planning and urban development policies. It seems that currently, the spatial planning system is overtly reliant on laws, operational programmes and statutory acts, elaborated at different territorial levels but which are not preceded by public policies that could offer the common ground for interpretation and approach towards specific challenges (i.e., *“the planning doctrine”*) as well as design the implementation and funding requirements for those.

228. Most notably, there is no clear policy and strategy on urban development. It is at the urban level where spatial planning can play the most strategic role. It is cities where spatial dynamics are the most pronounced, and where space is molded and changed on a daily basis. However, there are few analyses highlighting urban dynamics and spatial challenges. In a sense, the regulatory framework and delegated institutions have only a spurious notion of what exactly they are trying to solve. Moreover, a large number of cities do not seem to see spatial planning as a strategic tool to be used for sustainable development. 83% of the cities with a population of 100,000 or higher in Romania currently lack a GUP, or have an expired one.

229. Overall, local authorities seem to prefer drafting documents that seek to give their cities a strategic direction. There are more updated local development strategies than there are updated GUPs – and this although the law does not mandate local development strategies. Moreover, many local authorities have also been keen to draft sectoral strategies that respond to a particular direction envisioned for the city (e.g., tourism development, competitiveness, sustainable development, etc.). This is another indication that spatial plan are not perceived as playing a strategic role in driving development locally, and one of the key issues that needs to be addressed.

230. In addition, the multiplication of local planning documents, be it GUPs, local development strategies, IUDPs or Local Agenda 21 will inevitably lead to a closer scrutiny of these plans, what they hope to achieve, and the extent to which they are actually correlated. The overall objective of these plans and strategies is implicit, since all aim to set visions, strategic priorities and objectives. In the end however, these multitude of documents may in fact dilute the meaning and purpose of strategic planning.



Institutional Framework

Distribution of Competences

231. Chapter III of L350/2001-2011 describes the attributions of different layers of public administration: central, county, and local level. A few aspects are worth highlighting. The central administration takes on a coordination and endorsement role of all spatial and urban planning system. The mandated ministry elaborates the national as well as regional spatial plans (on different thematic sections), and endorses the spatial and urban planning documentations for lower territorial levels (namely counties, cities – county residences and other rural and urban settlements, which act as tourist resorts). Both the mandated ministry and the county council can require local councils to ‘elaborate or amend a spatial planning or urbanism documentation in view of better compliance, detailing or applying government sectoral strategic program provisions, abiding by the general interests of the state’ (Art 20). Once approved, urban planning documents, together with planning regulations, are opposable in court (Art. 49, par. 3).

232. Amendments to Law 350/2001-2011 introduced in 2006 also imposed a series of sanctions (consisting mainly of fines) against administrations that do not comply with the legal provisions. Such amendments have been considered and helped a lot with the enforcement of the existing law (an issue that continues to be a problem). The effectiveness of sanctions depends on the control capacity of mandated institutions, but it also raises more questions on whether law enforcement is difficult due to low local capacity (and thus requires support measures rather than penalties) or due to intentional breaches of the law’s application.

Responsibilities of central public administration (Art. 17, 18, 19, 20 of Law 350/2001-2011)

233. The spatial and urban planning activity at the national level is coordinated by the Government, through the MRDPA, as the specialized central government body in the field of spatial and urban planning. The MRDPA retains the following responsibilities in the field:

- Elaboration of the National Territorial Development Strategy as well as Zonal Regional Spatial Plans, substantiating the regional development plans;
- Elaboration of the General Urban Planning Regulation;
- Elaboration and approval of normative acts related to the activity of spatial and urban planning;
- Cooperation with ministries and other bodies of central public administration for substantiating the strategic sector programs from a territorial perspective;
- Cooperation with the regional development councils, the county and local councils, and pursue the implementation of the governmental programs and guidelines in the field of spatial and urban planning at the regional, county and local level;



- Approval of spatial and urban planning documents, according to the competencies established in the current law.

234. The Directorate General for Territorial Development represents the functional spatial planning department within the MRDPA. It fulfills its duties in the specific field of activity and is in charge of national and regional spatial planning and development, territorial cooperation, urban planning and spatial planning, management and development of urban and real estate programs, and housing.

235. Line ministries and other central public administration bodies convey to the MRDPA, upon request, all the information necessary for the spatial and urban planning activities. The Ministry can request local public administrations to draw up or modify documents on regional and urban planning with a view to expanding, detailing, or applying provisions included in the strategic sector programs of the Government, as well as for the general interests of the state to be observed.

236. The National Institute of Research and Development URBANPROIECT and the Documentation Centre for Constructions, Architecture, Urban and Spatial Planning were developed under the coordination of Directorate General for Territorial Development. The above institutes were established in order to carry out the activity of scientific research and technological development in the urban planning and spatial planning field. The former, however, is now under the mandate of the Ministry of National Education. URBANPROIECT is one of the key players involved in the elaboration of spatial plans in Romania. Given that there are few specialists in the field, and even fewer specialized companies, URBANPROIECT has been responsible for drafting a significant share of spatial plans in Romania.

237. Spatial planning is technically done also by a number of line ministries. Basically, line ministries first draw spatial plans before these are captured in the national spatial plan. Thus, the Ministry of Transport creates a spatial plan showing where new highways will be constructed, where existing railways will be rehabilitated, or where a new bridge of national importance will go. Similarly, the Ministry of Environment creates a spatial plan with the natural protected areas in the country, the pollution hot spots, and areas where riverside management will be undertaken. The Ministry of Culture provides a list of all buildings with historical value and their location.

Responsibilities of Local Public Administration – level 2/County Council (Art. 21,22,23,24 and 24¹ of the Law 350/2001-2011)

238. The County Council establishes the general orientations regarding spatial planning and the organization and development of localities, on the basis of spatial and urban plans. For this purpose, it coordinates the activity of Local Councils and provides technical assistance to them. County Councils are supported by the Ministry of Regional Development and Public Administration, as well as by ministries and bodies of the central public administration.



239. Recently, article 24¹ introduced a new provision in Law 350/2001-2011, which indicates that the president of the County Council, through its Chief Architect, holds the following responsibilities in the field of spatial and urban planning:

- Ensures the elaboration of territorial development strategies and holds them for approval by the county council;
- Ensures the elaboration of spatial plans;
- Proposes the association, under the law, of counties with communes and interested cities and coordinates the elaboration of zonal spatial plans;
- Recommends the spatial plans for the county council's approval, based on the technical referee of the chief architect;
- Acts for the enforcement and implementation of approved spatial plans provisions.

240. The County Council ensures that the provisions included in the national and regional spatial and zonal plans are taken into consideration by county spatial plans, as well as by all urban planning documents published within the county boundaries and jurisdiction. In addition, it ensures the elaboration of the County Spatial Plan and approves it according to the law.

241. The County Council can ask Local Councils to draw up or update documents on spatial or urban planning with a view to the implementation of the provisions included in the county development programs. The request is sent to the County Council accompanied by the description of the grounds for the decision of the County Council and the deadline for drafting or modifying the documents. In carrying out its responsibilities for spatial and urban planning, the County Council should be using centralized information at the county level from all domains.

242. The ministries and other bodies of the central public administration should supply free of charge information, from their fields of activity impacting the territory of the respective county, to the county and local authorities, while the County Councils should provide information on the economic, social, and urban planning and development of the component localities.

Responsibilities of Local Public Administration - level 1, cities and communes (art. 25, 26, 27 and 27¹ of the Law 350/2001-2011)

243. The Local Council coordinates and is responsible for the entire urban planning activity carried out in the territorial administrative unit and ensures observance of the provisions included in the approved documents on spatial and urban planning. The Local Council cooperates with, and is supported by, the County Council, for the activity of spatial and urban planning. More specifically, article 27¹, introduced by recent amendments to Law 350/2001, warrants that the mayor, through its chief architect, has the following responsibilities in terms of urban planning:



- a) Ensures the elaboration of territorial and urban development strategies and recommends them for approval by the local council (general council, in the case of București);
- b) Ensures the elaboration of urban plans under the competences of local public authorities, according to the law;
- c) Recommends for approval by the local council /respectively the General Council of București, based on the technical referee of the chief architect, the planning documentation, regardless of their initiator; acts for the enforcement and implementation of urban documentations provisions.

244. In the process of drawing up the urban planning activities, the Local Council cooperates with businesses and NGOs at national, county, and local level. In carrying out its responsibilities for spatial and urban planning, the Local Council uses information from all economic and social areas of activity. The decentralized public services of the ministries and other central bodies, businesses, non-governmental organizations, and bodies that operate at the local level provide the necessary information, free of charge, for the activity of spatial and urban planning.

245. Units specialized in the field of spatial and urban planning operate within the County, Municipal or City Council, and within the General Council of the Municipality of București. These units are headed by the chief architect of the county, municipality or city, and by the chief architect of the Municipality of Bucharest, respectively. A civil servant – an architect or urban planner who graduated from a long-term higher education institution – holds the position of chief architect. The chief architect cannot, by law, be subordinate to another public official within the public administration unit he/she is part of. This measure ensures that the chief architect can exercise the inter-sectoral coordinating role that the position implies.

246. Other layers of public administration with responsibilities in the field of spatial planning include the metropolitan level. The inter-community development associations (IDAs) created in this sense are meant to facilitate elaboration and implementation of integrated development plans covering the urban and peri-urban areas of the growth pole. The IDAs are a relatively new type of structure, constituted according to Law no. 215/2001 of local public administration and Law no. 51/2006 on community services of public utilities. While designed as a first exercise of cooperation and metropolitan governance, the funds disbursement for growth poles under Axis 1 of the ROP show that 79% of the funding has been disbursed so far via the local authorities governing the cities themselves (data processed from ROP MA, 2012). Only 0,7% of the funding has been guided through the IDAs, which suggests a rather symbolic status and a poor capacity of these associations. Further analysis shows that actually only two IDAs corresponding to the Constanța and Brașov metropolitan areas have managed to get involved in the actual implementation of projects that crossed the metropolitan boundaries of the center cities.



Institutional Capacity

247. It is quite obvious for anyone doing spatial planning in Romania that good laws, well-crafted plans, and good coordination are not enough for enabling an efficient spatial planning system. Institutional capacity is just as important, if not more important. Without the right number of people and without the proper skill mix, the best plans in the world amount to nothing. Similarly, without the proper data required for research, strategies, policies, and plans, one cannot conduct spatial planning functions efficiently. Lastly, without the financial resources required to initiate plans and complete them, there may be nothing to coordinate, and spatial planning loses its purpose.

248. Spatial planning systems are the sum of their parts. If one of the parts is not working properly, the system as a whole suffers. It is therefore critical to look at ways in which the system as a whole can be improved – not just the respective laws, guidelines, and plans. In what follows, we will discuss in more detail issues pertaining to human resources, data, and financing.

Human Resources

249. The attraction and retention of qualified personnel is a general problem for the public administration system in Romania. This is even more of an issue since the profession of spatial and urban planning is a relatively new qualification in Romania. The first urban planning school was set up in 1997 under the Ion Mincu University, București, which implies that the first generation of graduates in urban planning was registered at the beginning of the 2000s. Such qualifications were gradually developed in other university centers as well (e.g., Cluj Napoca, Iași) and all have the common feature of originating in architecture schools and being hosted in universities with a technical profile. This implies that interdisciplinary training and cross-fertilization with other disciplines (economics, social studies, geography, environmental studies) has only been gradually developed, in the last years, supported by the development of a series of postgraduate programs opened to graduates of different fields as well.

250. Since all planners accredited to sign spatial and urban planning documents are listed in the Romanian Register of Urban Planners (RUR), the situation presented in the table below gives a vivid, accurate portrayal of the limited number of accredited planners in the country (187 individuals recorded by end of 2012). The situation is even more worrisome when looking at specific qualifications – for instance, there are only 15 planners with certified expertise in urban economy, 29 in environmental quality and 33 in urban sociology. For the country as a whole. And, it is not clear how many of these professionals are actually active, or just registered in the database. On the other hand, it is known that without being registered in the RUR, planners cannot sign any spatial plans.



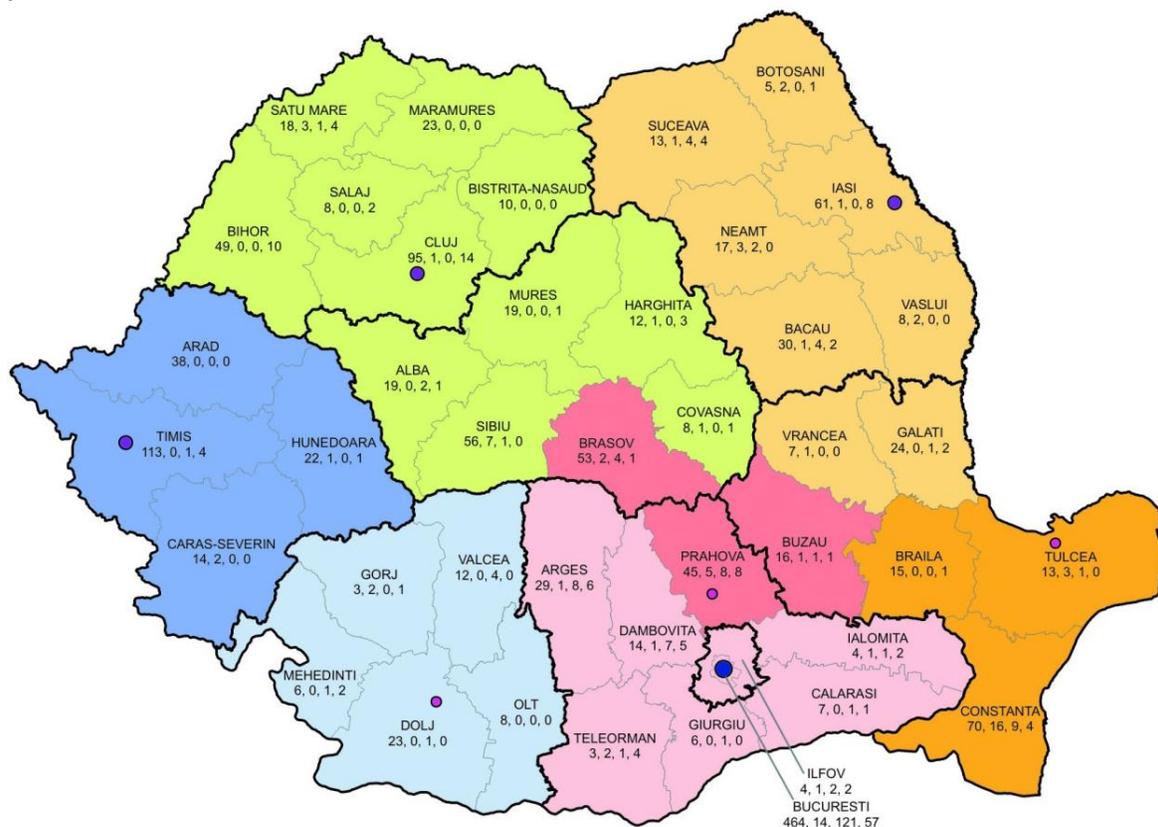
Table 12. Number of accredited planning specialists listed in the Romanian Register of Urban Planners (as of Dec. 2012)

Accredited architects	1466
Accredited urban planners	187
Accredited lead architects	78
Experts accredited in areas adjacent to planning	153
Total	1884
<i>Out of these, with certified expertise in (examples):</i>	
Urban sociology and demography (expert code G2)	33
Urban economy (expert code G4)	15
Environmental quality (expert code G3)	29

Source: data retrieved from Romanian Register of Urban Planners processed by the authors, www.rur.ro

251. The map below presents the geographic distribution of certified planners throughout the country. A striking feature revealed by this figure is the massive concentration of certified planners in București. Actually, two thirds of urban planners registered in RUP are located in București and almost half the counties do not record any such accredited planner. 10 of the 15 planners certified in urban economy are registered in the capital.

Figure 29. Distribution per counties of accredited architects and urban planners



Source: Romanian Register of Urban Planners, www.rur.ro

Note: the quantitative data on the map should be read as follows: Dolj (23,0,1,0) – the numbers stand for number of certified architects (23), number of lead architect (0), number of certified urban planners (1), and number of certified experts in adjacent fields (0).



252. It is nonetheless necessary to make a distinction between registered planners and all graduates of urban planning schools. There are definitely many other competent professionals in the field in Romania. However, since all elaborations of spatial and urban planning documents require the involvement of certified professionals, the statistics revealed above picture a rather limited body of professionals. Also, geographic distribution implies that most planners employed by local public administrations are not RUP-certified, since there are so many counties where the number of certified experts is one or null.

253. The situation looks somewhat better when looking at architects accredited by the Romanian Architects' Order (RAO). At the beginning of 2013, there were around 7,500 architects registered with the RAO in Romania. Of these, 5,553 were architects with full signature rights. More than half of these were working in Bucharest. Outside of Bucharest, the number of architects with signature rights amounted to only 2,750.

Figure 30. Number of architects registered with the Romania Architects' Order (in February 2013)

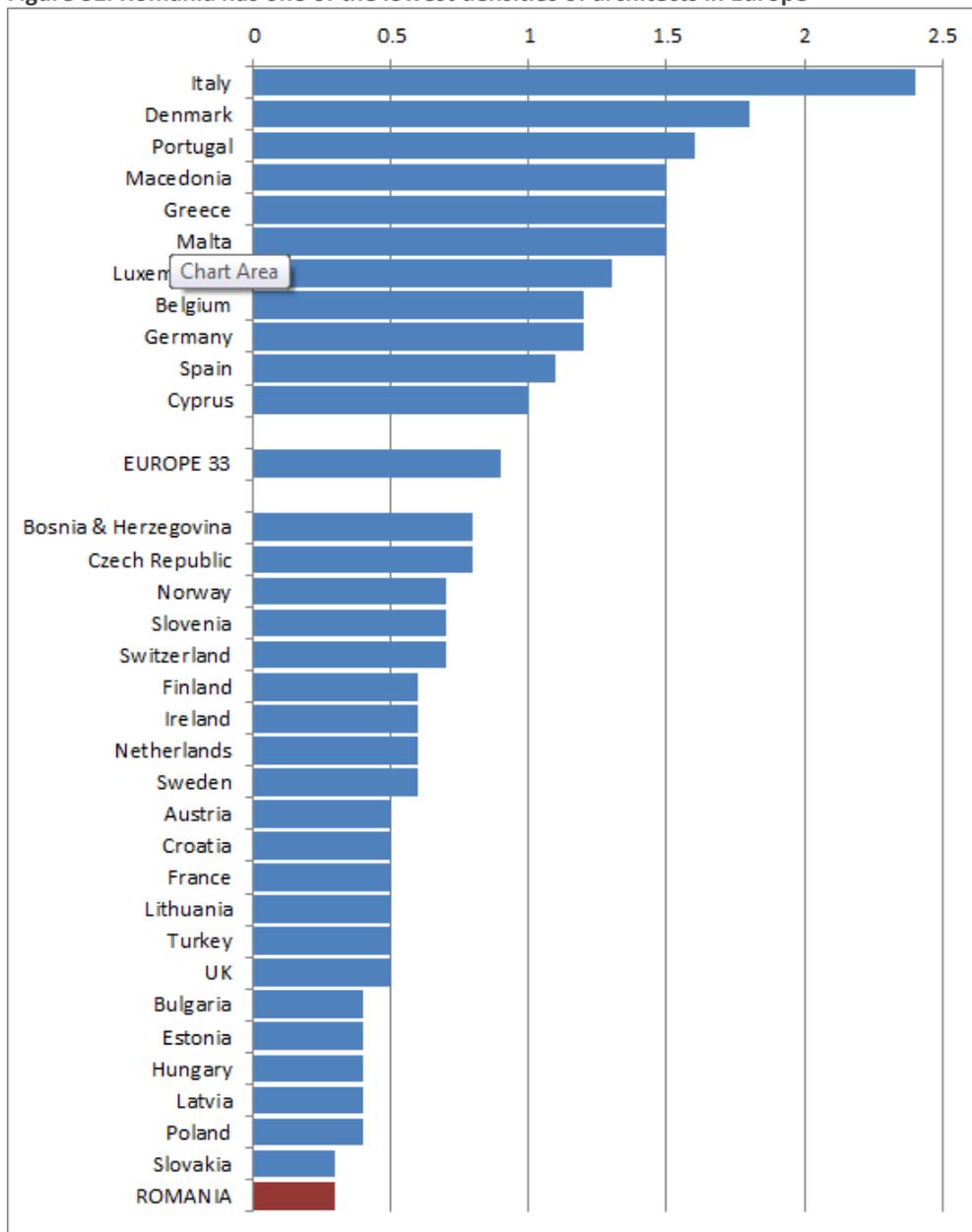
Area	Total Number of architects	Architects with signature rights
Alba	68	42
Arad	106	80
Arges	111	71
Bacau-Neamt	169	100
Bihor	197	122
Brasov-Covasna-Harghita	341	239
Bucuresti	3468	2,803
Dobrogea	224	146
Dunarea de Jos	92	71
Hunedoara	70	49
Iasi	316	235
Muntenia Sud Est	104	31
Muntenia Vest	95	68
Mures	97	62
Nord-Est	135	76
Nord-Vest	103	62
Oltenia	182	119
Prahova	183	119
Satu Mare	68	36
Sibiu-Valcea	216	142
Timis	533	399
Transilvania	611	451
TOTAL	7,489	5,553

Source: Romanian Architect's Order

254. That the situation of this profession in Romania is not too good is well exemplified by the figure below. Among 33 countries in Europe registered with the Architects' Council of Europe, Romania ranked last in terms of number of architects per 1,000 people.



Figure 31. Romania has one of the lowest densities of architects in Europe



Source: Architects' Council of Europe

Note: Density of architects refers to number of architects per 1,000 people

255. The situation is even worse if one considers that, among registered architects, most do not want to work in spatial planning. A guide for chief architects elaborated by Urban Expert Vision with funding from USAID ("*Ghidul Arhitectului Șef de Municipiu*") indicates some of the main reasons architects do not want to do spatial planning work: political actors often do not perceive this function as an important one; salaries are much smaller compared to what could be earned in the private sector; workplaces are poorly equipped; there are not enough skilled colleagues one could work with and learn from; spatial planning departments tend to be understaffed; chief architects are often relegated to



doing bureaucratic work; pressure from private interests; and, there is insufficient financial support to carry on the tasks (e.g., prepare spatial plans).

256. Overall, the field of spatial planning has problems attracting both a large enough cadre of people and people with the right skills. Generally, the public sector has issues attracting the best people in the field because of the low salary base one would have to contend with. Specialists prefer to either start a private practice, or work for a consultancy company.

257. Moreover, planners working for the public sector often are shortchanged when it comes to on-the-job training. Formal qualifications help but are not sufficient to ensure accumulation of know-how and a competent body of professionals. Lifelong learning programs, guidelines and methodologies as well as study visits/exchange of best practices are very important aspects in supporting improvements in planning practice. Funding could be prioritized and made available for such programs under the technical assistance operational programs.

258. A brief analysis of the National Agency of Civil Servants (NACS) that provides, through its regional centers, training and professional development for staff of public administrations **reveals that planning does not represent a priority in training.** Out of 290 training programs for the first half of this year, only two of them are about planning, dealing with public participation in planning and with the administrative aspects of issuing building permits. Training sessions for local councilors are largely absent; only three courses for the first half of the year having been conducted, with no course in the planning field.

259. An academic background in planning is definitely not enough. Planning cannot be implemented without continuous training for knowledge and skills upgrade, designed for both elected and appointed officials. In-service training programs for personnel working in spatial planning departments are essential in helping the public institutions to better perform in implementing and coordinating the normative acts issued by MRDPA. In operational terms, training should be linked with competences mandated through decentralization law to local public administration covering general and specific knowledge regarding both responsibilities and planning instruments

260. Guidelines and educational materials are also important. As highlighted above, spatial planning methodologies tend to be obsolete and lag behind even the legislative framework developments, not to mention new trends and concepts brought forward by EU planning policy documents and practice. More recent methodological works have indeed been issued, but only covering very specific aspects (i.e., ZUPs for coastal areas or protected sites). Much needs to be done in terms of supportive guidelines and methodologies for basic spatial and urban planning documents as well as complementary strategic planning documents.

261. Nonetheless, considering the continuously evolving national legal frameworks (Law 250/2011 has suffered 8 amendments in the last 10 years), but also new concepts and trends set by EU bodies, ensuring a constant



communication flow toward all professionals employed by local public administrations is essential. In this sense, the MRDPA should consider adopting technical solutions (such as an online intranet/platform or forum etc.) that would allow a two-way communication channel. This may not only be beneficial to civil servants activating in the field, but also to the MRDPA for better monitoring the capacities and status of planning practices at local level.

Data Inputs

262. The importance of data availability in ensuring an efficient and accurate spatial planning function can hardly be overemphasized. Be it geospatial datasets, base maps, or mere general statistical data available in an open format for lower tiers of administrative units, these are all significant challenges for the planning function. Romania is among the last countries in the EU in terms of availability of digital cadaster. Previous ministers have highlighted the importance and implications of such an issue, revealing that due to frequent errors and overlaps of property titles, it is common that aggregated land surfaces on paper exceed real land surfaces. Lack of accuracy in terms of land ownership, property limits or even borders of territorial administrative units have caused significant difficulties and delays in planning infrastructure projects, blocking land markets and impeding transparency and accuracy of planning.

263. A much-expected strategic project in this sense is the digitization of the Romanian cadaster, which consists of developing an integrated IT system of cadaster and land registry. Previous regional development ministries announced this project to commence in 2012 however it seems that endeavors in this respect are still on hold. The National Agency for Cadaster and Land Registration (NACLR) did initiate and is currently implementing CAESAR project aimed at digitizing property titles of agricultural land. This is a first important step that would bring important developments in terms of unblocking agricultural land markets, eliminating bureaucratic blockages in terms of land parcel agglutination, as well as difficulties in collecting tax and computing subsidies. The project is valued at 51.4 mil EUR and is made possible by a consistent EBRD loan.⁴⁰

264. The INSPIRE Directive is expected to have a significant impact in terms of spatial data infrastructure in Romania. Issued in 2007, the Directive was transposed into Romanian legislation by Ordinance 4/2010. The most recent report available on its implementation (2010) reveals that no significant progress for its implementation, besides the above-mentioned law, had been done by then. The impact is expected to be high since the Directive requires a complex set of arrangements ranging from metadata creation and harmonization, GIS referencing, and the collection and publication of a wide array of spatial datasets on specialized portals, etc.

265. The National Agency for Cadaster and Land Registration also indicates that they would welcome a more close collaboration with the MRDPA. In particular, they would want to access the spatial plan that the Ministry has, so that they can improve the national cadaster and land-use map. To this end, they hope to establish a cooperation protocol, which would allow a seamless

⁴⁰ <http://www.ancpi.ro/pages/wiki.php?pid=165>



exchange of information between the two institutions. The MRDPA would also benefit greatly from this collaboration, as they often need for their spatial analyses data that is owned by the Cadaster Agency.

266. Statistical infrastructure, in general, is also deficient and causes significant drawbacks to the quality and effectiveness of spatial planning. The difficulty or cost of procuring statistical data for local territorial administrative units is reflected in the poor quality and, in many cases, irrelevance of the data used in diagnosis analysis in the plans studied. Previous experience showed that county statistical offices do not hold standard prices for data gathered, as some offices post territorial statistics for free (locality fiches) on their websites while others charge fees for the same service. Such discretionary taxes lead to some statistical county offices even charging local public authorities to disclose basic statistical data for their own use, not just private third parties. The cost and also the fact that data is not made available in digital formats mean that most planning and strategic documents analyzed contained few times series analysis and have a generally poor evidence base.

267. The situation gets even more complex when it comes to analyzing statistical data at intra-urban level. Needless to say that for effective GUP or local development strategies, the accurate identification of problem areas and socio-economic phenomena in territorial perspective is essential. In this case, both base maps and intra-urban statistical units are a problem which explains why most local planning documents and local development strategies resume themselves to presenting aggregate statistical data at locality level. The planning documents usually delineate territorial reference units, which do not normally correspond to census units, electoral colleges or postal code areas, all these being different territorial units which may bear collection of statistical data.

268. Improvements in planning practice could only be possible when statistical units are agreed upon and when data are collected and openly shared with planning professionals. Adding to this, there are some series of data which are not collected by statistical offices and the mandated institutions are even more reluctant or do not have capacity to share. Data such as crime rates or public health and well-being are collected by other authorities (police offices, public health departments), which have limited experience and/or incentives to collaborate and share such information for planning purposes. Adding to this, comparability among territories as well as proper monitoring in time would be much improved if central authorities would engage in elaborating methodological guidelines suggesting relevant indices (ex. standard measurements of poverty and social exclusion, etc.) and timeframe to consider.

269. Overall, it is of utmost importance for the Government to allocate more resources (funds and skilled labor) to national data repositories such as the National Institute of Statistics and the Cadaster agency. No accurate and qualitative strategy, plan, or policy can be drafted without access to reliable data. A country that does not properly collect, manage, and distribute data is in many respects a rudderless country. It is therefore important to not only strengthen statistical offices, but also make it mandatory that all publicly collected and managed data be made available to the public for free, and, moreover, the data should be easy to access and interpret.



270. For the MRDPA, it will be important to create an easily accessible database of spatial plans. The Ministry should make it easy for people to find, consult, and coordinate with spatial plans created at a higher, lower, or horizontal level.

Financial Resources

271. Last but not least, spatial planning practice requires financial resources, be it for the elaboration of planning documentation as well as to ensure enforcement, monitoring and implementation of their provisions. An important opportunity was unfortunately not sufficiently capitalized upon, in the sense that Operational Programme for the Development of administrative Capacity has not been used to fund capacity development and planning processes. However, such opportunity should not be missed for the next programming cycle.

272. Overall, given that state budget resources are often limited, it is important for spatial planning units to determine ways in which EU funds can be accessed to improve their capacity and performance.

EU Funds and Spatial Planning

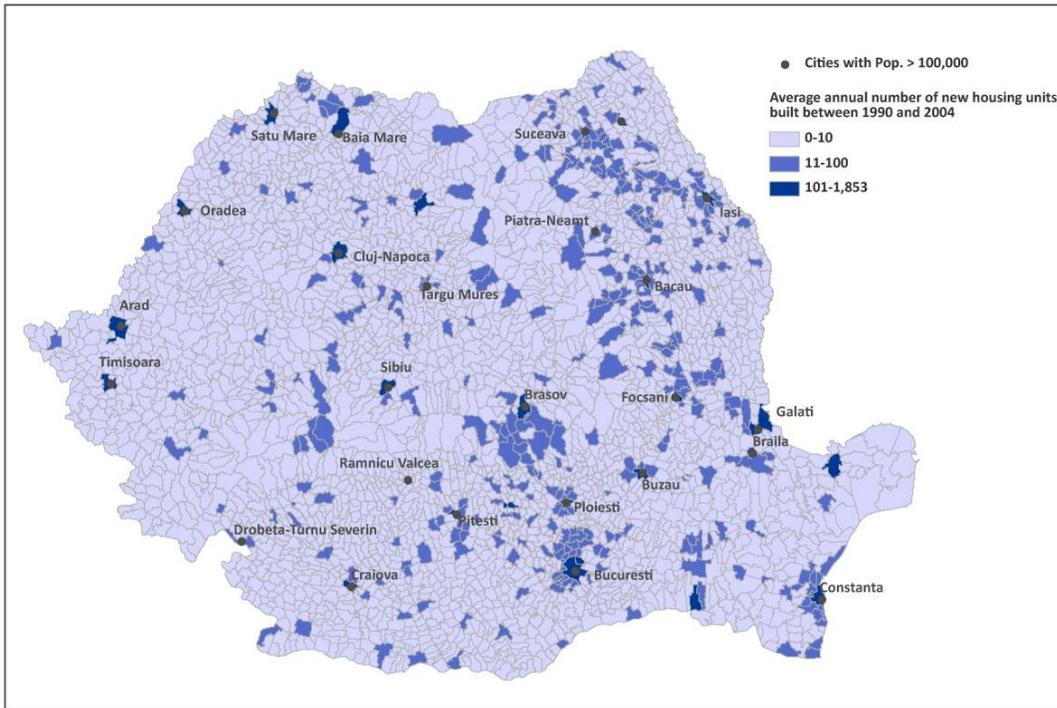
273. Spatial planning is inexorably linked to development. The more development a country has, the more it will have to rely on spatial planning – both for coordinating and integrating different sectoral plans/strategies, and for providing strategic guidance (e.g., where and when to do development).

274. Up to around 2005, there was not much development being done in Romania, and as such, the need for spatial planning was not as acute. As the map below shows, in the vast majority of territorial administrative units, annual housing development has not surpassed an average of 10 units, up to 2005. At the county level, the vast majority of counties have not managed to build more than 20 km annually, in the same time period. Some counties have in fact lost part of their road network. When so little new development is happening, the need for spatial planning is not perceived as being an absolute necessity. In fact, the large majority of public administrations did not do spatial plans unless they received a direct order from the center. Many of those who finished such plans did not really implement them, and few have voluntarily updated these plans after 10 years.

275. The tragedy is that with so little spatial planning work being done, many skilled planners (which were continuously employed before 1989) were lost in the transition years. Not only were some of these skilled planners lost, but also a new cadre of planners failed to appear. There was no tradition of local and regional planning (i.e., a decentralized decision framework) and, to many, planning continued to be reminiscent of the communist past.



Figure 32. Most localities have known very little development before 2005



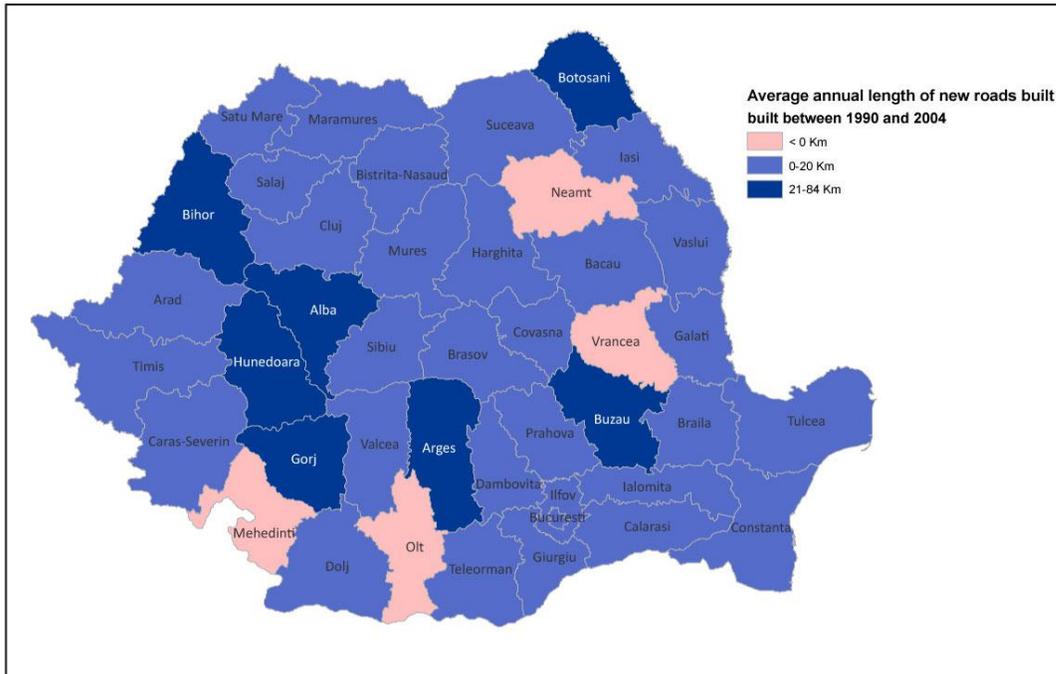
Data source: National Institute of Statistics

276. However, after 2005, as the economy has started to pick up, more and more have been built in Romania. With the accession in the EU, Romania also gained access to considerable sums of money dedicated specifically for public and private investments. As such, a wide range of development projects have been undertaken after 2007, turning many parts of Romania into a construction site.

277. With all this development activity going on, one would have expected to see an increase in the use of spatial planning tools. That, unfortunately, has not happened. EU funds do come with a lot of strings attached, but the need to coordinate with existent spatial plans is not one of them. Similarly, sectoral operational programs (e.g., Regional OP, Transport OP, Environment OP, etc.) are required to have a development strategy at their foundation, but these strategies themselves do not have to be coordinated. For example, the Regional OP should consider the development of a large transportation route under the Transport OP when funds for regional/local roads are allocated. In practice, though, this has not always happened.



Figure 33. Few new roads have been built before 2005



Data source: National Institute of Statistics

278. In addition, these operational programs do not actively use spatial planning as a tool for their strategy formulation. It is true that the Regional OP 2007-2013 makes mention of the need to use spatial planning in formulating investment decisions, but no effort in this direction is made. Most projects are selected on a first-come first-serve basis, with little attention paid to how the coordination in space of these individual projects could enable certain synergies. A more strategic selection is being done under Axis 1, which requires the elaboration of integrated development plans for metropolitan areas. In reality however, these integrated plans are rarely integrated in nature. Moreover, they are drafted in relative isolation from already existing plans and strategies at the local level.

279. The following sections will take a more in-depth look at the operational programs where spatial planning should play a more active role.

The Regional Operational Program

280. The Regional Operational Program (ROP) is structured, for the 2007-2013 programming cycle, around 6 Priority Axes: Axis 1: Sustainable Urban Development; Axis 2: Regional and local transport infrastructure; Axis 3: Social infrastructure; Axis 4: Regional and local business infrastructure; Axis 5: Tourism development; Axis 6: Technical assistance. With the exception of Axis 6, investments organized under the other 5 axes generally have a spatial component. In what follows, we will discuss these 5 axes in more detail.



281. Axis 1: Sustainable urban development. Axis 1 addresses investments in urban area, focusing on three categories of cities: growth poles (7 cities outside Bucharest, considered to be the strongest economic performers in their respective regions); development poles (13 cities); and urban centers. Funding for growth poles and development poles is pre-allocated, while the urban centers (all cities with a population of over 10,000, including Bucharest) compete to access part of the available funding. All cities that want to access funds under Axis 1 of the ROP have to prepare integrated urban development plans (IUDPs). At the time of the writing of this report, a total of 95 IUDPs have been accepted for ROP funding. It is difficult and time-consuming to do an analysis of all these IUDPs, but an analysis of growth poles may be illuminating.

282. To start with, few of the growth poles' IUDPs make in-depth references to existent spatial plans. There are of course exceptions (Ploiești for example), but generally, the IUDPs seem to be created in a vacuum – with the sole purpose of attracting EU funds. It is true that in several cases spatial plans were either missing or were expired when the IUDPs were developed, but often there is not even a mention of existing development strategies.

283. Correlation is made harder because of the administrative artifice that was created to enable the attraction of EU funds. Thus, to be eligible for EU funding, growth poles had to form metropolitan areas. The idea behind this requirement is sound: cities, especially larger ones, do not function in a vacuum – they are part of functional economic, social, cultural areas that extend beyond their boundaries. Leaving aside the methods used to determine these metropolitan areas (in the case of Craiova the metro area is not even contiguous), the administrative structures established to administer growth pole funds (inter-community development associations), did not exist as such before. More specifically, they had no plans or strategies prepared for the metro areas, only for constituent localities (when these localities did indeed have development strategies and spatial plans in place). There are some exceptions, like Iași, which have prepared spatial plans for their respective metropolitan areas, but it is not clear how these differ from existent general urban plans (i.e., what they organize at the metropolitan level, which have no real administrative power, and what is left to the constituent localities themselves).

284. Cities that did not have to form metropolitan areas had an easier time correlating their IUDPs to existent strategies and plans. For example, Alba Iulia based its IUDP on an existent urban development strategy, which included a clear action plan, with investments to be sought in the future and potential funding sources. Consequently, the Alba Iulia IUDP was not created as a stand-alone document, but as a continuation, a next step of an existent strategy. At the same time, the Alba Iulia IUDP does not mention the city's spatial plan – largely because the plan was expired and is now under preparation.

285. Another reason why spatial plans are hardly noted in the IUDPs has to do with the fact that ROP investments are meant primarily for the rehabilitation of existent infrastructure. In essence, this means that little new infrastructure was created with these funds. As such, changes in space were less acute, and there were fewer incentives to correlate with general urban plans.



286. Correlation upward, to the county level, was made harder by the fact that these plans were often inexistent or expired (as is the case, for example, of Craiova and Constanța). In addition, county spatial plans, given that there is no clear guideline for their elaboration, vary greatly in their approach and output. Many CSPs are nothing more than an enumeration of statistics and information, with little normative relevance for IUDPs.

287. Correlation to regional spatial plans is even harder because these are largely non-existent, and they have no administrative bite either. Even when these plans are in place, they do not have to be followed by counties or localities. Nonetheless, some IUDPs make reference to them. For example, the Cluj IUDP draws on the spatial plan for the North-West Region for some of its economic and infrastructure analysis. However, none of the projects listed for funding in the IUDP have a clear relation to either the county spatial plan or the regional spatial plan.

288. As far as the correlation to the national spatial plan is concerned, most IUDPs mention the NSP, even if only in a cursory fashion. Most often, Section 1 of the NSP is mentioned, which has a direct bearing on transport infrastructure investments funded under Axis 1.

289. Axis 2: Regional and local transport infrastructure. All of the investments funded under this priority axis have a clear spatial component. However, even in this case, most investments presupposed the rehabilitation of existent transport infrastructure, and not the development of new infrastructure. As such, spatial changes were minimal. In cases where new infrastructure has been created, or existent infrastructure was modified (e.g., expanding an existent roadway), spatial plans had to be created as part of the technical proposal, and these had to be correlated with existent spatial plans.

290. Axis 3: Social infrastructure. Investments under this axis predominantly focused on the rehabilitation of existent structures. The European Commission restricted the use of EU funds for the development of new structure. Consequently, spatial implications were reduced in this case too.

291. Axis 4: Regional and local business infrastructure. Axis 4 has three sub-axis, all of which support investments with spatial implications: Axis 4.1: Development of support structures for the regional and local business; Axis 4.2 Brownfields redevelopment; Axis 4.3: Micro-enterprises. Of these, the first two in particular require a strong correlation with local, regional, and national spatial plans. For example, under Axis 4.1, the ROP finances investments such as industrial parks, while under Axis 4.2 it finances the redevelopment of former industrial sites. In the first case, the development of a new structure will naturally require the elaboration of a zonal urban plan, which would draw on the general urban plan and propose an extension. In the second case, the redevelopment of a former industrial site would often require the changing of the zoning in the area, and the elaboration of a zonal urban plan.

292. Axis 5: Tourism development. Initially, several new tourism facilities have been funded under this axis (e.g., small bed-and-breakfast facilities). However, the European Commission intervened at some point and required that



tourism investments focus primarily on the rehabilitation of existent facilities. Even so, rehabilitation work often included the extension of existent facilities, which in turn required the elaboration of detail urban plans.

The Transport Operational Program

293. The Transport OP is structured around four priority axes: Axis 1: TEN-T transport corridors; Axis 2: National transport infrastructure outside the TEN-T network; Axis 3: Enhancing passenger safety and environmental sustainability in the transport sector; Axis 4: Technical assistance. With the exception of Axis 4, all other axes have spatial implications.

Figure 34. Proposed TEN-T road infrastructure in Romania



294. For the 2007-2013 programming period, investments under Axis 1 of the Transport OP, focused on large pan-European corridors. In particular, these included road infrastructure along Priority Axis 7, rail infrastructure along



Priority Axis 22, and water transport infrastructure along Priority Axis 18. Road investments focus on the development of the Corridor IV highway, linking Constanța on the Black Sea, to București, and further to Timișoara and Arad in the West of the country. Investments under this axis were already part of the national spatial plan, and to the extent that they suffered modifications, they have led to the update of the NSP.

295. Investments under Axis 2 of the Transport OP focused on the rehabilitation and expansion of existent infrastructure, as well as on the development of new infrastructure. All new developments and expansions had to draw on existing county and local spatial plans, and trigger their update. Given that in many cases county and local plans were either missing or outdated, spatial plans prepared for new infrastructure investments had nothing to correlate with, apart from the NSP.

The Environment Operational Program

296. The Environment OP includes, for the 2007-2013 programming cycle, six priority axes: Axis 1: Water and wastewater infrastructure; Axis 2: Integrated solid waste management systems; Axis 3: District heating rehabilitation within polluting hot spots; Axis 4: Environmental protection management systems; Axis 5: Disaster risk mitigation and prevention; Axis 6: Technical assistance.

297. Particularly investments under Axis 1 and 2 have a strong spatial component, involving the development of new infrastructure and the rehabilitation of existent one. For example, under Axis 2, each of the 41 counties in Romania has to develop integrated solid waste management systems at the county level, including environmentally compliant landfills, and a system of transfer stations. These investments require careful attention to spatial aspects, such as geography, distance, topography, city systems, soil types, groundwater, and existent water bodies.

298. To the extent that no county spatial plans are in place, Environment OP investments happen in a planning vacuum. That is, spatial plans are created solely for the investments themselves, with little relation and correlation to what happens around. This is particularly troublesome as investments done this way risk not being the most efficient type.

The National Program for Rural Development

299. Investments under this program focus exclusively on rural areas, and usually do not require in-depth spatial planning. There are however measures included under Axis 2 (Improvement of rural spaces) and Axis 3 (Quality of life in rural areas and diversification of the rural economy), which do presuppose spatial interventions. To the extent that such interventions do occur, it is unclear how big of a role spatial planning plays, given that that most rural areas lack general urban plans, or when they have them they tend to be token plans (done usually to appease county leaders – e.g., the County Chief Architect).



Programs under the European Territorial Cooperation Objective

300. Programs under the third objective of the EU Cohesion Policy are meant to encourage interaction, knowledge sharing, and joint activities among different regions and cities in Europe. However, when it comes to cooperation for projects with a territorial impact, matters in this case are even more complicated, as investments and spatial plans have to be coordinated across borders, using spatial planning systems that most often do not match.

301. The Territorial Cooperation Objective includes three types of programs: Cross-border cooperation; Transnational cooperation; and Inter-regional cooperation⁴¹. The funds allocated for these programs are relatively limited, and financed projects are more often of a soft nature (e.g., peer-to-peer programs) rather than hard infrastructure investments. Nonetheless, cross-border infrastructure investments are being done, and usually these have to harmonize together two or more spatial planning systems.

Lessons Learned from Other Spatial Planning Systems

302. The present section scans some relevant cases in organizing planning systems within four countries that were deemed to have some relevance for Romania: Poland, France, Spain, and the Netherlands. The main objective is to understand how countries in-transition, and consolidated democratic countries performed in implementing the planning mechanism within the administrative structure, how they operate, and what were the causes for reforms. The purpose of this analysis is to identify similarities and models for enhancing the planning system in Romania.

303. Romania is not alone in dealing with spatial planning issues. Other countries have gone through the same challenges Romania went through, and can offer many lessons. Coming from a Latin planning tradition, Romania may more easily adopt best practices from countries that are well nested within this tradition. We have therefore chosen to look at France and Spain. France is the main source of inspiration for the Romanian administrative system, and as such may be the best place to look for best practices in the spatial planning field. Spain, while a federal administrative system, has a story that resembles that of Romania. When it joined the EU, it was one of the poorest countries in the Union. Over time, however, it has managed to strategically use structural funds to drive development, and it has continuously refined its spatial planning system to respond to new challenges. Apart from these two countries, we have also decided to look at the Netherlands and Poland. The Netherlands is among the most active innovators in spatial planning and the country has a long tradition in shaping space (e.g., much of the country is below sea level). Poland is one of the most successful EU accession stories, with a history that much resembles that of Romania, and which has performed a number of administrative changes in recent years that may have relevance for Romania. Another brief analysis of these case studies is included in Annex 7.

⁴¹ Information on European Territorial Cooperation programs in Romania is available at <http://infocooperare.ro>



The French Spatial Planning System

304. France is one of the largest countries in Europe, with around 64 million inhabitants, and with a centralized administration system. Individual administrative tiers include 26 regions, 100 counties, and 36,678 communes. Each of these administrative tiers is tasked to deal with issues that are considered to be best implemented at their level. The Romanian administrative system has largely emulated the French system, so this may be the best address for the import of ideas on how the Romanian spatial planning system can be improved.

305. In 1982, the French Government undertook a major administrative reform, transferring many competences at lower administrative levels, including spatial planning. A difference is made in the French legislation between the field of development and planning, where development is considered to be a general competence, while urban planning is considered to be a specific one. Urban planning generally deals with land rights, while development deals with everything else. As such, communes exercise urban planning, while all other administrative tiers exercise development, at different time and space levels.

306. The French spatial planning system draws on the renewals plans passed in 1919 after World War I and the urban master plans introduced in 1943, during World War II. These first spatial planning laws were meant to respond to the issues and challenges brought about by war, but they were not as successful as their originators had hoped. Only in 1967, when the Land-use Law was passed that spatial planning became entrenched in the working of local public authorities. The Land-Use Law called for local authorities to produce, at regular intervals, strategic plans and land-use plans.

307. Different planning instruments are used at different administrative levels in France:

- **European level:** The French spatial planning system draws on some of the key precepts of the European Spatial Development Perspective.
- **National level:** The central government draws up plans for communal services and has drafted the Territorial Development Directive.
- **Regional level:** Regional government are in charge of regional park management and charters, and providing a framework for planning at the inter-community level (e.g., territorial coherence scheme, urban transport plan, local housing program)
- **Local level:** Communes are responsible for producing local urban plans. These plans have to be correlated to higher level plans.

308. Local urban plans consist of strategic plans and land-use plans. However, urban plans do not necessarily have to contain both these elements. The strategic plans primarily aims to use spatial planning tools to guide development in a strategic way and to counteract the negative externalities that



development often brings with it (e.g., conflicting interests). When the local urban plan is missing, or is expired (it is compulsory to have it updated after 10 years), the national urban regulation enters into effect. This regulation sets a number of minimum criteria for new developments. A similar system was adopted in Romania, and it is used quite often, as general urban plans do indeed tend to be missing or expired.

309. Groups of communes can organize themselves and draft inter-community strategic plans. Given that the large majority of communes in France have fewer than 500 people, these inter-community arrangements are the only way most basic services can be organized in a meaningful and efficient way. The strategic inter-community plans is subject to consultation by all public entities involved, it is issued by the prefect, and includes three major parts: an analysis of environmental and developmental needs; a project for sustainable planning and development (PSPD); and a guideline which details how the PSPD will be implemented. Given the great difference between individual communes (one could be a city of 1 million inhabitants, while another can be a hamlet with 1,000 people) there is no standard format for the strategic plans. Local authorities are afforded some leeway in drafting these plans to match their own needs, challenges, and aspirations. Strategic plans can be drafted for 10 to 20 years, but they have to be re-examined 10 years after approval.

310. Over the years, different types of inter-community arrangements and cooperation initiatives between communes and the private sector have come to life. Borne by necessity, these arrangements have also given birth to a number of spatial planning arrangements and innovations. However, these were not always successful at dealing with spatial planning issues at a larger scale (e.g., regional infrastructure), so voluntary agreements have increasingly become the norm among regional administrations, with regional development strategies being used to solve planning issues at a higher level. Inter-community arrangements were also copied in the Romanian law (as inter-community development associations - IDAs), although they have not been as successful as in France at spurring cross-jurisdictional development initiatives. It may pay therefore to pay closer attention to how these arrangements work in practice in France, and what has made them successful.

311. Of course, the French spatial planning system also has its shortcomings. As in the case of Romania, there is a conflict between physical and sectoral planning, as spatial planning tends to be done outside the process of visioning, strategizing, implementing, and financing development projects. In effect, there is a disconnect between spatial planners and developers, which, as in the case of Romania, works to undermine the efforts of the former and make less efficient the efforts of the latter. Apart from this disconnect, the French system is generally considered to be too complex and instable, encompassing too many authorities with diverse areas of competences, and an over-abundance of plans that are often only loosely correlated.



The Spanish Spatial Planning System

312. Spain is a country of around 41 million with a four-tier administrative structure: state, 17 regions, 50 provinces, and 8,111 municipalities. At the state level, a Prime Minister/Cabinet, Congress, and Senate lead Spain, and are elected every 4 years. At the regional level, presidents of autonomous communities are elected through regional elections every 4 years, and so are province governors within these autonomous regions.

313. Constitutionally, different administrative levels have the power to deal with their own interests in a decentralized fashion. As far as spatial planning is concerned, the State has very few competences in spatial planning, and no competences in urban and regional planning. For national level development issues, line ministries such as Public Works, Agriculture, and Environment prepare spatial plans (for matters of national interest such as highway system, ports and airports, agriculture, and waterways) which need to be followed by spatial plans at the lower level. Autonomous communities (i.e., the 17 regions) are tasked to produce regional planning legislation and afferent plans, while municipal governments are the most important players in spatial planning and have full competence to perform this task at the local level. Provincial governments have varied competences when it comes to spatial planning. Some of them are responsible for drafting provincial plans and approving municipal plans, while others have a very limited responsibility in this respect, or they share the responsibility with other provinces. The Spanish case may be taken into consideration if the regionalization process in Romania will indeed go through. As is evident in this instance, the central government, and the correspondent of counties in Spain (the provinces), have very little spatial planning competences. Moreover, it is municipalities that are most active in this field, and it is at the urban level where spatial planning tools are most strategically used.

314. The current planning legislation has built on the *Land Use and Town Planning Law, drafted in 1956.* Some of the principles that were laid out more than 60 years ago are still valid today and include: planning is a public function; plans are drafted in a hierarchical sequence, with higher level plans informing lower level plans; user rights and public interest can limit property rights (a major issue which should be reflected in the Romania constitutions as well); land falls within three categories: urban, to be urbanized, and rural; land that is to be urbanized falls within the central planning interest; there is a system of actions in place which regulates the way public and private agents do development.

315. In 1978, Spain went from a highly centralized framework (resembling, to some extent, Romania today) to a decentralized one. As part of this decentralization process, spatial planning competences were transferred to the autonomous communities (a new administrative level). Among other things, the autonomous communities had the right to formulate their own legislation, leading to a situation where there were 17 different ways of dealing with spatial planning matters.

316. At the beginning of the 1990s, the Spanish spatial planning system underwent a significant reform process. A big part in triggering the reform process were complaints coming from local authorities, which indicated that



statutory regulations and higher level plans were hard to follow, implement, and correlate with. In addition, a host of new urban challenges (such as rising housing prices) swept through the country, and the spatial planning law was not flexible enough to respond to these challenges. This reform process has been going on since, culminating in 2007 with the drafting of a new Land Law. Some of the changes brought forth by this law include: general urban plans have to define the extent of developable land; land value is determined based on initial real use, not the expected derived value from planning (this aims to discourage speculative land retention and too high costs for expropriations); all plans and related activities have to be open to public information and input. As the Spanish examples shows, spatial planning has to continually evolve to meet present day and future challenges. It is therefore imperative to have a scan of territorial and urban development challenges, which should form the basis for clear public policies in this field.

317. Given the relatively fragmented administrative structure, spatial planning competences are primarily allocated to regions and municipalities. Some of the key planning instruments include:

1. **National level:** sectoral plans for the highway system and national roads, for airports and ports, protected natural areas and protected heritage buildings, agriculture, mining, waterways, and communication.
2. **Regional level:** different planning tools by different regions (e.g., regional plans, strategies, directives), which correlate with the National Land Law and national sectoral plans and policies, and define at the regional level social, economic, environmental, and physical policies, including the coordination among different sectors.
3. **Provincial level:** limited spatial planning competences, working mainly as a mediator between regions and constituent municipalities, and providing basic normative guidelines for small settlements that are not capable of producing their own plans.
4. **Local level:** the general plan is the main spatial planning instrument used at the local level. Less dynamic municipalities (e.g., with little development) are *not* required to produce general plans and can instead use simpler spatial planning instruments (e.g., planning subsidiary norms, urban land delimitation, and direct implementation norms).

318. This last point is critical in the case of Romania too, where every locality has to prepare a general urban plan, regardless of the development dynamics it is witnessing. Obviously, a commune that only has three new housing developments per year is much less in need of a GUP than a city where 1,000 new housing units are built every year.

319. As far as the plan drafting process is concerned, there are different guidelines used by regions and municipalities in Spain. Regions apply different methodologies for drafting regional spatial plans, but these generally include an analysis and diagnostic part, and one that lays down the spatial distribution of land uses and activities (e.g., regional infrastructure, public housing, natural reserves and cultural heritage areas). The regional planning legislation lays out the guidelines for how municipalities should draft spatial plans. Some of the



common themes for general urban plans include: plan objectives; socio-economic analysis; planning proposals; land-use and zoning plan (including issues such as allocated uses, densities, building typologies, land subdivision, building standards, environmental protection, and heritage conservation). The general urban plan has to be subjected to public inquiry, has to be approved by the municipal council, and finally get the approval of the autonomous community. A similar process is currently followed in Romania too, although the enforcement of plans is made much harder because of the lack of distinction between property rights and user rights.

320. The history of spatial planning in Spain has been quite successful.

After around 30 years of planning practice, all autonomous communities have assumed their spatial planning competences and have drafted regional spatial plans. Moreover, the large majority of municipalities have a general urban plan (or some equivalent) in place. More recently, Spain has adopted a number of sustainable urban development principles such as dense and compact development, the redevelopment of unused and underused urban areas, and the improvement of quality of life and social cohesion. Such principles should stay at the core of the Romanian spatial planning legislation too. Again, it is critical to base the legal framework on clear public policies, and to base these public policies on sound research and analysis. It is therefore critical to draft a territorial development strategy and an urban development strategy.

The Dutch Spatial Planning System

321. The Netherlands is a country of around 17 million people, with an administrative system made of 12 provinces and 483 municipalities. Spatial planning competences are attributed to the central government, the provinces, and municipalities. Spatial planning tools are used to ensure that development does not affect the general interests of the community or the environment, and that it leads to an improvement of the quality of life.

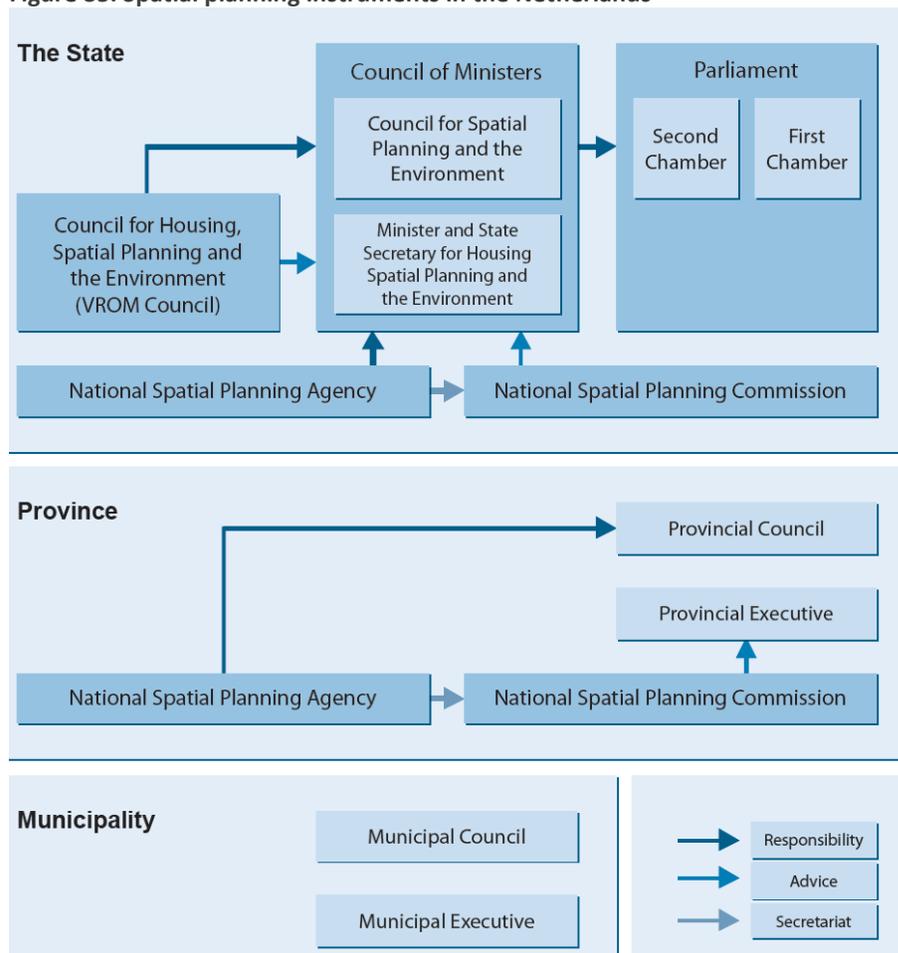
322. The key spatial planning legislation in the Netherlands is the Spatial Planning Act, which has been valid since 1965. The law has been revised several times over the years. In 2008, a revision of the Act has led to a reduction of the number of rules and procedures and an increased decentralization of spatial planning competences to lower administrative tiers. A number of specific and sectoral spatial planning acts have also been used in the Netherlands. Some of these include: the Interim Urban and Environmental Procedures Act, the Space and Culture Action Programme, the Landscape Quality Guide, and the Nature Conservation Act. It may pay off for Romanian authorities to look at the Dutch case and see how this simplification of the spatial planning system was carried out. It may also be worth looking into how furthering the decentralization process can help make the spatial planning system more efficient.

323. All administrative levels use spatial planning instruments in the Netherlands. The central government takes a number of key decisions (e.g., pertaining to spatial planning, housing, and the environment), some of which have force of law, and it also drafts the National Spatial Strategy, which does not have the force of law. The Provincial Planning Authorities drafts regional plans with force of law. Inter-community associations can prepare cross-jurisdictional



plans, to solve common issues, and these plans have no force of law. Municipalities prepare structure plans (policy statements with specific proposals for the location and control of development) and land-use plans with force of law. A diagram with the spatial planning instruments used by different tiers of government is included below. One of the issue that could be considered in the context of Romania is the introduction of a National Spatial Planning Agency, which would take on the task of enforcing the spatial planning law and providing approvals where necessary, while the Ministry of Regional Development and Public Administration would retain the task of strategy and policy formulation, as well as communication and engagement with different levels of government.

Figure 35. Spatial planning instruments in the Netherlands



Source: European Environment Agency

324. The interesting thing about the Dutch spatial planning system is that there is no formal hierarchy between spatial plans. At the national level there are specific key-decision (which are somewhere between a policy statement and act) whose legally binding elements need to be taken into consideration at the provincial and municipal level. Such key national planning decisions may include, for example, the designation of a certain area as a nature preserve. Provincial governments prepare regional plans, which have primarily an advisory character (e.g., proposals for urban, industrial, or recreational development), although



they may contain legally binding elements that have to be taken into account by municipalities. Of the three levels at which spatial planning is carried at, it is the municipal level that is considered to be most important. Again, as in the case of Spain, it is the urban level where spatial planning is considered to have the most strategic role. Consequently, the MRDPA should strongly consider drafting an urban development strategy in tandem with the proposed territorial development strategy.

325. Two types of plans are drafted at the municipal level: the structure plan and the land use plan. The structure plan contains a socio-economic analysis and a policy statement on the future development of the municipality, and has to be approved by the Municipal Council. Interestingly, the land use plan is only mandatory for land parcels outside the built-up area, not for those within. The plan is drafted for a 10-year period and has the force of law.

326. Citizens have the right, and they often make use of this right, to oppose planning proposals. Often they are granted the judicial approval in such instances. In fact, this is considered to be one of the weak points of the Dutch spatial planning system, as elaborate possibilities for appeal can draw-out the drafting of planning documentation for many years and water down its spatial planning statements. Often, by the time spatial plans are finally approved, they are already out of date. This is an issue that Romanian spatial planners have to also deal with, with private interests (defending private property rights in courts) often undermining spatial planning instruments.

327. In an attempt to reform a spatial planning system that was seen by many as “patchwork,” a new Spatial Planning Act was drafted in 2008. The act includes a number of new rules for spatial planning, with a focus on deregulation, decentralization, and development. The use of spatial planning instruments was reformed for all three administrative tiers (state, provinces, and municipalities). Thus, the spatial planning framework now makes use of three instruments: the structure plan, the land use plan, and the project decision. Structure plans are conceived as policy documents with no legal bite, which have replaced former formal plans (national plan, regional plan, and local plan). The policies laid out in the structure plans are implemented with the use of land use plans. A project decision procedure entails a revision of existent land use plans.

328. As Romania is trying to do currently, the Dutch have passed a National Spatial Planning Strategy in 2005. Some of the key objectives of this strategy are: the promotion of strong and vibrant cities, a vibrant and dynamic countryside, and ensuring public safety. The National Spatial Planning Strategy includes the planning procedures for local and regional governments, although the central government is not responsible for enforcing quality standards.

The Polish Spatial Planning System

329. Poland is a country of around 38 million people, with a four-tier administrative system: state, 16 voivodships (provinces), 372 powiats (rural or municipal counties), and 2,384 gminas (urban and rural communes). This administrative set-up was introduced with an administrative reform in 1999. The



administrative reform reduced the number of voivodships from 49 to 16 and has reintroduced counties. The way Poland has managed its regionalization process is considered as one of the key examples to follow by Romania, which plans to finish its regionalization process in the short term.

330. All four administrative tiers in Poland have spatial planning competences allocated to them. These competences include:

1. **National level:** national development policy and key national planning decisions fall within the responsibility of the State Center for Strategic Studies. The Department of Spatial Coordination within the Ministry of Infrastructure (now split in the Ministry of Transport, Construction and Maritime Economy and the Ministry of Administration and Digitization) is responsible for the preparation of physical planning and land management legislation. The Ministry of Environment prepares plans for the development of environmental infrastructure and assigns land-uses (e.g., natural preserves) according to environmental and ecological principles. The Ministry of Internal Affairs and Administration (now the Ministry of Administration and Digitization) prepares the building code legislation. Other line ministries with a development function prepare plans for their respective development programs.
2. **Voivodship (Province) level:** the Voivode is the representative of the central government at the regional level, and is responsible for the coordination of program undertaken by the central government. The Voivodship Marshall, in charge of the Voivod Assembly, drafts the regional spatial planning policy for the development projects it undertakes, and discusses with local authorities the conditions for having these projects included into local plans.
3. **Powiat (County) level:** the powiat administration itself does not have any compulsory duties in spatial planning, although it is responsible for issuing building permits.
4. **Gmina (Municipality) level:** the Commune Council is in charge of the physical development policy, spatial planning, and development control. Local plans can be prepared either by the staff of the commune, or it can be externalized to a private entity with qualified planners, certified by the National Chamber of Urban Planners. This is similar to the situation in Romania.

331. Again, as in the case of Spain, counties within the Polish regional framework play a reduced spatial planning role. Consequently, if the regionalization of Romania will go through, one may have to consider shifting key spatial planning attributions from the state and county level, to the regional level. This will also allow for an easier coordination of spatial plans, as a four tier spatial planning system would be cumbersome and difficult to manage.

332. The main piece of the Polish spatial planning legislation is the Physical Development Act, ratified in 1994. It is the first piece of legislation that came to replace the centralized planning system, in function before 1989. With the administrative reform of 1999, the Government decided to draft a new spatial planning act, rather than just amending the existing one. The new act was ratified in 2003, and some of its key features include: the local/commune level is



considered to be the most strategic of all planning levels; private property is strictly protected by law; public interest has to be effectively protected in the sphere of urban development; public investments benefit from preferential procedures for their location. Again, it is the urban level where spatial planning is considered to play the most strategic role.

333. The spatial planning system in Poland is not designed within a strict hierarchical relationship. While the correlation between national level plans and regional and local plans is legally defined, lower level plans do not always have to correlate upward. Moreover, the administrative reform of 1999, which has created two additional levels of government have created some difficulties in the proper implementation of spatial planning legislation. The large majority of communes have failed to ratify new local plans (which are at the foundation of planning decisions and are key for emitting building permits), and the blame for this occurrence has often been put on the long time it takes to ratify plans.

334. The spatial planning system in Poland faces some of the same challenges that the Romanian spatial planning system struggles with. Being still in its infancy it suffers from: an overall lack of confidence in its usefulness and effectiveness; weak statutory power and relatively weak spatial planning institutions; a spatial planning law with significant gaps and discrepancies; poor coordination of physical developments; continued chaotic development; long times required for ratifying and adopting plans; weak public participation in the planning process.

Key Lessons for Romania

335. Several lessons can be drawn from the case study analyses above:

- It is the urban level where spatial planning tools play the most strategic role, and where spatial planning efforts have to be concentrated.
- Spatial planning legal frameworks should have well defined public policies to substantiate them.
- Spatial planning strategies have to be continuously update to keep pace with current and prospective developments.
- Planning is a shared competence between central, regional and local administrations. Within the context of administrative reform (e.g., regionalization), it is crucial to find the right balance between decentralizing, to the extent possible, and centralizing when necessary.
- Planning instruments and competences present similarities in all these countries, but the level of performance in implementing planning legislation, procedures and instruments at all levels, national, regional and local level, varies according to accumulated know-how and experiences.
- The complexity of planning instruments should be adjusted to institutional capacity and actual need. A small village will not need the same spatial planning tools as a burgeoning metropolis.
- Training programs should play a major role in capacity building process.



- Planning needs a clear legal framework and guidelines in order to assure co-ordination among different juridical and physical persons. The main aspect of private property protection, and public interest protection should represent a priority in designing the planning system.



PART FOUR – REFRAMING THE ROMANIAN SPATIAL PLANNING SYSTEM

336. The analysis above showed that the Romanian spatial planning system is, in many aspects, a work in progress: it is based on a young legal framework, still in construction, with institutions gradually assuming responsibilities and struggling to match mandate with capacity and a complex architecture of plans that still lacks accurate reflection in practice.

337. An initiative to reform the spatial planning system should thus be understood within present constraints. No matter how good the legal and regulatory system is in a country, it will do little good if there aren't enough specialists, with the right skill mix, to do the job. Similarly, if there is little purpose for spatial planning, because of the small amount of new developments being done throughout the country, people will not look for a profession in spatial planning. Generally, people try to acquire skills in fields that are sought, in fields that tend to pay well, and in fields where they feel they can have a future.

338. A spatial planning system is a sum of many parts, and if one part does not work well, the whole system suffers. It does not help if only some people in the system do spatial planning while others do not. If a general urban plan is supposed to correlate to a county spatial plan, but the latter is missing, a part of the purpose of spatial planning is lost from the start. In essence, the lack of just one spatial plan can undermine the field of spatial planning as a whole. However, when a country has over 3,100 localities, 42 counties, and 8 planned regions, all which need to have a spatial plan in place, it is difficult to maintain a spatial planning system where everything runs well. Similarly, the higher the number of vertical levels one has to coordinate with, the more difficult it is to do so. On the one hand, plans have to be passed in a sequential fashion (higher level plans before lower level plans), and the higher level plans have to be comprehensible enough to make it easy to coordinate with. Obviously, it is easier to manage a spatial planning system with fewer parts, than it is to run a system with many parts (i.e., where many coordinating efforts have to be taken horizontally and vertically). Many countries have achieved this feat by decentralizing – i.e., by devolving spatial planning decisions to the lowest possible level. This also means that higher levels of government require approvals only if the area for which the approval is sought is not already organized at lower levels.

339. As more and more development happens in Romania, the role of spatial planning will become increasingly important. Particularly the advent of EU funds will require a stronger role for spatial planning in the public sector. In essence, every public entity in charge of development activities should also have a spatial planning function integrated – helping not only to outlay spatially an action plan, but also playing a key role in the strategy making process. At the same time, it is important to take into consideration that the need for spatial planning will not go up everywhere at the same time. The most active places



(usually the larger cities) will generally require more spatial planning, while less active places (e.g., shrinking rural areas) will require less spatial planning. This means that the further development of the spatial planning system should be done flexibly and responsive to changes occurring throughout the country.

340. In what follows, we will describe some of the main spatial planning issues revealed in Romania, as well as provide a set of recommendations grouped in two distinct sections looking at the process, on one hand, and the content, on the other hand, of spatial planning. The first section underlines systemic aspects as well as provides a set of both general as well as concrete recommendations on how to improve the performance of the system. The second section conveys a series of sound principles of spatial planning that should be undertaken and mainstreamed in the planning practice in Romania in order to meet the challenges posed by urban dynamics, as commented above.

Main Challenges Identified

341. **After more than 20 years of adjusting to market dynamics, it is clear that the spatial planning system in Romania is not functional.** It is enough to look at how most cities have developed to acknowledge this truth. Going beyond what is immediately visible, one sees that a large majority of territorial administrative units do not have spatial plans; when they do have spatial plans they are often expired; when they are not expired they are not properly enforced; and when they are properly enforced they are fought back by private interests.

342. **Spatial planning is not a field that can exist on its own.** Basically, if there is not much development in a country, there is little need for spatial planning. Moreover, little development translates into a reduced need for spatial planners. Without a body of spatial planners continuously working on relevant issues, the field cannot develop properly. This is in fact what has happened in Romania after 1989. Development, which was previously done in a centralized fashion, stopped almost abruptly. This, coupled with a shift from centralized planning to decentralized planning, has left much of the planning profession looking for a purpose. Central planners were not needed anymore, there were few spatial planners knowledgeable in doing spatial planning at the local level, and even when those were present they did not have much to do. The need for and relevance of spatial planning is measured by how developed a country is. The more developed, the higher the need. Given that Romania is on a sustained growth path, it is likely that spatial planning will become more important in coming years. This will naturally call for proactive measures to respond to future spatial planning challenges.

343. **The spatial planning system in Romania does not have a coherent set of policies at its base, setting priorities and identifying challenges to be addressed.** The starting point of the spatial planning is Law 350/2001. It is its genesis and the point around which it evolves. Consequently, one cannot really speak in Romania about a spatial planning system based on a set of integrated policies (e.g., land, housing, infrastructure, etc.). The Ministry of Regional Development and Public Administration is in the process of drafting the



Territorial Development Strategy. However, no intent was indicated for also preparing an Urban Development Strategy, which in many respects would be a more stringent need for the country.

344. The spatial planning system in Romania is fragmented. This can be observed both in the number of public institutions with spatial planning competences, and the way these institutions work; it can be seen in the number of spatial planning instrument and their efficiency; and it can be seen in the dissonance between the integrating role the spatial plan is supposed to fulfill, and the uncontrolled proliferation of development projects. We can say that spatial planning in Romania forms a normative framework that is often not respected, leading to a lack of trust in the capacity of spatial planning instruments to solve development challenges.

345. The current normative framework does not make the explicit difference between normative/statutory planning and strategic planning. Consequently, there is no clear separation between the development plan and the development control plan. This difference is implicit in other countries, involving different institutions and competences, different professional backgrounds, other control and enforcement mechanisms. International best practice indicates that development plans are tied to the budget and are under the supervision of the mayor or the city manager, while control plans integrate technical and legal land information and are under the competence of a spatial planning unit.

346. An abundance of strategies has led to a proliferation of form without content. It is obvious that the last decade has brought about a proliferation of strategic planning exercises. Triggered by law developments imposing spatial and urban planning documents as well as EU integration which required documented strategic plans justifying fund disbursement, both central and local authorities have gradually elaborated and endorsed a whole array of strategic plans. This is, without a doubt, a positive development, as it increased awareness on developmental issues, generated conditions for better targeted public interventions, and built experience in dealing with strategic planning exercises.

347. There are several aspects, however, that still require sustained attention and action. A strategy and planning document should not be seen as an end in itself but a means to an end. The utility of such documents do not lay in their mere existence but the extent to which they guide public decisions, support better allocation of scarce resources and increase impact of public actions. An abundance of strategies and plans with limited consideration to design quality, monitoring and implementation frameworks and capacities and disconnected of financial capacities and instruments threats to discredit the planning function itself.

348. Strategies and plans are instruments meant to operationalize concepts and principles proven as beneficial for guiding local, regional, and national development and growth, therefore articulating a particular “planning doctrine.” However, the analysis of strategic documents shows too few considerations to the overarching philosophy pushed forward by



authorities. Local development visions are in many aspects the same, strategic plans consist mainly of descriptive situational analysis accompanied by a rich menu of all public interventions than can be thought of, resembling more of results of brainstorming exercises than a strategic prioritization based on a coherent set of beliefs.

349. There is overlap, disconnect, and poor coordination between spatial plans and development strategies. Spatial plans include both a strategy part and a land-use plan, following the masterplan format. The law mentions that the county/local spatial plan should be different from the county/local development strategy, but the law is silent on what development strategies should include. As such, there is often an overlap and duplication of efforts in the elaboration of development strategies and spatial plans, not to speak of the fact that coordination is often left undone.

350. Community engagement is often done as a token gesture and it lacks a clear guide for engagement. To be truly efficient, planning should be done as close to the people as possible. The Law does mention the need to engage communities, but there are no guides on how this could indeed be done effectively.

351. Procurement procedures for spatial plans often encourage the drafting of low-quality plans. For one, most local authorities that want to put such a plan in place externalize the task. Local authorities simply lack the skills to bring such a project to completion. Procurement procedures in Romania however call for a “lowest-price” selection model. This often leads to a situation where the lowest price also translates into the lowest quality end product. Moreover, there is no standard procurement procedure that to similar communities could use to attract interested planning firms. All public authorities prepare tender and procurement procedure the best way they know how.

352. Strategic thinking is often lacking. Spatial planning can play a major strategic role in guiding development. However, as it functions now, it plays primarily a coordinating function. Sometimes plans are coordinated just for the sake of being coordinated. There is no strategic policy that outlines some of the key development issues spatial planning could help with. There is a territorial development strategy in the works, but unfortunately no mention of an urban development strategy – which, from many points of view, require more urgent attention.

353. Spatial planning is a cumbersome process. While serious efforts have been undertaken to decentralize planning at the local level, many of the approvals that need to be taken for a spatial plan go to the highest level of government. Approval times can in some cases take longer than the actual process of preparing the plan. The more cumbersome this process is made, the fewer incentives will public authorities have to undertake such endeavors. Ideally, the process should be streamlined and simplified.

354. A prolonged state of non-compliance generated loss of credibility of planning instruments. The overarching legal framework of spatial and urban planning draws a complex and clear hierarchy of plans and strategies for all



administrative tiers. All such plans are mandatory, formally endorsed by law and their provisions are obligatory to all public and private actors. However, the analysis above shows that the planning practice is very much disconnected from the formal framework set by law. Many authorities fail to issue such plans, or the mere existence of plans does not necessarily imply that their provisions are complied with or at least monitored. This situation occurs at all levels of planning mandates. Such a prolonged state of legal non-compliance can only gradually affect the credibility of the planning systems – as law provisions are, in a systematic manner, ignored or not respected, with no major consequences. This in turn raises the issue of why such laws and regulations exist in the first place and what their real utility is.

355. There is also a disconnect between public administration and spatial planning functions. General local public administration laws refer to responsibilities of authorities to elaborate strategic documents (strategies, programs, plans), with few or no reference to planning documents. In parallel, the spatial planning laws allocate responsibilities to authorities in elaborating a clearly defined set of spatial and urban planning documents, with few or no references to the complementarity to other strategic planning instruments used/required by other laws. This combined with the fact that strategies are elaborated generally by different departments than spatial and urban planning documents, sets an image of a two speed disconnected strategic planning mechanism. True coherence and consistence of such instruments may be reached only when enforcing a single integrated perspective on the type and role of strategic planning documents to be prepared and implemented by public authorities.

356. An enabling environment for a meaningful planning function is also lacking. It is almost impossible to conceive a competent and impactful planning system without a reliable digital cadaster, adequate statistical infrastructure, a legal framework ensuring compliance and accountability, as well as public procurement regulations that allow access to service providers of technical expertise based on quality and performance. Many spatial plans lack basic territorial data for the areas for which the plan is being prepared (e.g., accurate parceling, land ownership, property value). It is clear that one cannot hope to reform the spatial planning system without bringing much needed reform in the system as a whole. Spatial planning does not function in a vacuum and improvements of the system should not be done in a vacuum either.

357. There is generally poor awareness of the planning function. This is essentially the expression of a negotiation of scarce resources among different actors of a community. It is therefore a process that should be led by communities for communities, influencing the decision-making process of as many stakeholders as possible. As a newly regulated and developed function, much has to be done in terms of improving awareness, engagement, and ownership. Recalling Faludi's criteria for effective spatial plans – the plans should be known as well as accepted by decision makers as part of their decision system in order to be able to speak of plans performance and utility.

358. The analysis of complementary strategic documents shows limited mainstreaming and adoption of spatial plans provisions. In terms of overall



public perception, while no systematic survey has been recorded, experience in working with such planning documents reveals a very poor awareness of the existence and role of such documents, by all stakeholders. This situation is worsened by lack of transparency and limited public access to such documents. As long as the public is poorly informed and educated in such aspects and watch dog functions are merely existent is difficult to expect that the planning function will well improve in terms of competence and results.

Recommendations for Enhancing the Spatial Planning System in Romania

359. This section will provide recommendations on the simplification of the framework of planning in Romania, the correlation and harmonization of different types of plans, and the development of a planning system that will better integrate national and EU-funded initiatives. Other recommendations have also been considered and they have been outlined below.

Simplify the Planning System

360. **The architecture of the planning system, as conceived currently, is designed and may be functional in a context where the planning function is largely assumed and supported by vested stakeholders, and the capacity is there for sound practice.** In such a context, it may be better to aim for less and reach clear targets, than to aim for a complex system and fail to implement it in practice. Three main priorities are relevant in this respect:

- (1) reducing the redundancy and overlap between plans and strategic documents;
- (2) diminishing the complexity of planning documents; and
- (3) setting tailored solutions with regard to the number and content of documents required, based on the needs of the territories considered.

361. **The elimination of redundancies and overlaps should be a first priority of the MRDPA in simplifying the planning system.** This should be addressed both for national level spatial plans and strategies as well as for lower administrative tiers.

362. **The National Spatial Plan draws on several sectoral strategies, and is compiled by the Ministry of Regional Development and Public Administration.** As these sectoral strategies, priorities, and action lists tend to change quite frequently, so should the spatial plan. Unfortunately, since the spatial plan is developed in a centralized fashion, it sometimes fails to keep up to date with individual changes within a sector. For example, the Ministry of Transport may decide to build a new expressway, or turn a proposed expressway into a highway. That information may percolate with some delay to the MRDPA. Instead of having the MRDPA trying to collect all these disparate pieces of information from individual line ministries, it seems to be much more efficient to have these line ministries be in charge of drafting and updating corresponding sections of the National Spatial Plan. For example, the Ministry of Transport would upkeep and update the Transport section of the plan, the Ministry of Environment would be responsible for the Water section, the Ministry of Culture



and the Ministry of Environment would be responsible for the Protected Areas section. The MRDPA would ensure that all of these sections are brought together in a coherent whole, and would of course produce the NSP sections that fall directly within its attributes – e.g., the System of Cities section.

363. As for the county level, spatial plans should draw on existing strategies and attempt not to duplicate work that has already been done.

There is no rule in terms of the optimal number of strategic planning documents that a local administration should have in order to improve the impact of its activity. Strategic planning exercises covering specific sectors (e.g., tourism, waste management, youth, etc.) may be an opportunity to zoom in to a specific set of issues pertaining to the respective territory and articulate a coherent and detailed set of measures to tackle them. However, it is important to keep in mind that the main purpose and utility of strategic planning for local public administration is to articulate and mobilize communities towards a clearly defined vision, operationalized in a specific set of priorities and measures. Currently, both county spatial plans (CSP) and county development strategies (CDS) formulate visions and general objectives for the county's development. However, while the former is mandatory and enforced by law, the latter is generally better assumed and more visible. This is not to imply that one or the other should be abolished, however, it is essential that the two types of instruments be aligned, in terms of elaboration, content and implementation.

364. Specific actions required for diminishing overlaps and redundancy include:

- The central government should issue a set of guidelines on the elaboration of county strategic documents. This should include specific mentions on what are the roles and type of content recommended for each of the two and how the two should coordinate and reinforce one another. Such guidelines should also include advice on aspects to be tackled, type of analysis and performance indicators as well as monitoring and implementation aspects. Such clarifications on the CSP vs. CDS may be needed also to be considered in the legal framework, namely law 350/2001-2011 as well as the Law 215/2001 on local public administration.
- Central authorities should constantly monitor the strategic planning functions of county councils and ensure a constant flow of information and knowhow. Training and best practice exchange programs on the use and importance of CSP are useful to increase capacity in terms of managing such strategic planning purposes (by specialized departments, on one side) as well as increase awareness and ownership from the side of other departments or stakeholders. Best practices should be identified and showcased to encourage and reward performance as well as enforce the role of the ministry as enabler not just as controller.



Figure 36. Bringing strategy and spatial plan together, under the current administrative framework

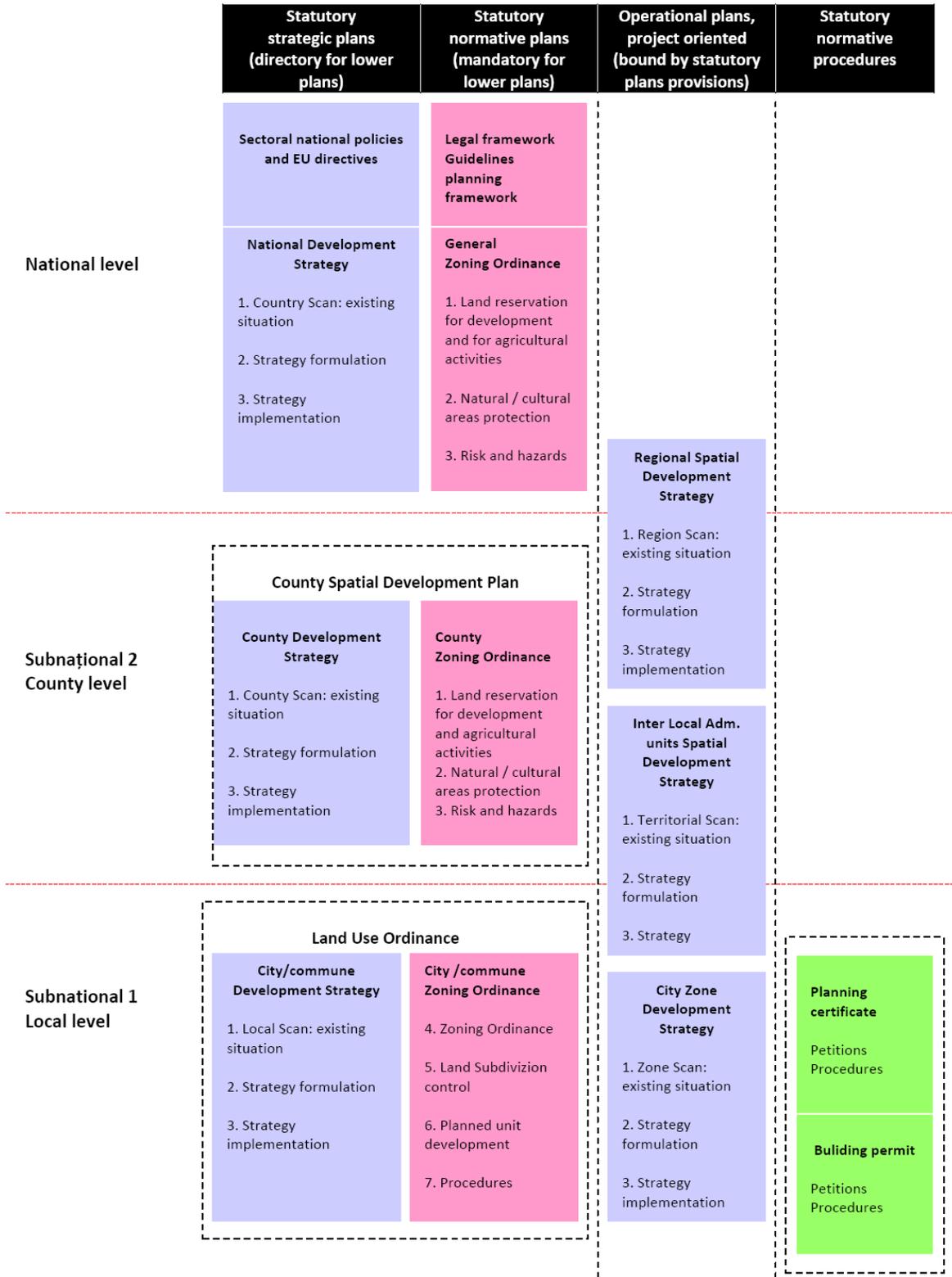
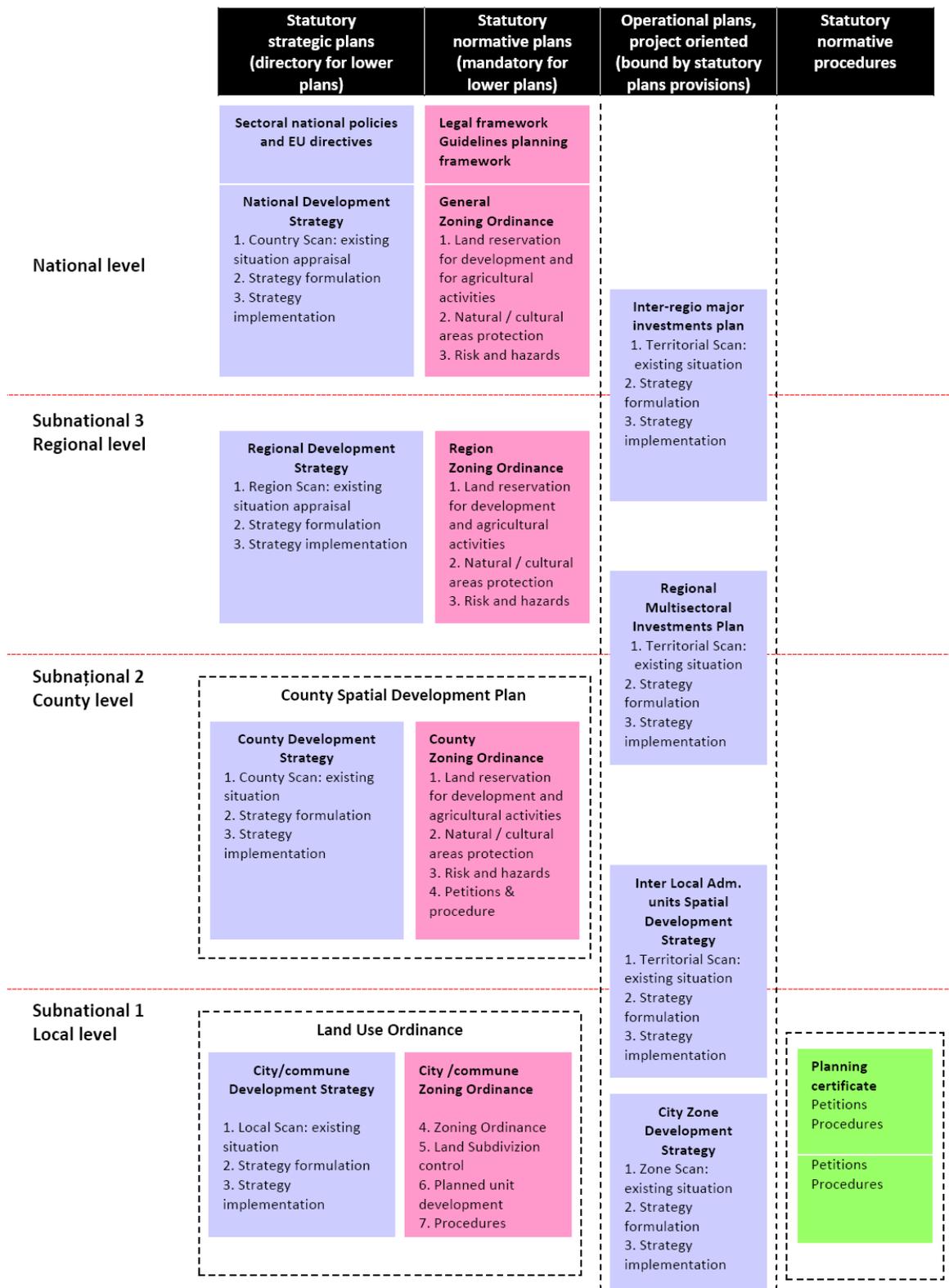




Figure 37. Bringing strategy and spatial plan together, under the planned regionalization





- CDS and CSP should be elaborated in parallel, if possible by the same contracted service provider so that the coordination between the experts involved in the elaboration is made possible, consultation and data analysis will not be duplicated. The recommendation of introducing single/unified development plans ("planuri unice de dezvoltare"), which was mentioned earlier in the text, should also be considered as a course of action.
- The two figures above indicate how the development strategy and the spatial plan could be brought together within the current administrative framework (figure 35) and within the framework of the planned regionalization (figure 36).

365. Reducing the complexity of planning documents should be considered by the MRDPA as a second priority with regards to simplifying the spatial planning system.

366. Higher-level plans should be kept simple. The national spatial plan offers a good example in this respect. Whoever wants to build a road, or determine where protected areas and buildings are located, can make easy use of the national spatial plan. However, the situation gets more complicate when one tries to coordinate general urban plans with county spatial plans. When the latter actually exist and where they have been drafted and approved before the GUP, they often represent nothing more than an amalgamation of data and information, which is both hard to reference and hard to understand. County spatial plans (and to the extent they will exist in the future, regional spatial plans) should therefore draw on an already existing strategy (which was drafted taking spatial planning issues into consideration), and only lay out in the spatial plan things that the county council has the mandate, competences, and resources to achieve.

367. County spatial plans should be simplified to make it easier for lower-level plans to draw on them. Right now, when they exist, they tend to be overly complex and complicated, and it is not always clear what has relevance for lower administrative levels. Moreover, there is no clear guideline on how a county spatial plan should look and what it should focus on.⁴² Obviously, no county is the same and spatial dynamics are likely to differ from one case to the other. Nonetheless, there are clear attributes that all county councils share (e.g., planning county solid waste management systems, developing county water and wastewater networks, and managing county roads), which have a clear spatial component, and which have a direct bearing on lower level plans. Such elements should be standardized within county spatial plans. Other standard elements that should be included are those from the national spatial plan. For example, county councils may extend the surface of protected areas, they may add buildings to the heritage roster, and they may define additional tourism areas. Also, there are a number of standard zoning elements (e.g., the designation of agricultural lands and developable lands), which should be included in every county spatial plan.

⁴² There is a methodology for the elaboration territorial management plans (e.g., the NSP, CSPs, and ZSPs), but it is not clear whether this is an official and definitive document that public authorities with spatial planning competences should follow.



368. Clear guidelines for spatial plans should address the complexity of the planning documentations, which tend to be hard to peruse by even the best specialists in the field, and may be completely incomprehensible for regular people. Best practices in terms of easily accessible briefs tailored to different target groups should be encouraged and showcased.

369. Specific actions required for diminishing overlaps and redundancy include:

- Design and implement programs to train local public civil servants in dealing with strategic planning documents to disseminate best practices in terms of spatial planning;
- Continuously engage public authorities tasked to carry out spatial planning functions, to uncover the most pressing issues in the field, and to identify best-practices that could be replicated throughout the country and which could inform policy and regulatory changes in the field.

370. Setting tailored solutions with regard to the number and content of documents required should be a third priority of the MRDPA in simplifying the spatial planning system. Spatial planning should be designed to primarily focus on the areas where development happens most frequently and most often, and that is the urban level. The plan for developing a country's highway system may be in place for 20 years. Cities change however on a daily basis. Consequently, spatial planning tools should be geared to respond to the ever-evolving challenges at this level.

371. Different scales of planning documentations are required and do indeed depend on the context and complexity of the territory studied. The GUP elaboration guides should differentiate between different types of settlements. A large, dynamic city will likely require a much more diverse and complex set of spatial planning tools, than a small village where not much happens.

372. Diminishing the number of strategic spatial planning documents mandatory by law should also be considered. Having both a regional spatial plan as well as a county spatial plan may not be justified in terms of scale of content differences. Also, especially for smaller localities, having both a GUP and a ZUP may be redundant and the inclusion in the GUP of potential ZUP provisions should be seen as a simpler and equally effective solution.

Build Ownership and Engagement of Relevant Stakeholders

373. Ownership and engagement are essential for enabling spatial planning to become strategic. More than just playing a coordination function, spatial planning should be used as a strategic tool. To do so, spatial planning should be engrained within the entities that do development. In essence, when a development plan is hashed, a spatial planner should ideally be part of the process – not just to coordinate with other plans and strategies, but to ensure that key spatial planning tools are used to achieve optimum results. For example, at the national level, all line ministries that do development (e.g., Transport, Environment, Agriculture, etc.), should also have a spatial planning



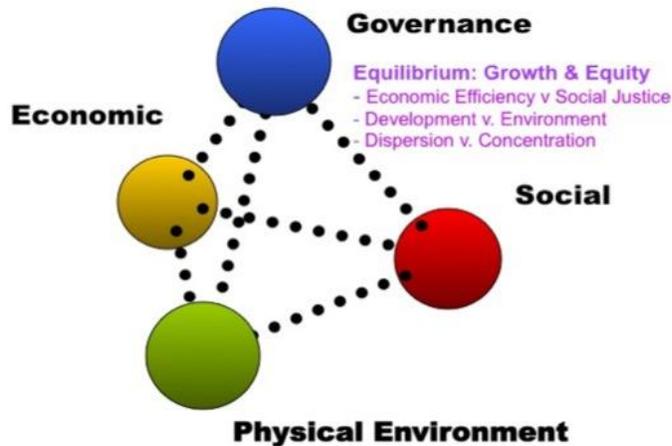
unit, which ensures that spatial planning plays a role in the drafting of the strategy. Spatial plans devised by these line ministries should then be discussed within an inter-ministerial entity (e.g., a Council of spatial planners) to ensure proper coordination, and should be integrated in the NSP by the MRDPA. At the county and local levels, spatial plans should draw on a comprehensive development strategy and the strategy itself should take spatial planning into consideration (for example, it should consider the use of zoning and land use tools to encourage market efficiencies and discourage market inefficiencies). Right now, county spatial plans and general urban plans often duplicate efforts by including a socio-economic and environmental analysis, when one may already be in place for the development strategy.

374. In the same vein, it is important to acknowledge that development is not just a matter of economic growth supported by productive infrastructure. Development is about economic efficiency, social equity, physical sustainability, and about a good governance system that creates a balance between these three elements. Strategic planning deals with economic, social, and physical issues equally, while seeking a balanced integration of the three. The physical plan comes to offer support to the development objectives laid out in the strategic plan. As such, work on the strategic plan and the spatial/physical plan needs to start at the same time, although the latter can be completed only when the former has been finalized.

Figure 38. Development is more than just economic growth

DEVELOPMENT:

**Economic Efficiency,
Social Equity,
Environment Sustainability,
Governance Equilibrium**



375. Poor ownership by local communities in drafting, monitoring, and implementing the plan may explain why plans are not effective. The perpetuation of governance failures is subtly linked to the lack of awareness and watchdog capacity. New forms of participatory planning complemented by planning education for the general public would enhance ownership from the communities. This in turn is expected, on one hand, to push for better and more



transparent planning and, on the other hand, to generate a “planning culture” manifested as more proactivity and receptiveness of citizens to planning issues.

376. If spatial planning is to also play a strategic role, it should be engrained within the visioning, strategizing, implementation, and financing process. The easiest example in this case is roads infrastructure. When putting a transport masterplan together, the decision of where to put a highway, in what order to build its segments, and how to prioritize it with respect to other highway projects requires an in-depth spatial analysis. Thus, the spatial planner should be part of the larger team, and should not only display in space where the highway will go, but also play a key role in how the highway will be outlined.

377. For spatial planning to be truly efficient, it does seem helpful to have spatial planning attributes nested within the line ministries and agencies that undertake activities with a spatial planning component. This does not necessarily require a large staffing effort. Often, it would be enough to hire a spatial planner that ensures the continuous update of a spatial plan, as initiatives with a spatial component are undertaken. For example, a planner working for the Romanian National Company for Highways and National Roads could maintain a GIS map with all ongoing and proposed projects of the Company. This map would be submitted to the Territorial Development unit of the MRDPA, to ensure proper correlation and coordination with other sectoral plans.

378. Furthermore, DG Territorial Development should ensure that all spatial plans are passed on to the National Agency for Cadaster and Land Registration. This is the agency that maintains the land-use database of Romania and one of the key reference points for development initiatives. Moreover, all data and plans that are organized and managed by DG Territorial Development should be made public. It is hard to coordinate plans when one finds it difficult to locate and access those plans. More than ease of consultation though, everything that is completed with public money should in principle be free to access by the public (unless clear restrictions apply – e.g., national security data).

Improve Planning Processes

379. Ideally, development strategies and spatial plans should be started at the same time. One cannot really function without the other. Rather than having spatial plan duplicate efforts of development strategies, or having development strategies that do not pay attention to spatial plans, strategies, action plans, and spatial plans, should be drafted together. We come therefore again to the recommendation of having single/integrated development plans – i.e., plans that have strategy, action plan, and spatial plan in one document. Starting the strategy and the spatial plan at the same time also enables much better horizontal coordination, ensuring that economic, social, and environmental decisions are properly considered in the GUPs and county spatial plans.

380. Plans should be drafted in a clear sequence. Basically, higher-level plans should come before lower-level plans. Otherwise, lower-level plans will have nothing to draw on and coordinate with. Right now, there is no sequence



in how plans are drafted, and many GUPs are approved without having a county spatial plan they could draw on. Also, the drafting and approval process for higher-level spatial plans should be simplified. If drafting a plan takes on average 3 years and has a validity of 10 years, then there are good chances that in a system with regional spatial plans, GUPs could never really coordinate horizontally, as higher level plans will be continuously outdated. Higher-level plans should be simple (easy to reference by anybody), realistic (without making commitments on using land, without actually having the resources to carry the work through), and time-bound (if a plan has a validity of 10 years, it should only include in it things that can indeed be achieved within that timeframe).

381. Spatial plans should be kept flexible. Nobody really knows how the future will look, so plans should not be drafted in a rigid fashion. As the saying goes, “plans change,” and so should spatial plans. A spatial plan should provide a general spatial direction for future development and land use, but it should have embedded within it the necessary mechanisms for adaptation, when adaptation is called for.

382. Strategy and policymaking should be separate from the plan enforcement and approval process. At all administrative levels (national, county, local), there is an amalgamation of spatial planning functions. Basically, spatial planning units are in charge of crafting the vision, strategy, the plans, and enforcing them. For example, the Directorate General for Territorial Development within the MRDPA prepares strategies and plans, but it is also responsible for approving lower level spatial plans. Chief Architects at the county and local level spend more of their time approving plans and building permits than doing actual strategic thinking and policy making. This is why it may pay off to separate these two functions (policymaking and implementation). For example, at the national level, a National Spatial Planning Agency could take over the role of implementing policies, strategies, and plans drafted by Directorate General for Territorial Development. At the county and local levels, Chief Architects could be tasked with solely dealing with the “thinking” part of spatial planning, while a unit working under them could be responsible for issuing certificates and building permits.

383. Improve the quality and performance of planning documents. While a first generation of planning documents has been issued and generated experience in dealing with such processes, the next challenge is to improve the quality and impact of such processes. Currently, planning documents are often nothing more than a checklist of required documents. Additional degrees of sophistication are required, with particular attention to ensuring comparability and relevance of diagnostic analysis, quantification of the structure or objectives and measures, design of the monitoring and evaluation framework, methodology and thematic aspects covered, etc.

384. Another common feature of many spatial plans is the lack of clear financial planning (e.g., identifying the sources to be used for finishing planned developments). It is not immediately obvious who and how will fund the things listed in the spatial plan and these often become ambitious statements with only poor grounding in reality. It may therefore be useful to use capital investment planning tools for 4-year intervals.



385. Some concrete actions to be considered by the Ministry of Regional Development and Public Administration to improve the planning process include:

- Issue/upgrade methodologies for county and local planning documents. These should include a recommended set of indices to analyze in order to allow for comparability with other counties/localities, on the one hand, as well as improve relevance of diagnosis analysis and awareness on real social and economic challenges; on the other hand, there also needs to be a methodological approach to analyzing aspects currently insufficiently covered (e.g., poverty, economic competitiveness, housing, etc.).
- Perform impact assessments and publish an annual report concerning the national territory.
- Develop guidelines for procurement of technical advisory services for elaborating spatial planning documentation. This should also include advice on terms of reference stipulations, evaluation criteria based on quality aspects (other than financial offer), and contractual terms for the beneficiary to control and refuse work if non-satisfactory in terms of quality.
- Work with the National Statistics Institute to improve the quality and type of data collected territorially;
- Engage more actively in the implementation of strategic endeavors such as the implementation of the INSPIRE directive, the digitization of national cadaster or reform of the local statistical infrastructure, in order to generate an enabling framework allowing for accurate and effective planning.
- Last but not least, issue an overarching policy/planning guideline describing the conceptual framework and principles aimed at and promoted by the national planning system, which should be further articulated in lower level plans. This should come out of the territorial development strategy and the urban development strategy.

386. As a final word, the complexity and technical character of the planning documentation are other aspects that need to be addressed. All good intentions of participatory processes may be hindered if the object consulted is difficult to read (in terms of context, size, language, etc.) by the general public.

Support Capacity Development

387. A simplified architecture of regulations and institutional mandates is not sufficient to ensure improvement of the planning practice. Many of the drawbacks and faults of the planning practice are caused by lack of capacity: insufficient personnel, inadequate qualifications and training, lack of resources (e.g., software, data), poor motivational features (e.g., financial, status), and poor experience in joint departmental / institutional work. This affects all levels of the administration, be it central, county, or local levels. More needs to be done in terms of increased awareness and actual capabilities of authorities to meet responsibilities imposed by the law and improve those. Starting by monitoring which authorities develop their own planning documents is beneficial, but this must be followed by a situational analysis of personnel and capabilities.



388. Address capacity issues related to the elaboration, monitoring, and enforcement of integrated plans. The reality in Romania is that very few local and county authorities are equipped to prepare development strategies and spatial plans on their own. Most often, they have to externalize this function to the private sector, to public research institutes (e.g., URBAN INCERC), or to universities. In essence, this is not a bad thing, as plans are prepared at good standards. However, public authorities often do not take ownership of these documents. As such, it may pay off to think about creating the regulatory framework that would allow counties and larger urban areas to have dedicated planning agencies. These planning agencies could function as public interest NGOs, with a flexible hiring policy (allowing them to offer higher salaries and attract better qualified people), with the possibility of generating revenues from multiple sources (i.e., not just from contracts with local/county authorities), and with a status that will keep them more detached from politics.

389. If the creation of planning agencies will be hard to fulfill, it may pay off try to strategically outsource planning functions when capacity is lacking. It is particularly important to rely on sound procurement procedures, which allow hiring of companies not just based on the lowest price (as often done currently), but also based on the quality of the proposal presented and the likelihood of delivering quality work. In parallel, public authorities should work to strengthen their capacity by attracting and retaining qualified people who could drive the spatial planning agenda locally.

390. The Ministry of Regional Development and Public Administration could consider the following actions:

- Perform systematic and periodic capacity reviews.
- Develop and implement training programs, design educational materials, etc. Focus on monitoring and evaluation, as these are aspects insufficiently tackled so far.
- Build capacity of county offices to provide assistance to small administrations (especially from rural areas), which do not have the capacity to attract and retain qualified personnel.
- Ask for an allocation of EU Structural funds for the next programming period for increased capacity of the planning function, including funding for technical assistance, resource procurement (e.g., software, hardware), training, and exchange of best practices.
- Ensure constant communication with chief architects' offices to inform and keep them up to date on new legal provisions, useful resources, etc.

Better Link Spatial Planning to EU Programming and Funding Instruments

391. EU funded projects are a good opportunity to enhance the role of spatial planning. Spatial planning goes hand in hand with development, and EU funds have triggered a big wave of development projects throughout the country. The large majority of these projects, as indicated in the analysis above, have a spatial planning component – even when they simply focus on the rehabilitation of existing infrastructure. The simple fact that a street rehabbed



with ROP funds should be coordinated with the rehabilitation work done on the water system with OP Environment funds, is a call for a larger role for spatial planning in the administration of EU funds. In fact, the Cohesion Policy 2014-2020 puts a strong focus on Integrated Territorial Investments for the next programming period, which would require the coordination of investments coming from different funding sources (state budget, EU funds, private investments, PPPs, etc.).

392. EU funds for technical assistance should be available for use for spatial planning exercises. As in the previous programming cycle, when structural funds have been used to fund the elaboration of County Development Strategies, for the next programming period such funds could be allocated for planning exercises. Moreover, it is of utmost importance to encourage not just the acquisition of technical advisory services resulting in documents but also capacity development in terms of know-how and technical infrastructure (e.g., training for monitoring and evaluation, communication services to increase the awareness on planning documents and their role, GIS infrastructure, etc.). This would lead to better planning process performance not just the mere elaboration of a strategy.

393. In addition to the planned territorial development strategy, the Ministry of Regional Development and Public Administration should also consider drafting an urban development strategy. This will be critical not just for laying a foundation for more sustainable urban development, but it will also provide key guidelines for orienting the way urban investments from EU funds will be organized in the 2014-2020 programming period. For example, integrated territorial investments, or integrated sustainable urban development projects, will come together much easier when there is a framework in place to guide such investments. A clear urban development strategy would also provide insights into what changes are required for the spatial planning regulatory system.

Address Legal Framework Shortcomings

394. A proper functioning of the spatial planning legal framework is conditioned by a solid base in terms of granting and regulating property rights, as well as clearly delineating and enforcing planning law provisions in relation to other regulations. Two possible recommendations are relevant in this respect, considering the gaps in terms of constitutional provisions mentioned in Part Three. Either the planning law is granted organic status or public officials define, within the existing legal framework, only those restrictive measures that stand without being turned-over by courts.

395. Another shortcoming of the legal framework regards different planning instruments that do not have a corresponding mandated authority to ensure enforcement. The metropolitan areas best describe this situation. While Law 215/2001 deems a zonal metropolitan spatial plan necessary, the legal framework granting planning mandates to inter-community development associations, currently governing metropolitan areas, is missing. More work needs to be done with regard to the legal framework defined in metropolitan areas' governance systems, which is essential not only to ensure a functional



spatial planning at the metropolitan level, but also to develop the required implementation capacity.

Recommendations for Adopting Sound Spatial Planning Principles for Dealing with Urban Development Challenges

396. While the recommendations above focused on the improvement of the spatial planning system, in terms of the legal and institutional level, as well as on capacity aspects, the following section describes the approach and principles that different planning institutions could adopt to enhance the efficiency and impact of the planning function. The focus was kept purposefully at the urban level, as the *Competitive Cities* report has already provided an overview of territorial development challenges in Romania. Moreover, it is the urban level where spatial planning tools can play the most strategic role. This is why we stress that, in addition to the National Territorial Development Strategy, the MRDPA should also consider drafting an urban development strategy. The recommendations below are meant to help make a step in that direction.

Figure 39. Brăila has a well-planned, compact urban structure



Braila configuration of inhabited urban mass

- Continuous Urban Fabric (S.L. > 80%)
- Discontinuous Dense Urban Fabric (S.L. : 50% - 80%)
- Discontinuous Medium Density Urban Fabric (S.L. : 30% - 50%)
- Discontinuous Low Density Urban Fabric (S.L. : 10% - 30%)

Data Source: Europe Environment Agency; Note: S.L. = Soil Sealing



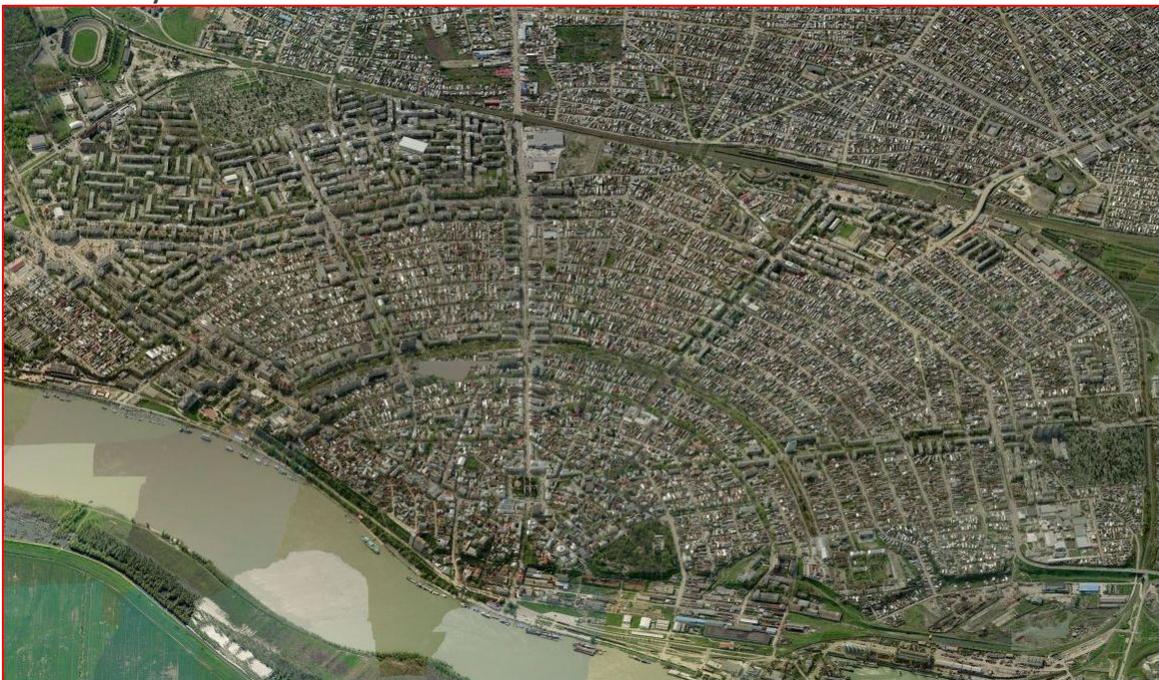
Strategically use the GUP and the ZUP to encourage compact urban growth

397. While the general urban plan (GUP) and the zonal urban plan (ZUP) should be key instruments for guiding urban development, not all cities use them as such. The problem is that once cities develop around a specific form, it is very hard for them to change that particular pattern. For example, developing and expanding a public infrastructure network is much easier when the city has developed around a well-organized urban structure. As such, good early planning will make for easier spatial planning further down the road.

398. There are few cities in Romania that have managed to expand their public transportation network in the transition years. Of those, one of the most successful cities was Brăila. Part of the reason why public transport was so successful here (apart from the engagement of local authorities) is the well-designed and compact city structure (see maps below).

399. Brăila is a city that was well planned from the get-go, following the Organic Plan of Pavel Kiseleff from the early 19th Century. It is clear without knowing the history of the city, and by looking at the maps, that the growth and expansion of the city was constantly guided by an urban plan, along a radial pattern, emanating away from the banks of the Danube River. Not only has urban expansion in Brăila followed an orderly pattern, but the city's apartment blocks themselves have been tightly developed, ensuring high enough densities to make public transport more viable (see image below).

Figure 40. Brăila looks from a distance as a highly compact, dense, and well-structured city



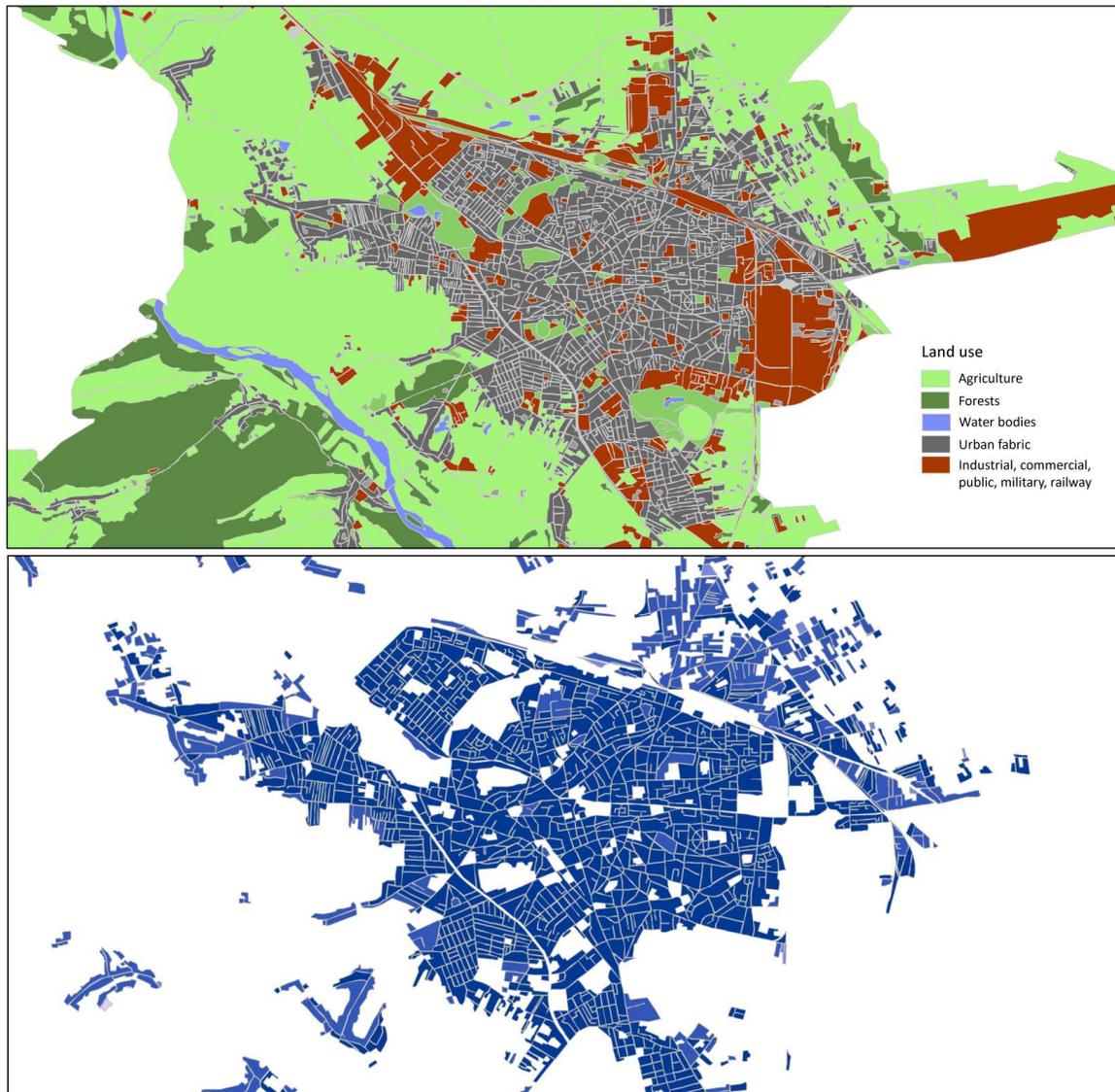
Source: Bing Maps

400. It is not hard to see how such a compact and dense structure would be conducive to the development of public transportation. Indeed, when



looking at the city’s public transportation map (see Annex 8), it becomes evident how this network is enabled to function efficiently by the city’s well-organized structure. Basically, the main transportation lines run along the major boulevards radiating from the center to the peripheral areas of the city, and along concentric rings that form a radial pattern around the banks of the Danube. If one could design a classical monocentric city with optimal allocation of densities and with optimal individual travel time, Brăila would come close to this ideal model. It remains to be seen if additional hard data to be collected in the future will confirm this hypothesis.

Figure 41. The urban structure of Craiova is poorly planned



Craiova configuration of inhabited urban mass

- Continuous Urban Fabric (S.L. > 80%)
- Discontinuous Dense Urban Fabric (S.L. : 50% - 80%)
- Discontinuous Medium Density Urban Fabric (S.L. : 30% - 50%)
- Discontinuous Low Density Urban Fabric (S.L. : 10% - 30%)

Data Source: Europe Environment Agency

Note: S.L. = Soil Sealing



401. Cities that have not benefited from strong urban planning in the early phases of their development have been less fortunate in maintaining and growing their public transport networks. Craiova is a case in point. In the transition years, the public transportation network saw a marked decline (although not as dramatic as in other cities, which have either completely lost a mode of public transport – e.g., tramway, or have given up on public transportation altogether). The maps above give an indication as to why it is harder to organize a public transportation network efficiently in the city. The urban mass of Craiova seems to have developed in a haphazard and chaotic fashion, without any planned guidance.

402. Craiova's chaotic structure may have also affected density patterns. Between 1992 and 2012, the city has lost around 37% of its density, and it is now the least dense growth pole in Romania. This loss of density will of course further affect public transport in the city. As Annex 9 shows, the current transit network in the city attempts to make best use of the larger boulevards, but does not manage to properly cover the entire city efficiently. Whereas Brăila's transit network is helped by well-organized main roads that bring almost every neighborhood within easy reach of a transit stop, in Craiova the public transport network has to meander its way through a convoluted street system. The image below is another vivid expression of why good spatial planning is important.

Figure 42. Craiova's chaotic spatial development makes public services delivery harder



Source: Bing Maps

Consider metropolitan planning where appropriate

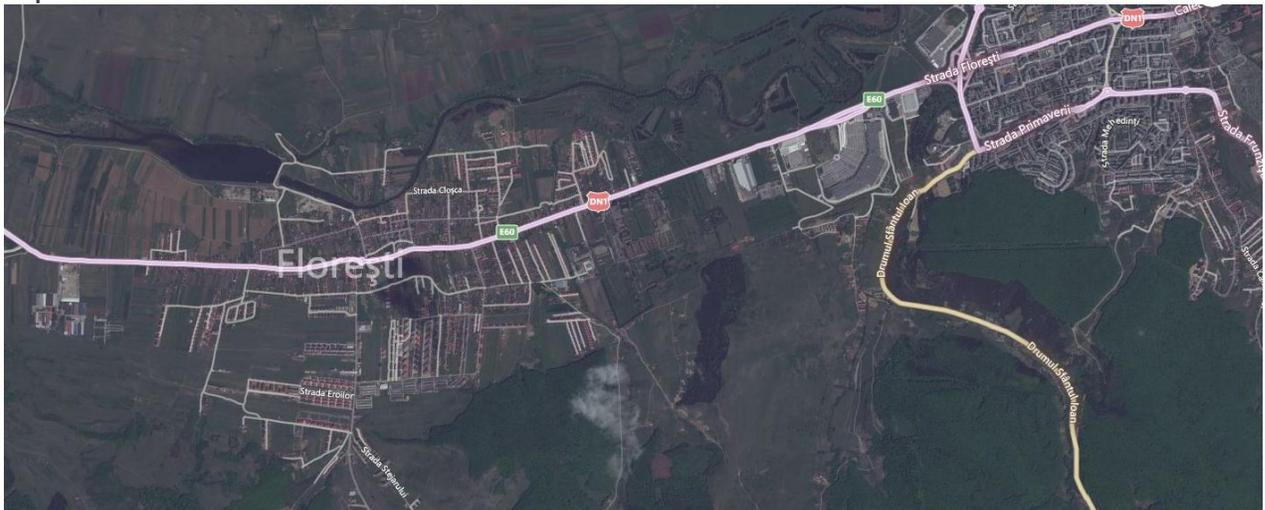
403. Few cities in Romania have seen development of the magnitude that would warrant metropolitan governance. However, most cities, even the smaller ones, have seen their urban mass expand in recent years. In most of the larger cities, urban growth has spilled over municipal boundaries. For example, Florești, a suburb of Cluj-Napoca, has added more housing units in 2008 (the peak of the real estate boom) than any other city in Romania – including the capital București. The number of new housing units developed in Florești between 1990 and 2011 is surpassed in absolute numbers by only three other localities: București, Cluj-Napoca, and Constanța. The population of Florești has



also grown accordingly, and now it is larger than three of the six designated urban areas in Cluj County.

404. To take this specific example, while Florești's growth was driven by Cluj-Napoca's strong economy, the city remains spatially separated from Cluj. Over 17,000 housing units have been created to the left and right of the road that connects Florești to Cluj (Calea Florești), but no additional thoroughfares have been created to take some of the pressure off of Calea Florești. As a consequence, the little stretch of road between the two communities is constantly congested, and it was found by the Police to be the stretch of road with the highest incidence of traffic accidents in Romania. Obviously, developing better connective infrastructure between Cluj-Napoca and Florești would not only help decrease traffic accidents and their related costs, but it would also enable synergies and better flows between the two areas.

Figure 43. No additional roadways were created to take the pressure off the over-burdened and congested Calea Florești, which links Florești to Cluj-Napoca



405. Developing a better transport infrastructure would require an integrated spatial planning approach. That is, Florești and Cluj-Napoca should not draft their plans in isolation (the way it is happening now), but coordinate their efforts, as they are part of the same functional economic and urban zone. Spatial planning decisions in Florești will have a significant impact on Cluj-Napoca, and vice-versa. This is just one example in Romania, but similarly there are other cities across the country that would benefit from more integrated planning.

Determine the appropriateness of metropolitan transport networks

406. As mentioned earlier, cities do not exist in a vacuum. They are part of larger functional zones. As central cities become better integrated with surrounding communities, it is important to also consider how investing in an integrated public transport system can reduce dependence on private cars for daily commutes.



407. The quickest way to determine whether a metropolitan transport system would be viable is to look at the density profile of metropolitan areas. It is commonly known in planning circles that a built-up area density of 30 people per hectare would make the development of a public bus system viable. We have therefore collected this information for all the seven designated growth poles in Romania. The data was collected for 1992, 2002, and 2012, to take full advantage of the more accurate Census information collected in those years.

408. As the figure below indicates, only Braşov has dense enough settlements in its vicinity to make an integrated metropolitan transport network viable. All other metropolitan areas are basically surrounded by communities that are simply not dense enough. Moreover, the center cities themselves have lost density in the past two decades (as shown earlier in the report).

Figure 44. At this point, an integrated transport network only seems to make sense in the Braşov metropolitan area

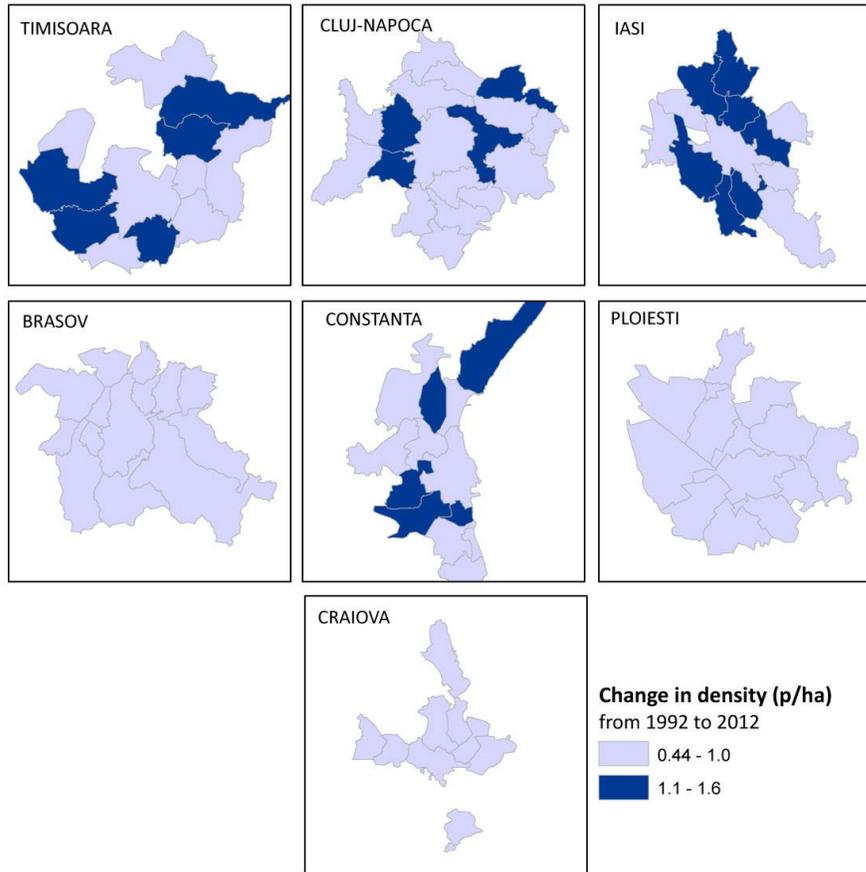


409. Nonetheless, if we veer away from a static analysis approach, and look at how density patterns have changed in the past 20 years, a more nuanced picture emerges (see image below). Thus, four of the growth poles (Timișoara, Cluj-Napoca, Iași, and Constanța) have seen densities in peri-urban areas grow continuously. In fact, two of the peri-urban areas around Cluj –



Florești and Baciu – now have densities that are close to making them viable for an extension of public transport networks – 27 p/ha and 21 p/ha respectively. Assuming that densities in these peri-urban communities will continue to grow, it will pay off to think about how they can be better connected to the center city.

Figure 45. However, many peri-urban localities have been gaining density



Use zoning strategically to address the “camel-back” profile of Romanian cities

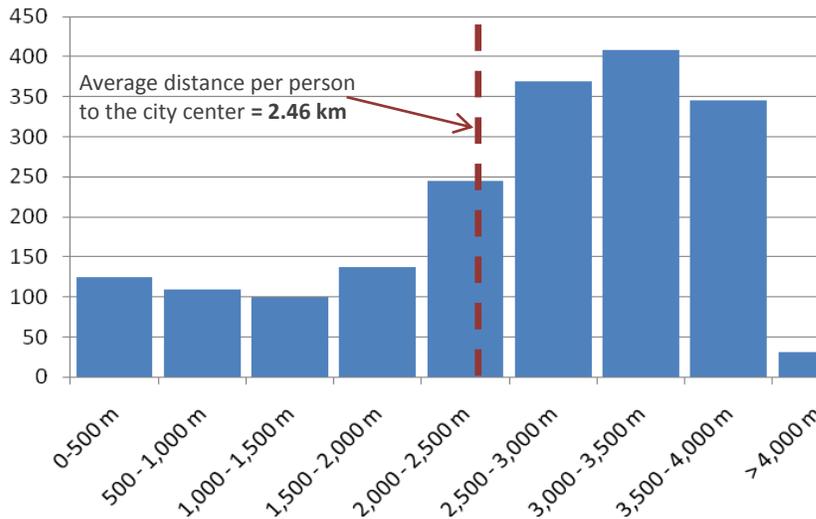
410. As discussed earlier, centrally planned cities have developed in a very particular way. On the whole, East-European cities tend to cover smaller areas than their Western counterparts. However, their density profile is less than ideal. Their “camel-back” distribution of densities means that there are more people clustered in areas that are further away from the city center. In many Romanian cities, the highest density neighborhoods are on the fringe of the urban area, rather than in the center of the city.

411. Profiting from a rich database for the City of Cluj-Napoca, we have looked at how a change in the density profile could improve average travel times in the city. As a first step, we used the 2002 Census data to draw the density profile and to determine the average distance a person in Cluj would have to travel to get to the city center. The result was 2.46 km (see figure below). Without having comparator cities we could draw on (to see for example



if this average travel time is high or low), we have decided instead to do a couple of modeling exercises to show how the average travel distance would change if the density profile would be adjusted.

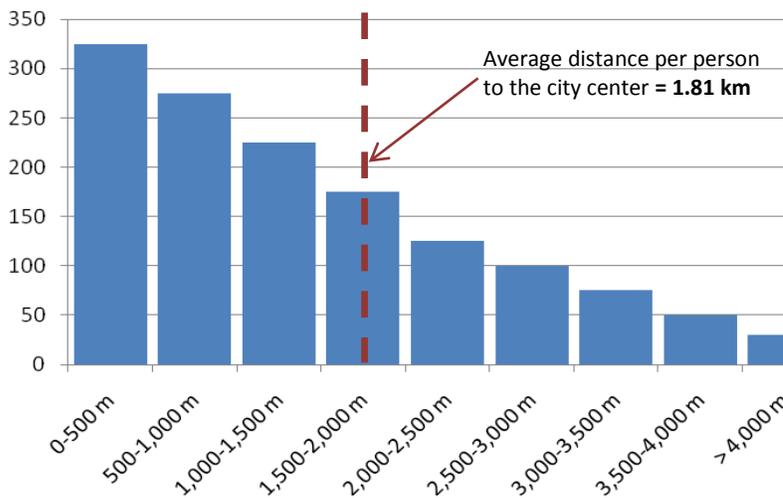
Figure 46. The average distance a person in Cluj-Napoca has to travel to the center is longer than it should be



Data Source: National Institute of Statistics

412. Model 1 took the current density profile and flipped it around. The basic premise was to see what would happen in Cluj-Napoca if densities were organized around a traditional monocentric structure, with the highest densities in the city center, and the lowest densities on the outskirts. At the same time, the density profile was adjusted to keep the overall population of the city at about the same level it is at now.

Figure 47. A traditional downward sloping profile could substantially reduce the average distance a person would have to travel to the city center



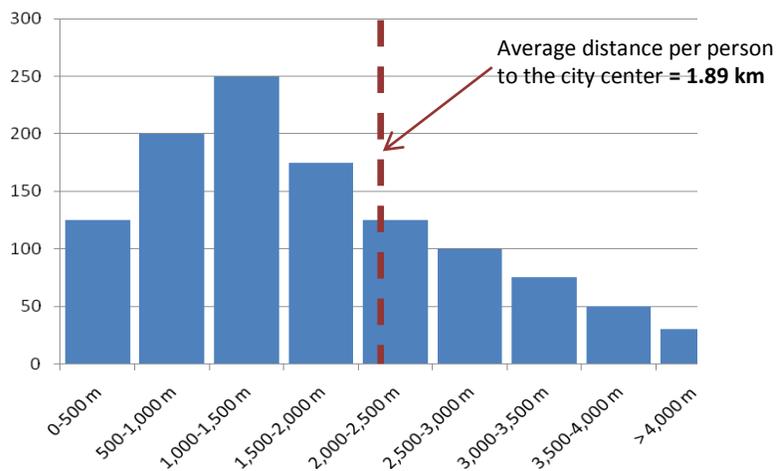
Data Source: National Institute of Statistics



413. The density profile change showed a very stark outcome. If Cluj-Napoca would have had a density profile that more closely resembled cities that have grown organically, the average travel time a person would spend to get to the city center would decrease by over 26% - to around 1.81 km. This means that people could reduce their daily commutes by foot from around 30 minutes to around 22 minutes. In a world where time is money and every minute counts, this is a significant improvement.

414. Model 2 took the historic core of the city into consideration, assuming that densities in the old town would not change. This is a more realistic model, as the historic center of Cluj-Napoca is and should be protected. We assumed however that densities in the areas close to the city center, especially those that do not represent protected cultural heritage sites, could accommodate higher densities. As the figure below shows, even this model showed a marked improvement over the current situation, with the average travel distance to the city center dropping to 1.89 km – a 23 minute walk compared to the 30 minutes under the status quo.

Figure 48. An even more conservative approach that accounts for lower densities in the old city center still renders better results than the current density distribution



Data Source: National Institute of Statistics

415. Beyond such modeling exercises, data confirm that market forces heavily shape spatial dynamics in the city. Benefiting from the help of local authorities and a local real estate company (EDIL Imobiliare), we have constructed the Census 2012 areas (which reflect a larger city than in 2002) and have populated these tracts of land with real estate information for the 2008-2011 time period. We were interested to identify the locations in Cluj-Napoca that people value the most. As expected, the areas in and around the city center were the areas where most people wanted to be – what one would expect to see in any city that develops according to market-based principles.



416. The map below unequivocally shows that Cluj-Napoca's center has the largest gravitational pull and that this pull gets weaker the more one moves toward the periphery.

Figure 49. The highest rents are charged in and around the Cluj-Napoca city center



Data Source: EDIL Imobiliare

417. To supplement the rent data, we have also looked at sale prices for housing units. Again, the same pattern emerged (see figure below). The areas in and around the city center were highly valued, while the peripheral areas were least valued. In fact, among the least valued pieces of real estate were the communist apartments. In some areas of the city, the value per square meter of such apartments was lower than what it would cost to build a dwelling from scratch (not taking into account the other costs related to moving people, taking down buildings, and relocating them into new ones). In time, as conditions in these apartment blocks will deteriorate even more, their price is likely to continue to go down further.



Figure 50. Largest housing prices are in and around Cluj-Napoca city center



Data Source: EDIL Imobiliare

418. Once the housing sale price data was ready for processing, we developed a housing price gradient (see image below). The aim of this exercise was to determine what type of density gradient markets ask for. As expected, the housing price gradient follows a downward-sloping pattern, indicating that people value a central location and that a higher density could be allowed there, to the extent possible (i.e., while also protecting old buildings, etc.).

Figure 51. Housing prices follow a distribution pattern consistent with the monocentric city model in a market economy



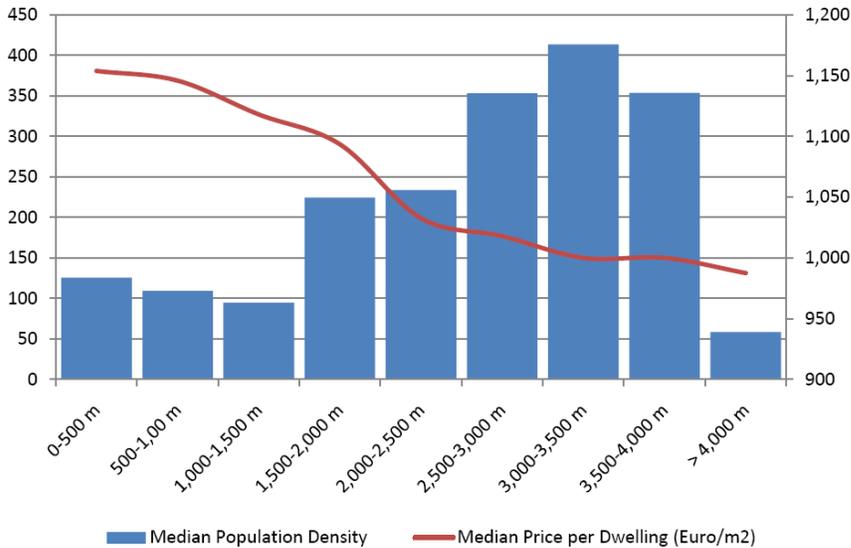
Data Source: EDIL Imobiliare

419. We have superimposed the existent density gradient graph and the housing price gradient to enable a better comparison (see figure below). The two basically seem to be going in opposite directions, although they should have ideally been closely correlated. In simple terms, unless an area is a protected



cultural and/or historical site, or a protected green area, it should be zoned to allow for higher densities.

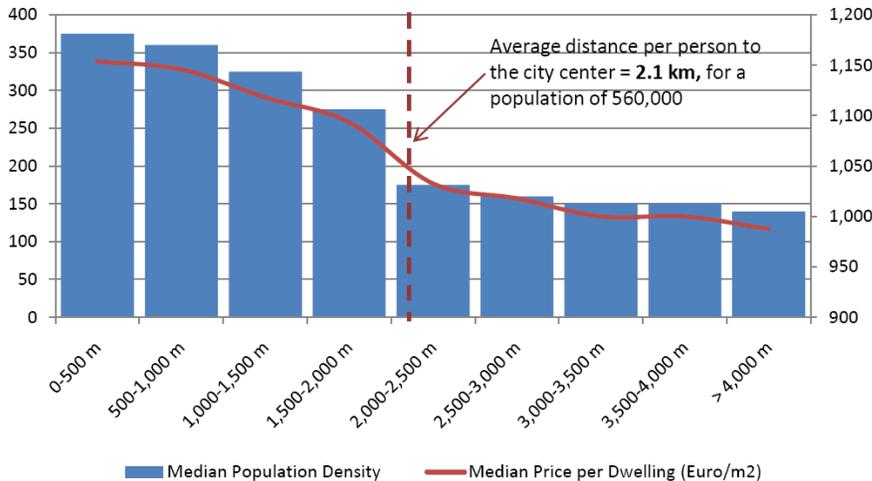
Figure 52. Housing prices follow a negatively sloped profile and show how population densities should ideally look



Data Source: EDIL Imobiliare and National Institute of Statistics

420. Based on these real-estate data, we have developed a third model – one that would be more in tune with what the market asks for. This third model resembles the first model but allows for higher densities and a higher population.

Figure 53. A negatively sloped density distribution is more efficient even when the population almost doubles



Data Source: EDIL Imobiliare and National Institute of Statistics

421. Even this model, in which Cluj-Napoca would have a population almost twice as large as the current population, still enables a more efficient



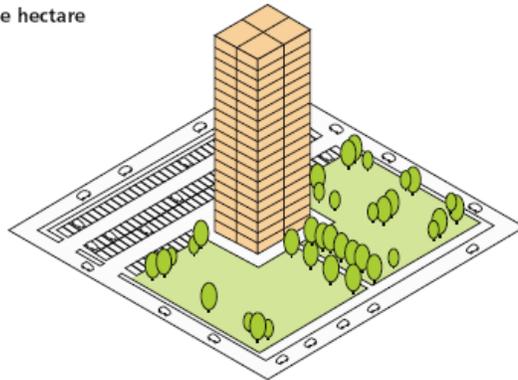
distribution of the population. The average distance travelled by one person to the city center would be only 2.1 km – still 15% lower than the current situation.

422. There is therefore a strong argument to be made for the densification of specific areas in and around the city center (those that are not protected as historic sites). The main way of achieving this goal is through the use of one of the most powerful spatial planning tools – the allowed Floor Area Ratio (FAR). The FAR is used when planners want to control density in a particular area, but they do not want to necessarily prescribe a height limit. In essence, the FAR delineates how a parcel of land can be developed. For example, a FAR of 1 would basically mean that one could build a one-story building that covers the entire surface of the land parcel; or a two-story building that covers half of the area of the site; and so on.

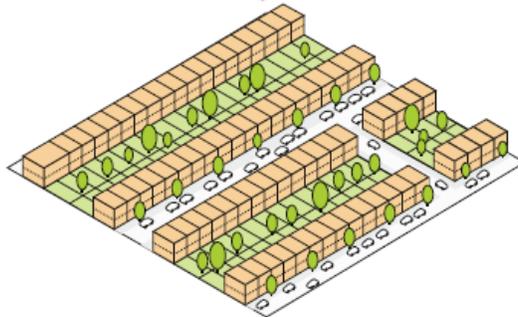
Figure 54. There are different ways of achieving the same FAR

Density configurations on one hectare

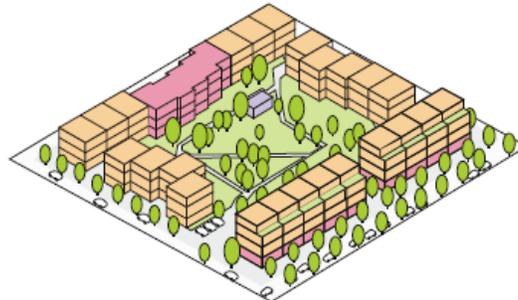
Density: 75 dwellings / ha
High buildings
Low plot coverage



Density: 75 dwellings / ha
Low buildings height
High plot coverage



Density: 75 dwellings / ha
Medium building height
Medium plot coverage



-  Residential
-  Office and commercial
-  Public facilities

Source: Mozas, Javier, and Aurora Fernandez Per. 2006. *Density: New Collective Housing*

423. The figure above shows a number of ways the FAR could be implemented in practice. Thus, when higher densities are prescribed in some



areas, people should not fear that a skyscraper will show up next to their house the next day. When thinking of high density, a lot of people think of the skyline and skyscrapers of New York.

Figure 55. The skyscrapers of New York



Source: Bing Maps

424. However, as shown earlier, New York has a density in the built-up area that is lower than in all major cities in Romania – 40 p/ha. This can be attributed to the fact that most of New York does not look like Manhattan in the picture above, but rather like Queens in the picture below. Thus, although the city has high density spikes within its limits, it is on average a relatively low density city.

Figure 56. This is how much of New York looks like



Source: Bing Maps

425. By contrast, a city like Barcelona, which few people would consider to be a high-density city, is more than four times as dense as New York. Much of this can be attributed to the way urban fabric in Barcelona is constructed. Most of the city was developed around the famous Barcelona blocks – square city blocks tightly packed with building of 4 to 8 stories. This means that efforts to increase the density of Romanian cities should not be done at the expense of



congenial urban spaces – planners and policymakers just have to understand how to distribute this density most efficiently.

Figure 57. Barcelona has achieved high density with human scale buildings



426. Using density maps, rent and housing sale prices maps, and aerial photography, we have determined a number of areas in Cluj that could accommodate higher densities. Overall, these are housing neighborhoods that do not have protected historical sites or protected green areas. A similar exercise could and should be undertaken for other areas in Romania.

Figure 58. Inhabited areas in Cluj-Napoca that could potentially accommodate higher densities



427. Generally, Romanian planners allocated low FARs this type of housing neighborhood, in an ill-fated attempt to preserve their character. Without a



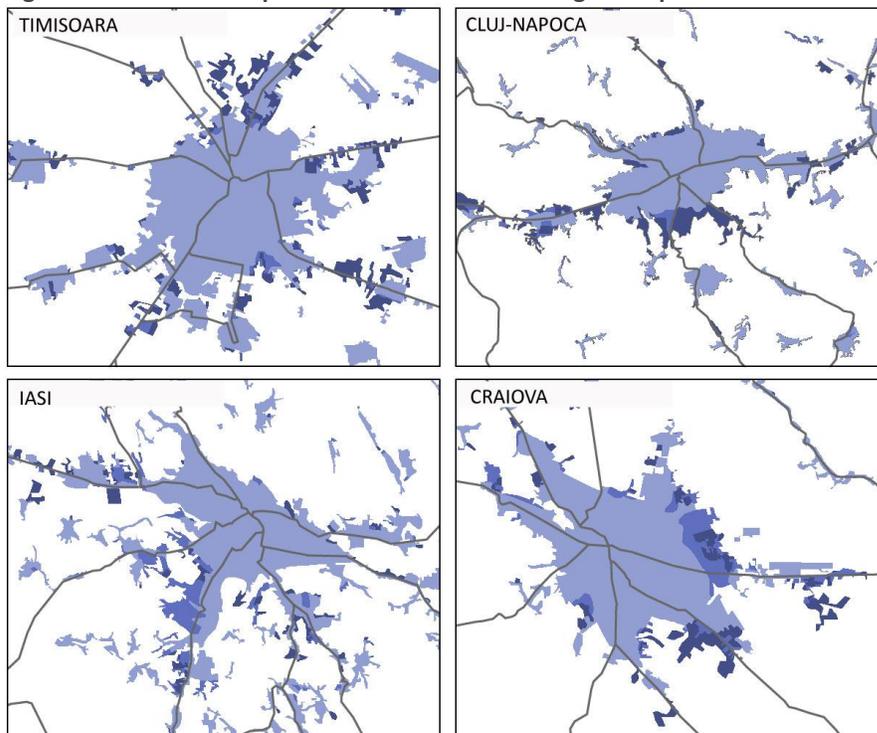
good understanding of socio-economic and market dynamics, urban planners in Romania (who are largely architects by training), have resorted more to aesthetic principles when devising planning regulations, relying less on market-based insights.

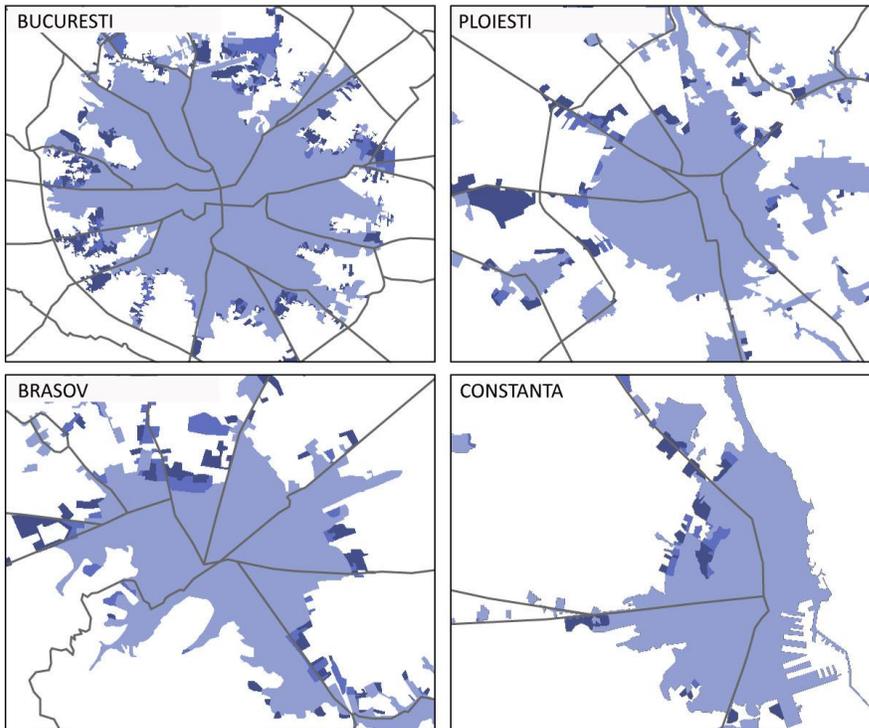
Anticipate urban expansion fronts and use spatial planning tools to guide growth in a sustainable way

428. Although most Romanian cities have lost population in recent years, they have nonetheless expanded outward – some more aggressively than others. As noted before, between 1992 and 2002, București has added to its urban fabric an area the size of Ploiești. Other cities have also seen significant growth. Brașov and Cluj-Napoca, for example, have expanded their urban mass by 24%, while Craiova has expanded its urban mass by 27%.

429. Of course, the urban expansion front of cities is not contained within their administrative boundaries, but spills over to adjacent territorial units. In fact, much of the urban growth has happened in peri-urban areas (see Annex 10). For Timișoara and Cluj-Napoca, the expansion of the built-up area has been more aggressive in peri-urban communities. For example, Dumbrăvița in the Timișoara Metropolitan Area has expanded its built mass by 138% between 1992 and 2012. Florești, in the Cluj-Napoca Metropolitan Area, has expanded its urban mass by 134%. Other peri-urban communities have grown by 30%, 40%, or 50% - faster than the core.

Figure 59. The urban expansion fronts of Romanian growth poles





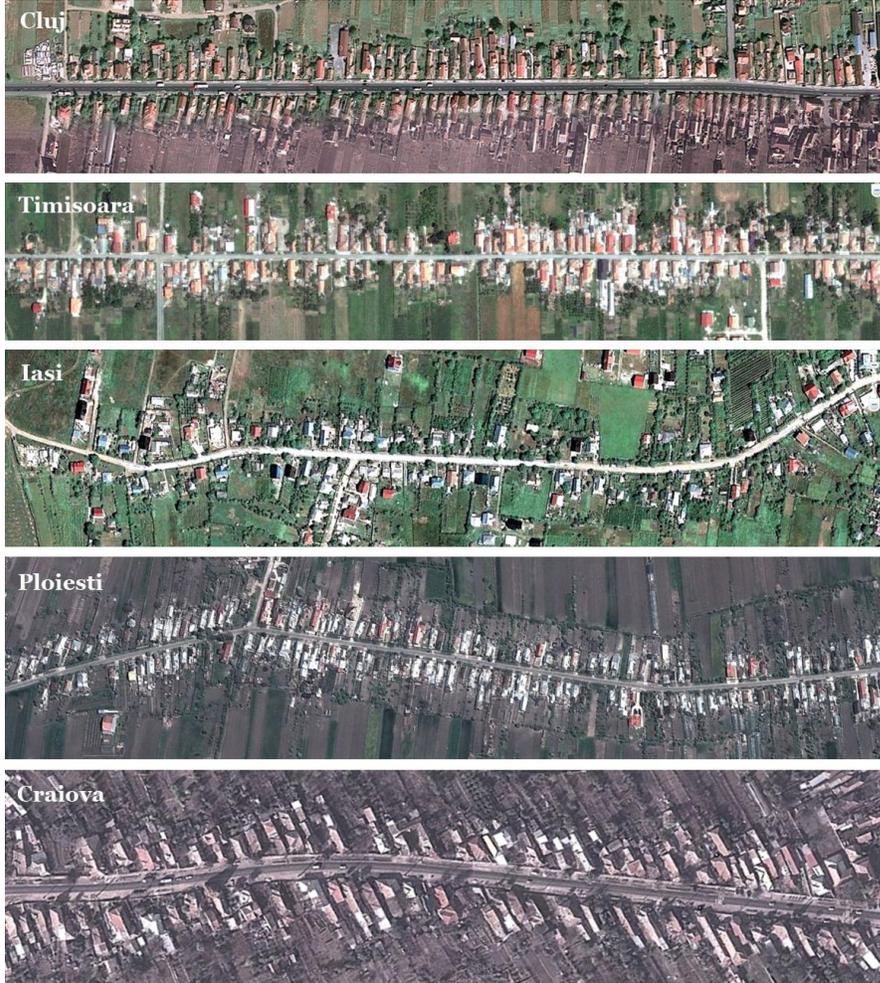
Note: The different shades of blue reflect the extent of the urban mass for the years 1992, 2002, and 2012

430. The maps above show how this metropolitan growth was reflected in space. They also indicate where the urban expansion fronts are located for each of these cities. A number of trends become immediately evident from these maps. For one, radial cities, like București and Timișoara, expand in a more sustainable fashion – in concentric rings around the core. Second, infrastructure is a very powerful spatial development tool. For each of the eight cities included in the maps above, new growth has predominantly concentrated along the main roads in and out of the city. This dynamic is relatively easy to explain. Since real-estate markets that have guided these developments are still in their infancy, there are relatively few major developers who can take on large projects and develop big tracts of land. In the initial phases of the real-estate boom, individual detached homes, or the occasional apartment block, generated much of the new growth. To reduce costs, these small developments were usually placed in areas with relatively cheap land, but still close to existent infrastructure networks (roads, water, sewage, electricity). The costs of developing away from existent infrastructure would have been prohibitive.

431. Apart from using road infrastructure to improve connectivity and mobility in a functional economic area, local and national authorities should also deploy it as a strategic spatial planning tool. As the figures below show, roads act as magnets for new developments and they can guide new urban development along a more compact and orderly front.



Figure 60. Infrastructure is a very powerful spatial planning tool



Data Source: Google Earth

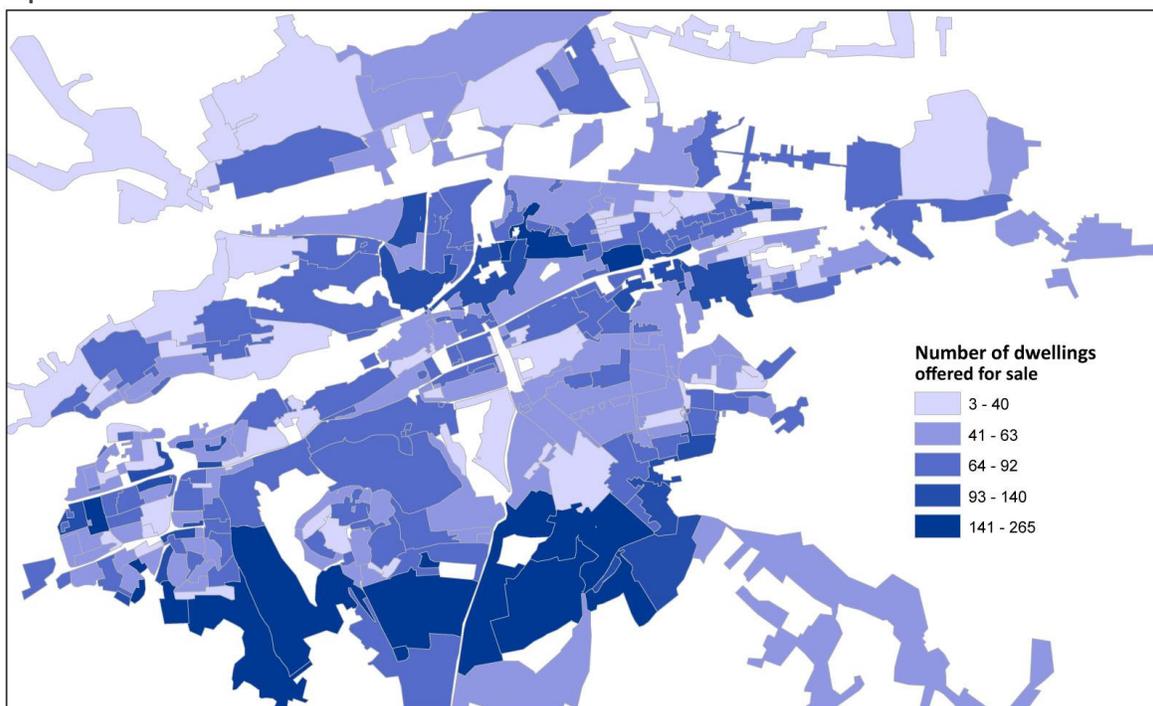
432. Of course, there are instances when even the best spatial planning tools may be of limited use. Topography, for example, is a well-known “enemy” of compact urban development (see Annex 11). When mountains surround you, it is the mountains that tell you where to go. Braşov, for example, has Tâmpa to the South, which acts as a *de facto* growth barrier. Cluj-Napoca and Iaşi lie in river valleys, surrounded by hills, and it is these valleys that guide outward expansion. Constanţa, on the other hand, is bounded by the Black Sea to the East and can only expand inland. Bucureşti, Timişoara, and Ploieşti lie on flat plains, which has allowed them to expand in a radial, more sustainable pattern.

433. In addition to natural growth barriers, there are also man-made obstacles. Large industrial areas, railway lines, highways, etc., can stunt growth if accessibility to centers of activity is affected. Of course, man-made barriers to growth are usually easier to overcome than natural barriers. While costly, it is often possible to put another crossing over a railway line or to develop an anchor settlement in a formal industrial area.



434. Close monitoring of what happens within city limits should double a close monitoring of what happens at the metropolitan level. Cities also develop from within. It is therefore important that local authorities monitor closely the main urban expansion front and use spatial planning tools to enable that growth. In Cluj-Napoca, for example, the main expansion front for the city is the Southern side, towards Feleacu Hill. As can be seen in the image below, this is where most new dwellings have been developed and offered for sale in recent years. Being aware of this trend, local authorities in Cluj-Napoca have thus decided to extend the developable area (“spațiul intravilan”) of the city toward the Southern part. This is critical, as it provides some breathing room for the city. If fringe land is not opened for development in areas of urban expansion, the growth of the city may be stunted, or it may lead to leapfrog developments across administrative boundaries (basically, if people cannot develop land in one locality, they just go to the next). From a sustainability point of view, planners and policymakers should avoid such suboptimal outcomes.

Figure 61. Most units for sale are located within Cluj-Napoca's southern expansion zone



Data Source: EDIL Imobiliare

435. Obviously, urban growth does not only happen on the fringe, but also through in-fill development. In fact, this is quite widespread in Romania, both because people prefer to be close to the city center and because centrally planned neighborhoods have often left parcels of land that could be (re)developed. The image below is a telling picture of how space in a centrally planned neighborhood in Cluj-Napoca has been used after 1990 to accommodate new detached housing (i.e., more diverse housing), new apartment blocks (i.e., more of the same), a gas station (an amenity that was missing in a neighborhood that was not planned for intense car traffic), a new hotel, and an old house that was converted into a church.



Figure 62. In-fill developments in one neighborhood in Cluj



Source: Bing Maps

436. Most of the new in-fill apartment blocks have a mix of uses (see, for example, the image below). This reflects much better people's needs for basic amenities such as grocery stores, shops, or neighborhood bars and hang-out spots. When local authorities will zone areas that are ripe for in-fill development they should therefore allow mixed uses.

Figure 63. New buildings better reflect people's needs



Source: Panoramio

437. International urban planning practice indicates that dynamic cities should always encourage mixed use and have at least 40 percent of the available floor area allocated to economic uses. Whenever possible, mono-functional zoning should be reduced to no more than 10-15 percent of the overall land.⁴³

⁴³ UN-HABITAT. 2012. *Urban Planning for City Leaders*.

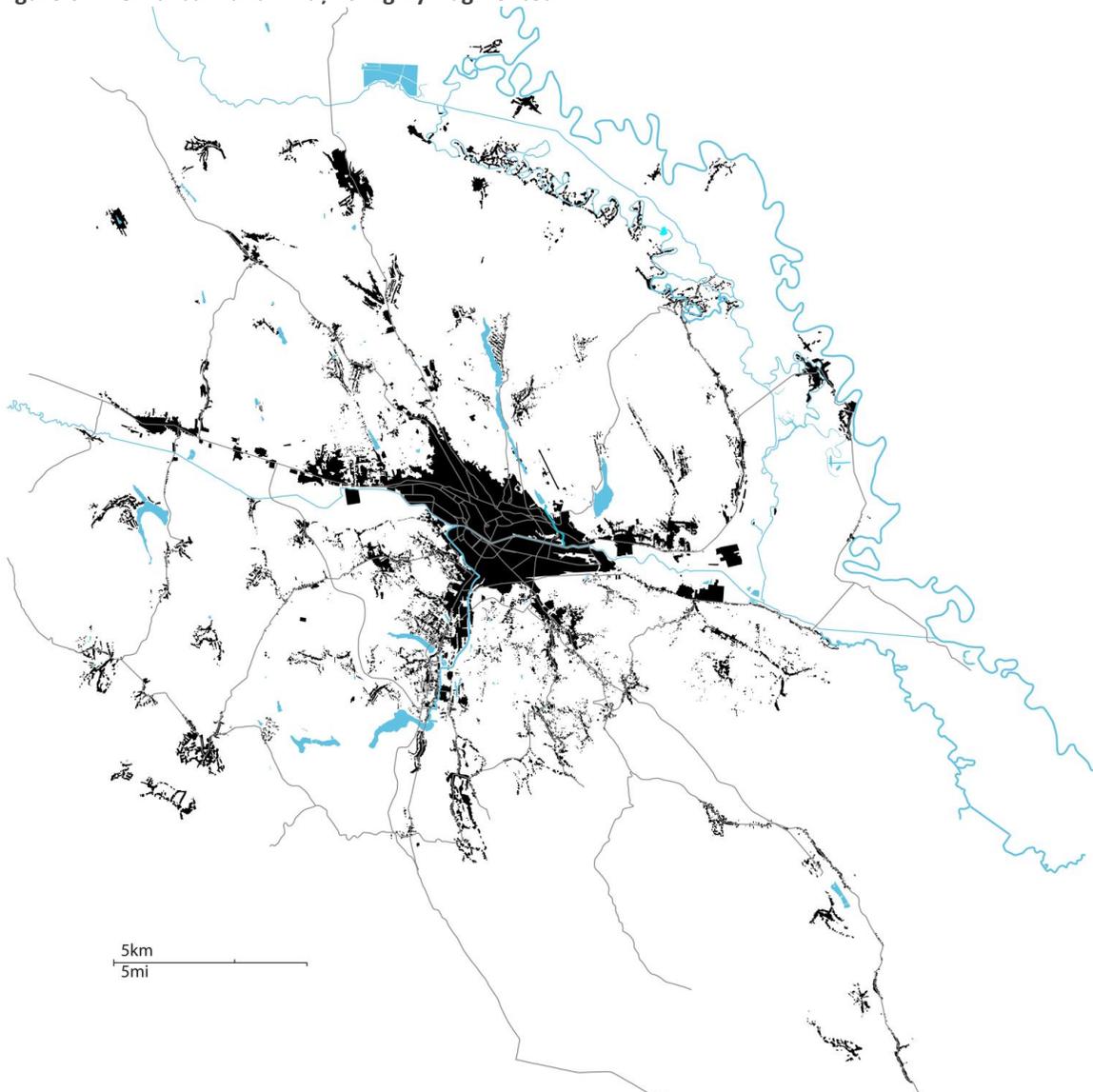


Enable the proper functioning of land markets

438. Peri-urban growth in recent years has been chaotic and haphazard. Some of the most prolific urban planners in Romania call this phenomenon “land parcel urbanism,” to suggest that developers have interpreted planning rules according to their own needs. Hence, every new developed parcel seems to have followed a distinct set of planning guidelines.

439. One of the most negative side effects of land parcel urbanism has been the fragmentation of peri-urban land and the proliferation of low-density, scattered housing areas. The scale of this fragmentation, which includes both old and new developments, can be seen vividly in the detailed urban map of Iași below. As argued before, this will have significant implications for the overall sustainability of the area, making it much harder and more expensive to provide public services to these new communities.

Figure 64. Peri-urban land in Iași is highly fragmented





440. The image below gives an example of low-density peri-urban developments on the outskirts of Iași. Annex 12 provides detailed urban mass maps for all growth poles in Romania. As can be seen from those maps, other cities, such as București, Cluj-Napoca, and Craiova have the same problems as Iași, with highly fragmented peri-urban land.

Figure 65. Land development patterns on the outskirts of Iași are not sustainable



Source: Bing Maps

441. On the one hand, these piecemeal developments reflect a distinct market need – i.e., people simply want their patch of green outside the city. On the other hand, however, these patterns may reflect a poor functioning of land markets – including the lack of clear property rights, difficulties of assembling small land parcels, cumbersome building permits, high transaction costs in discovering who owns a particular parcel of land, and a poorly functioning cadaster systems.

442. One of the easiest ways of improving the functioning of land markets is by easing the access to information on land titles and positioning. This can be achieved by continuing the digitization process of land parcels owned in and around the city and by making these data easily available to people.

Enable the proper functioning of housing markets

443. If housing markets are not functioning well, cities may lose their competitive edge. If it is not easy for people to move in and out of the city, particularly critical when economies change, the city may fall behind in terms of its development.

444. Housing markets also affect cities' spatial development. For example, if housing markets in a center city are rigid, people may just move to an adjacent locality. Similarly, if the quality of housing in the center city is poor and left to



deteriorate, people may move to new developments in the suburbs. It is therefore critical to have urban regulations in place that help improve the quality of existent housing and make redevelopment easier when needed.

445. Well-functioning housing associations are critical to ensuring the continuous upkeep of buildings. In the absence of clear rules on how to treat commonly owned space (e.g., the exterior of buildings, inner stairwells, roofs, basements, and courtyards), people tend to do as they please. The images below were taken in four distinct cities in Romania and they give a good impression of how quality of life may be affected when the exterior of buildings is left to deteriorate, or when people change the facades as they please. Of course the effects of those changes go well beyond aesthetics, affecting property values for all who live in the area. As was indicated earlier, the value per square meter for some of the communist apartments in Cluj is below what it would cost to develop a new square meter of housing.

Figure 66. communist-era housing is of poor quality and is likely to depreciate in value as newer and better spaces are created in and around the city



Source: Norc.ro Street View

446. Another distinctive trait of communist housing is that it is very hard to redevelop. Although the redeveloping of such apartment blocks could be profitable, most developers prefer to build on greenfields or on empty/underused plots within the city. The transaction costs of dealing with all the individual apartment owners in buildings like these are simply too high. It may therefore pay off to think of developing a system that would allow a housing association representative to negotiate on behalf of all the owners in a building.

Encourage in-fill development

447. In-fill development, hailed as a best practice in most urban development textbooks, is already a reality in Romanian cities. In fact, most large cities in Romania have experience with redeveloping derelict, abandoned,



or under-used industrial land (see images below). Still, most Romanian cities continue to have large tracts of unused or under-used land within their boundaries. Getting these plots back into productive use would not only help the local economy, but also reduce the need to build on greenfield sites outside the city.

Figure 67. The redevelopment of Semănătoarea factory in București



Figure 68. Planned redevelopment of former textile factory in Cluj-Napoca



448. Redeveloping unused and under-used land parcels would require, as a first step, a clear inventory of all land parcels within the city. The inventory should not only provide an overview of lands that may be redeveloped, but also additional information such as who the owner of the land is, what were the previous uses, and whether there is any contamination on site.

449. To encourage landowners to bring back these lands into productive use local authorities can impose a tax on unused or under-used lands. Such a tax would send a message to speculators and dormant developers that land is a key asset for the city's future, and it should be treated as such – i.e., it should be integrated into the local economic system without delay.

Expand and improve management of public transport and non-motorized infrastructure

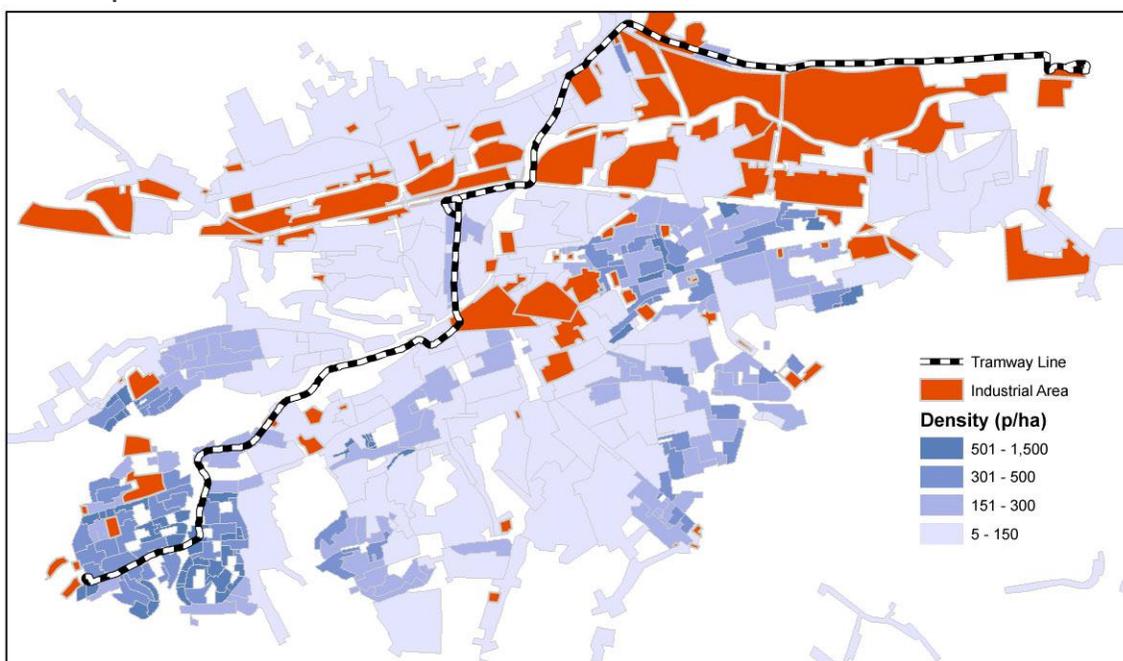
450. One of the most effective ways of enabling sustainable urban development is by encouraging the development of public transport networks and non-motorized infrastructure (e.g., bike and pedestrian paths). By investing in public transport, local authorities can encourage more people to forego using their private cars. People usually tend to use alternative modes of



transportation when these are convenient, comfortable, and cheap. In addition, a well-developed and well-integrated public transport system (including, for instance, transit lines connected to bike and pedestrian paths) is one of the most efficient ways of driving dense and compact urban development.

451. The sound management of the public transport system would also require an analysis of the changes required by new economic realities. In most Romanian cities, for example, tramway lines developed in communist times connected dormitory neighborhoods to industrial platforms. In Cluj-Napoca, the tramway line connects the most populous and densest neighborhood – Mănăştur – to the industrial platform in the North of the city.

Figure 69. The tramway line connects the largest neighborhood in Cluj to the industrial platform



Data Source: Camera de Comerț și Industrie Cluj

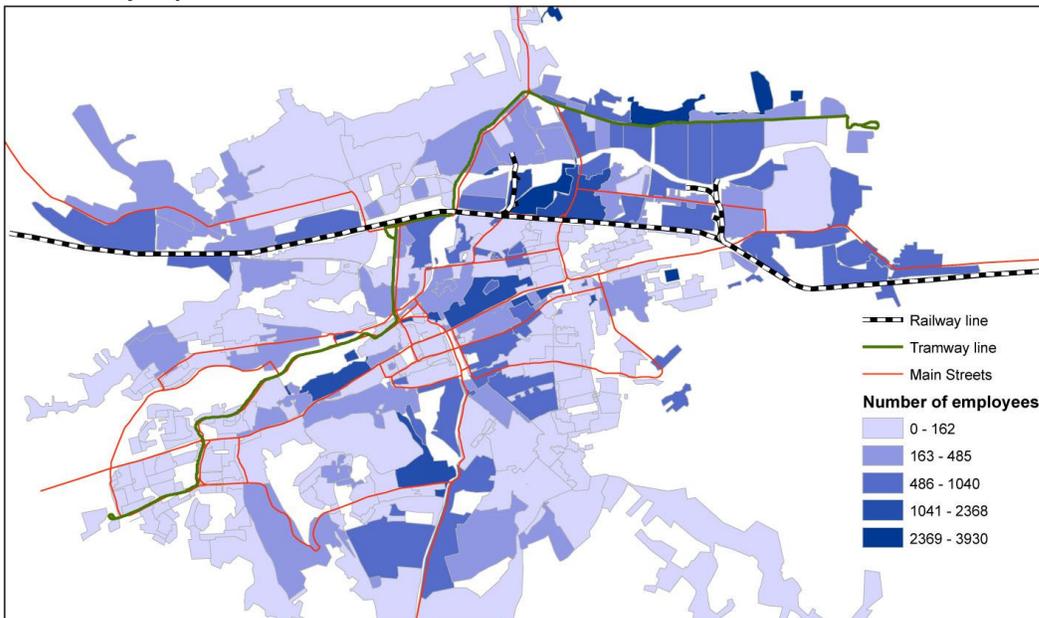
452. Currently, the tramway line is redeveloped with EU funds obtained through the Regional Operational Programme. Some people have claimed that investments in upgrading the tramway line were ill-advised because the economic heart of the city has shifted away from industry to the services sector. As the maps below show, however, the industrial platform continues to be a large employer and it has recently benefited from foreign direct investments.



Figure 70. Cluj-Napoca's industrial platform continues to house a large number of firms



Figure 71. The distribution of employees gives a hint of the main commuter flows in Cluj-Napoca



Data Source: Chamber of Commerce and Industry Cluj

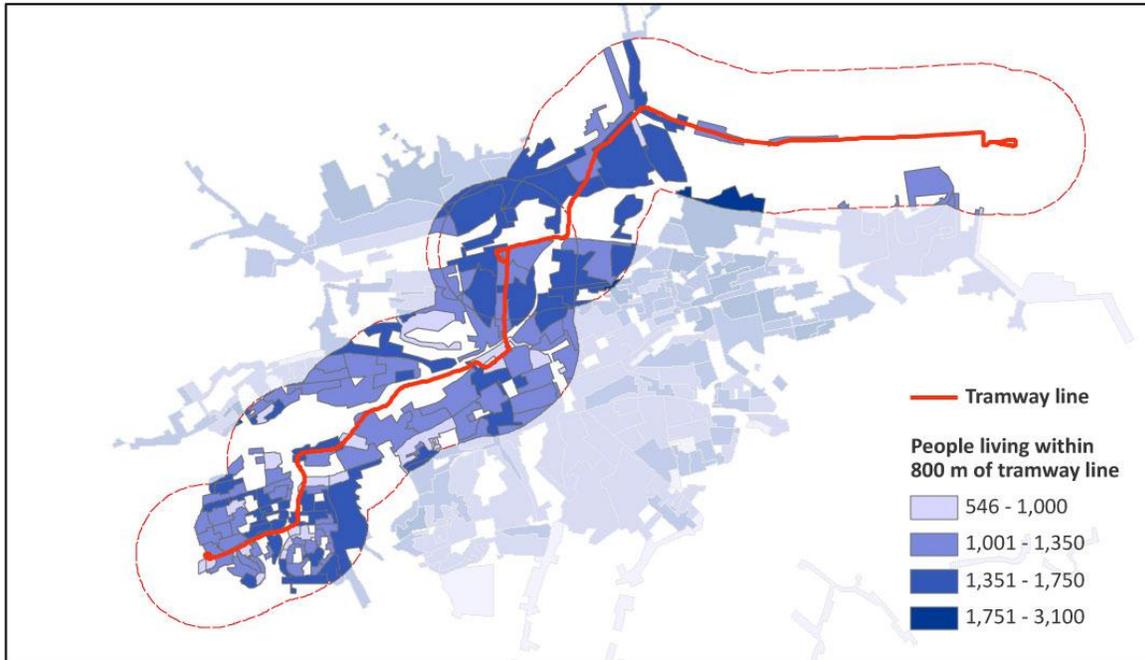
Note: Data includes the 700 largest companies in Cluj-Napoca

453. Moreover, although the tramway line was primarily designed to connect workers housed in Mănăstur to the industrial platform, over 75% of people in Cluj-Napoca are within an 800 m distance (a 10 minute walk) of the tramway line. This means that the city is covered quite well by this system and



there are plans to potentially extend a link to the airport and even out to Florești.

Figure 72. Around 75% of the people living in Cluj-Napoca are within 800 meters of the city's tramway line



Data Source: National Statistics Institute

454. Identifying the areas that would benefit from additional investments in public transport and non-motorized infrastructure can start with a simple exercise. The map below gives an overview of the density profile in individual census tracts within Cluj-Napoca. We have used international transport standards to determine what type of mobility pattern would be possible in individual neighborhoods. Thus, tracts with a density of 30 p/ha or more could accommodate bus service. Areas with a density of 90 p/ha or more could accommodate light rail development. The neighborhoods Mărăști and Gheorgheni in the East of the city have the necessary densities that would allow a light rail line to connect them to the city center. Areas with a density of 200 p/ha or more could benefit from investments in non-motorized infrastructure – such as bike and pedestrian paths, or paths for skaters and roller-bladers.

455. However, it is necessary to not only have a good overview of density patterns, but also have a good understanding of the main points of attraction in the city – i.e., the points that generate trips every day. Job sites are usually the places people most often commute to. As figure 70 shows, the largest employment pockets are located in the industrial platform in the North of the city, in and around the city center, and in newer employment centers in to the south. Amenities continue to be concentrated to a large extent in the city center, as indicated by the number of offers to lease commercial space. The newly developed malls have recently shifted things around by creating poles of attraction at opposite ends of the city.



Figure 73. Density patterns can inform infrastructure investments

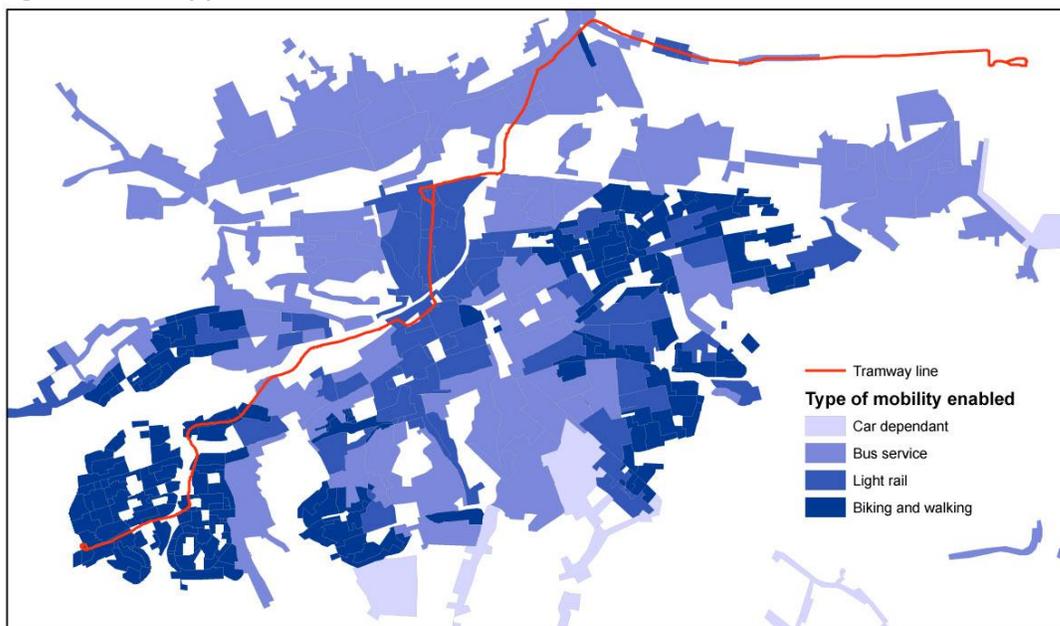
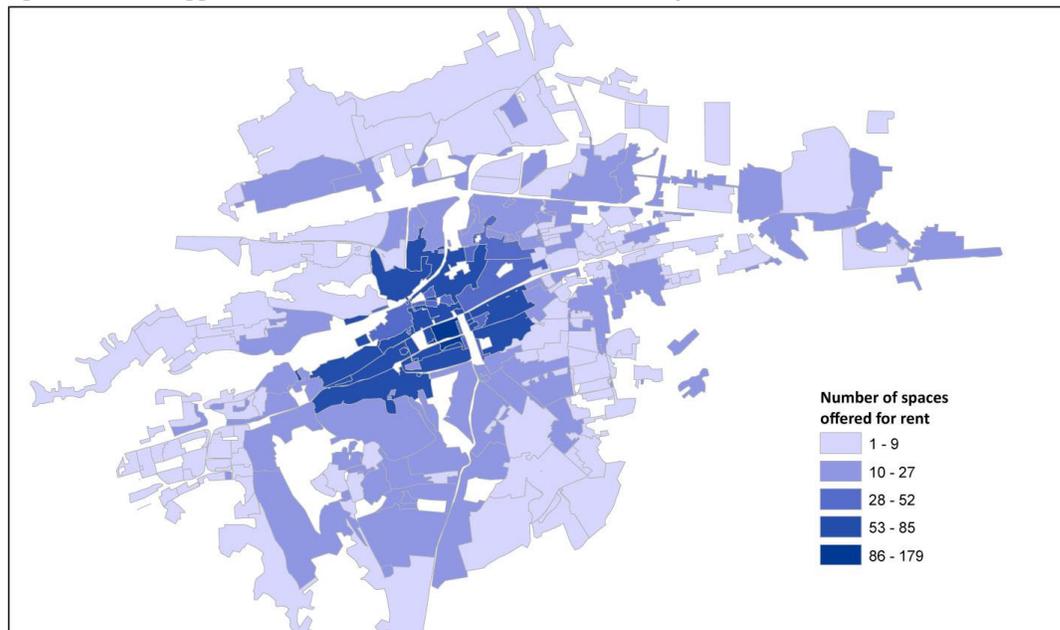


Figure 74. The biggest offer for commercial leases is in the city center



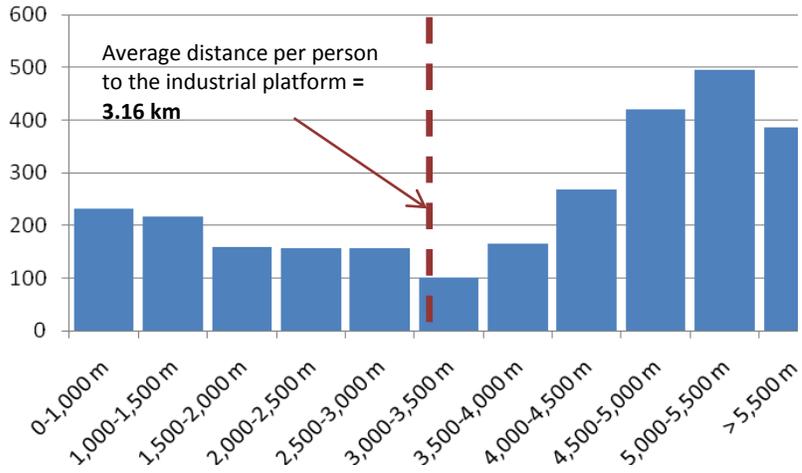
Data Source: National Institute of Statistics and EDIL Imobiliare

456. It is also helpful to calculate average travel times to these nodes of attraction to assess ways in which these nodes could be brought “closer” to the people. For example, the industrial platform is, as one would expect, harder to reach than the city center. The average travel distance per person to the industrial platform is 3.16 km – or around a 40-minute walk. Interestingly enough, the density profile around the industrial platform also follows a camel



back pattern, although the common wisdom is that housing neighborhoods were developed around industrial areas, and as such densities were much higher in areas closer to these industrial platforms.

Figure 75. Density profile around the industrial platform also follows a camel back pattern





Concluding Remarks: Strengthening the Role of Spatial Planning

457. As a country becomes more developed, planning becomes more and more important. More development translates into more and more decisions that need to be taken and coordinated. Consequently, as the economy of a country becomes stronger, planning capacity should concomitantly be strengthened at all administrative levels. This process needs to happen in a gradual manner, and some key principles need to be taken into consideration.

458. For one, planners have to acknowledge that the future is very hard to predict. More than any other social science, planning is about the future and about how present and future decisions can help shape tomorrow. However, as the *World Development Report 2000* has indicated, what we know with certainty about the future is that it will be different. Especially when spatial planning is used as a strategic development tool (e.g., planning infrastructure development in a spatially efficient manner), it is important to keep in mind that predictions made about the future today may not hold true tomorrow. Plans to develop a highway in one area of the country based on current dynamics may change if trade patterns will change. This will require spatial planning tools to remain flexible and be capable of adjusting to new realities.

459. Spatial planning is not about setting in stone a development path, but about providing a framework for sustainable future development. This requires a capacity for foresight and an ability to learn from the past, but it also requires the capacity to adjust to new dynamics as they happen. Of course, if key elements of a plan are changed very often, the value of planning is lost. Ideally, a good spatial plan would adjust measures based on: the scale at which they are taken, who is responsible for implementing the plan, what it is hoped to be achieved, and political commitments.

460. Planning cannot be disassociated from politics. Decisions should ideally be taken within a democratic framework, in which elected officials are directly accountable for the outcomes. Spatial planning decisions have to be taken by specialists in the field, and it is important in this respect to have a well-qualified cadre of spatial planners. However, the decision taken by spatial planners needs to be assumed by democratically elected bodies. Spatial planning decisions should ideally involve a dialogue between elected officials and technical specialists. On the one hand, the latter have to come with adequate solutions to the issues the former have chosen to solve (e.g., lack of affordable housing, need for new infrastructure, a focus on environmental sustainability). On the other hand, specialists need to efficiently communicate to elected officials ways in which spatial planning tools can help solve other issues. While the decision ultimately rests with those who were elected to take the decision, technical specialists play a critical role in helping shape those decisions.

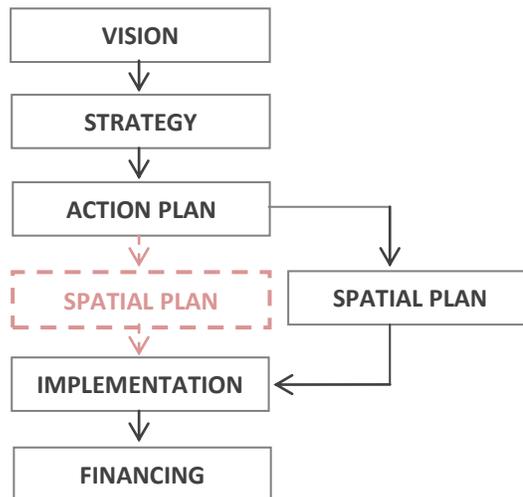
461. Spatial planning tools need to be adjusted to scale. Ideally, spatial planning should be devolved to the lowest possible level, to those that stand to benefit most from these planning decisions. In a democratic society, much of the planning should be devolved to individuals, private enterprises, and civil society groups. Public authorities should intervene only when those individually taken



planning decisions are proven to have significant negative side effects (e.g., prohibiting others to fulfill their own plans) or when decisions taken at a higher level prove to be more efficient. For example, the development of a highway brings benefits to a wide range of stakeholders, yet the decision to build the highway cannot be taken by these stakeholders (the transaction costs would be too high), but by regional or national governments.

462. To play a truly strategic role, spatial planning needs to be an integral part of a decision-making process – from vision and strategy, to implementation and financing. If spatial planning is external to this, it is likely to be less efficient. In essence, spatial planning needs to be acknowledged as more than a tool that simply provides the spatial embodiment of an action plan (e.g., showing where a new railway line will go through), but as a tool that is integral to the realization of a vision and strategy. This means that all public entities that take decisions with spatial implications should also be able to strategically use spatial planning to achieve their goals.

Spatial planning is often external to the main decision-making process



463. To be most efficient, spatial planning should be nested within sectors, and be a key part of the decision making process. Attempts to centralize spatial planning usually fail. For example, the Spatial Planning Organization in Turkey, which sat under the Prime Minister and above all the line Ministries, was eventually abolished and integrated within the Ministry of Environment and Urbanism. The problem with centralizing spatial planning is the same problem that central planning had under communism: there are simply too many variables to be taken into consideration. A spatial planning unit, no matter how skilled, cannot stay abreast of changes and dynamics in a number of rather disparate sectors – e.g., transport, agriculture, environment, disaster risk mitigation, and urbanism. These decisions are better left to the specialists in these fields and it makes more sense to have spatial planners integrated into such teams than to have spatial plans drawn outside the actual planning process.



464. A team of Romanian planners have recommended a few years ago the introduction of single development plans (Plan Unic de Dezvoltare).⁴⁴ The question that stood at the foundation of this recommendation was whether spatial plans (statutory plans) should become development plans, or whether they should be the expression of a development strategy. The bottom line of the analysis was that spatial plans and development plans should be integrated. Ideally, a spatial plan would draw directly from a development strategy, and a development strategy would be drafted taking the spatial aspect into consideration. As the authors of this study have noted, this would be one of the easiest ways of making spatial planning truly strategic.

465. The capacity of public institutions to do spatial planning should be doubled by the capacity to coordinate individual planning decisions. Spatial planning decisions are taken at the national, regional, and local level. To the extent possible, lower-level planning decisions should draw on and be coordinated with higher-level planning decisions. For example, the development of regional infrastructure should take into consideration the proposed plans for national infrastructure. Similarly, plans to develop local infrastructure should be informed by regional and national plans. At the same time, spatial planning decisions taken by individual sectors (e.g., transport, environment, water, administration) should be coordinated horizontally to ensure synergies and avoid potential conflicts or overlaps. In essence, coordination has to be done both vertically and horizontally. Both types presuppose a hierarchical relation of sorts, with lower-level spatial plans taking higher-level plans into consideration, and with a coordinating body ensuring inter-sectoral integration of spatial plans.

466. The more planning levels are involved, the more difficult coordination of individual planning decision becomes. This means that it is important to keep at the higher levels (e.g., national and regional) only those decisions that cannot be taken at lower levels. The more complex and rigid higher-level plans are, the more difficult it will be to make lower-level plans. The more administrative levels one has to deal with, the more important it is to keep higher-level plans simple and straightforward. Whenever possible, spatial planning at the higher levels should follow a minimalist approach, ensuring the prioritization of issues based on what needs the most urgent attention.

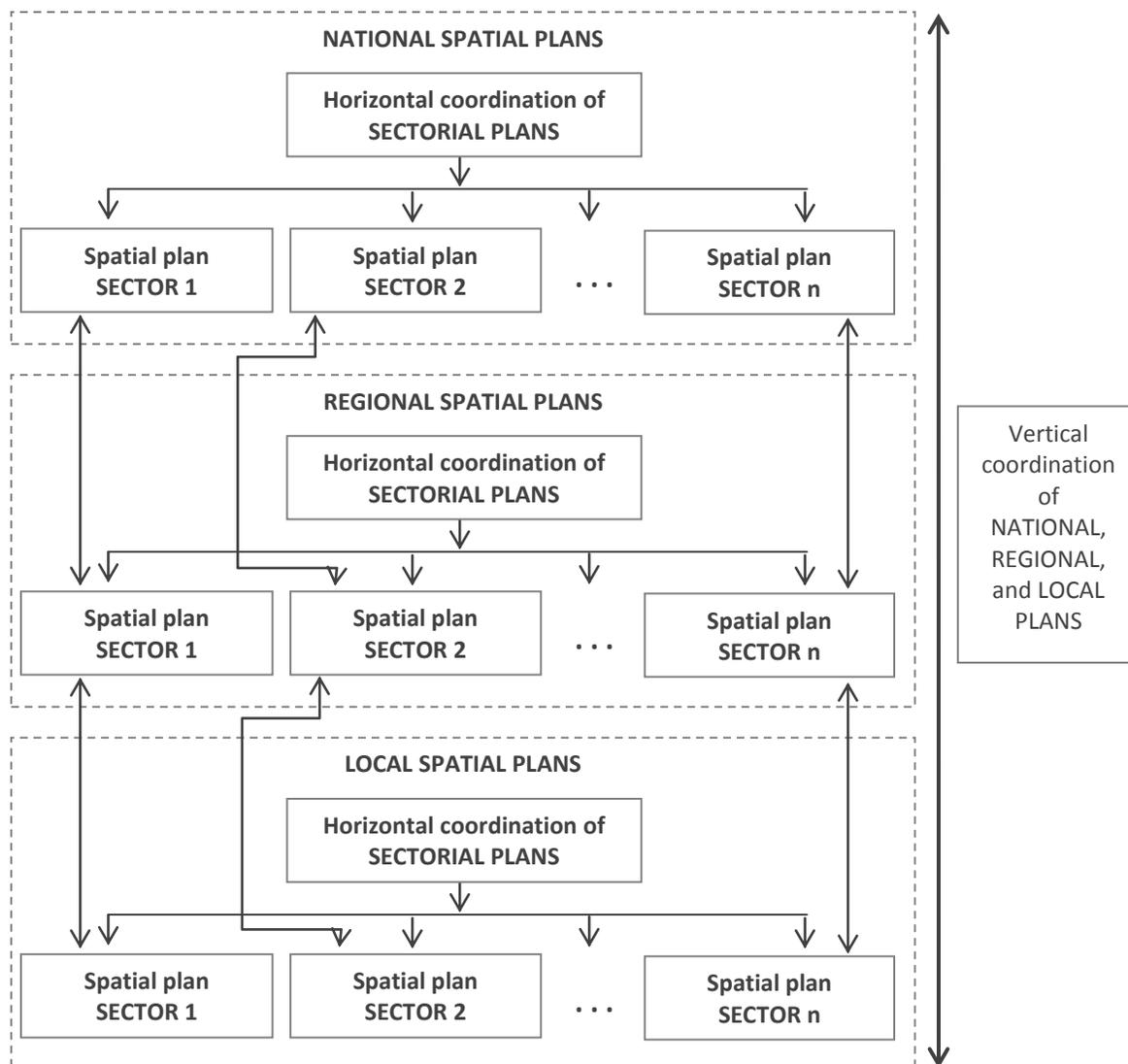
467. Horizontal coordination requires individual sectors to either work with a coordinating body, or to voluntarily coordinate spatial plans amongst each other. Different approaches are possible in this respect, and there are no silver bullet solutions to what is effective or not.

468. Enhancing spatial planning performance depends on a host of individual factors, which may vary from country to country. The administrative system, the development level, the legal and regulatory framework, the institutional framework – all play a role in ensuring that development will indeed be smart and sustainable development.

⁴⁴ Ministerul Educației și Cercetării. 2004. *Model conceptual și metodologic pentru stabilirea sistemului de relații specific planificării strategice regionale în România din perspective dezvoltării durabile a zonelor funcționale/metropolitan și a aglomerațiilor urbane*. Programul Amtrans; Subprogramul Amenajarea Teritoriului și Urbanism



Vertical and horizontal coordination are key for efficient spatial planning



469. All in all, spatial planning should shift from a modus operandi of “what goes where” to a focus on driving and shaping sustainable development.



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Annexes

Annex 1. Legal framework relevant to the spatial planning system in Romania

I. Urban and spatial planning
Law no. 350 / 2001 on spatial planning and urban planning
Law no. 221/2011 for amending par. (2) of art. no 29 of Law 350/2001 on spatial planning and urban planning, published in the OMR 853/2011
Law no. 162/2011 for completing Annex no. 2 of Law 350/2001 on spatial planning and urban planning, published in the OMR 503/2011
EGO no.7/2011 for amending and completing Law 350/2001 on spatial planning and urban planning, published in the OMR 111/2011
Law no. 345/2009 for amending and completing art. 36 of Law 350/2001 on spatial planning and urban planning, published in the OMR 778/2009
GO no.27/2008 for amending and completing Law 350/2001 on spatial planning and urban planning, published in the OMR 628/2008
Law no. 168 / 2007 for approving the Government Ordinance no.18/2007 for amending par. (3) of art. 51 of Law 350/2001 on spatial planning and urbanism, published in the OMR 81/2007
Law no. 289/2009 for amending and completing Law 350/2001 on spatial planning and urban planning, published in the OMR 606/2006
Law no. 464 / 2004 for approving Government Ordinance no.69/2004 for completing art. (38) of Law 350/2001 on spatial planning and urbanism, published in the OMR 773/2004
Law no 50/1991 regarding construction works authorizations and measures for housing construction (republished in 1997)
Law no. 52/2006 amending and supplementing Law no. 50/1991
Order no. 1430/2005 approving the Detailed Rules implementing Law no. 50/1991 authorizing the execution of construction works, Annex to Order 1430/2005 with Detailed Rule (Rectification of 30 October 2005)
Order of the Minister of Public Works and Spatial Planning no. 91/1991 approving the forms, the authorization procedure and the content of the documentations provided by Law no. 50/1991
Law no. 363/2006 for approving the National Spatial Planning Act - Section I - Transport networks
Law no. 171/1997 for approving the National Spatial Planning Act - Section a II - Water
Law no. 20/2006 for amending Law no. 171/1997 for approving the National Spatial Planning Act - Section a II - Water
Law no. 5/2000 for approving the National Spatial Planning Act - Section III - Protected Areas
Law no. 351/2001 for approving the National Spatial Planning Act - Section IV - Settlements network
Law no. 308/2006 for completing Law no. 351/2001 for approving the National Spatial Planning Act - Section IV - Settlements network
Law no. 100/2007 for completing and amending Law no. 351/2001 for approving the National Spatial Planning Act - Section IV - Settlements network
Law no. 575/2001 for approving the National Spatial Planning Act - Section V - Areas of natural risk



Law no. 190/2009 for approving Government Emergency Ordinance no. 142/2008 for approving the National Spatial Planning Act - Section VIII-a - Areas with tourist resources
Order no. 13/N/1999 for approving the technical regulation „Guide regarding the methodology for the elaboration and framework content of the General Urban Plan”, indicative GP038/99
Order no. 176/N/1999 for approving the technical regulation „Guide regarding the methodology for the elaboration and framework content of the Zonal Urban Plan ”, indicative GM-010-2000;
Order no. 562/2003 for approving the technical regulation „Guide regarding the methodology for the elaboration and framework content of planning documentation for protected areas (ZUP)"
Order no. 37/N/2000 for approving the technical regulation „Guide regarding the methodology for the elaboration and framework content of the detail urban plan”, indicative GM 009-2000;
Order no. 21/N/2000 for approving the "Guide regarding the elaboration and approval of local planning regulations", Indicative: GM007-2000
Order no. 2.701/2010 for approving the "Methodology for public information and consultation regarding the elaboration and amendment of spatial and urban plans"
GD No. 525/1995 approving the General Urban Planning Regulation, republished
GD no. 855/2001 amending Government Decision 525/1996 and Annex to Government Decision 855/2001 with Detailed Rule on the financing of the elaboration and/or updating of the general urban plans of localities and of the local urban planning regulations
Order no. 328/321/2004 for approving the delineation of municipalities, towns and communes in the mountainous area
Order no. 1019/1088/2005 for replacing the appendix of Order no. 328/321/2004 for approving the delineation of municipalities, towns and communes in the mountainous area
Order no. 143/610/2005 for defining and characterizing the rural space
Law no. 7/1996 on cadaster and real estate publicity, republished
Law no. 114/1996 on housing, republished, with subsequent amendments and completions
Government Decision no. 1275/2000 regarding the approval of Methodological Norms for applying provisions of the Law on housing no. 114/1996
Law no. 33/1994 for expropriation on causes of public utility
GO no. 43/1997 on the regime of roads, as updated (approved by Law no. 82/1998)
GD no. 521/1997 for approving the Methodological Norms regarding the financing of the System specific to the real estate, public utilities and urban data banks, with subsequent amendments and completions;
Methodological norms according to Order no. 90/911/1997 and Order no. 91/912/1997, issued by MPWSP and NOCGC, for approving the Methodologies for elaborating the real estate cadaster and utilities networks within settlements
Order no. 6/2003 setting up measures to observe discipline in the urban planning and spatial planning field in order to ensure traffic fluidization and traffic safety on public roads of national and county interest
Decision no. 679/2007 for approving the Program for elaborating the Sustainable Territorial Development Strategy for the catchments area of Tisa and its subsequent funding
II. Institutional frameworks
Decision no. 26/2006 for approving the Regulation regarding obtaining signature rights for spatial and urban planning documentations and Regulation regarding the organization and functioning the Romanian Urban Planners Register



Decision no. 525/1996 for approving the General Urban Planning Regulation, with subsequent amendments and completions

ORDER no. 293/2006 approving the model and content of the Card intended for use in the state control activity in spatial planning, urban planning and authorization of construction works execution and on unitary implementation of legal provisions in the field of quality in constructions

Law no. 184/2001 on organizing and exercising the architectural profession and Law no. 43/2004 amending and supplementing Law no. 184/2001

Government Decision no. 711/2001 establishing the National Centre for Human Settlements (habitat) and Government Decision no. 1707/2005 amending Government Decision no. 711/2001;

Ordinance no.4/2010 regarding the establishment of the Romanian spatial information infrastructure, approved by Law no. 190/2010;

Government Decision no.493/2010 regarding the approval of Regulation for the organizing and operation of the Romanian Council for National Spatial Infrastructure

III. Environment

Law no. 265/2006 for approving the Emergency Government Ordinance no. 195/2005 regarding the environment protection

Government Decision no. 1076/2004 regarding the elaboration procedure for environmental assessment for policies and programs

Order no. 995/2006 for approving the list of plans and programs which are under the incidence of GD 1076/2004 regarding the elaboration procedure for environmental assessment for policies and programs;

Order no. 117/2006 for approving the Manual regarding the application of the procedure for environmental assessment of plans and programs

Emergency Government Ordinance no. 57/2007 regarding the protected areas and conservation of natural habitats and wildlife

GD no. 1581 /2005 for instituting the protected area status for new areas

GD no. 230/2003 for delineating the biosphere reserves, national parks and natural parks and establishment of their administration

GD no. 1529/2006 for adjusting Appendix no. 1 of GD no. 230/2003 for delineating the biosphere reserves, national parks and natural parks and establishment of their administration

Order no. 552/2003 regarding the approval of internal zoning of national parks and natural parks from the point of view of conservation necessity of biodiversity

Order no. 1245/2005 regarding the approval of Methodology for the establishment of protected area registry

Law no. 82/1993 regarding the establishment of the Danube Delta Biosphere Reserve

Law no. 454/2001 regarding the approval of EGO no. 112/2000 for amending and completing Law no. 82/1993 regarding the establishment of Danube Delta Biosphere Reserve

GD no. 248/1994 for approving measures regarding the application of Law no. 82/1993 regarding the establishment of Danube Delta Biosphere Reserve



GD no.1516/2008 regarding the approval of "Framework Planning Regulation" for Danube Delta Biosphere Reserve for conservation of traditional architectural styles and regulating interventions in rural settlements within the Danube Delta Biosphere Reserve

EGO no. 195/2005 regarding environment protection

IV. Areas with special problems

GD no. 382/2003 approving the methodological norms on the minimal content- requirements of spatial planning documentations and urban planning documentations for areas exposed to natural hazards

GD no. 447/2003 approving the methodological norms on the elaboration and content of natural risk maps of landslides and floods

GD no. 932/2007 for approving the methodological norms regarding the funding from state budget of natural hazards maps for landslides and earthquakes

Order no. 62/N-19 / 1955/1998 for delineation of areas exposed to natural hazards

Law no. 280/2003 for approving EGO no. 202/2002 regarding the integrated administration of coastal areas

GD no. 949/2002 for adopting criteria for delimiting mountainous areas

Law no. 597/2001 on certain measures of protection and authorization of constructions in the Black Sea coast area

V. Heritage

GD no. 43/2000 regarding archeological heritage protection and designate archeological sites as areas of national interest

GD no. 13/2007 for completing art. 5 of GD no. 43/2000 regarding archeological heritage protection and designate archeological sites as areas of national interest

Law no. 422/2001 regarding the protection of historical monuments

Law no. 564/2001 for approving GD no. 47/2000 regarding the establishment of protection measures for historical monuments registered in the World Heritage List

Decision no. 738/2008 for setting out necessary measures for funding, elaboration and updating spatial and urban planning documentations for areas with historical monuments registered in the World Heritage List;

Order no. 2043/2002 regarding the approval of Regulation for the establishment and operation of National Commission for Historical Monuments

GD no. 867/2006 for approving norms and criteria for designation of tourist resorts

Law no. 203/2001 for approving GO no. 5/1999 regarding the designation of Sibiu municipality and surrounding area as objective of national interest

Law no. 344/2001 for approving EGO no. 93/2000 regarding the designation of Alba Iulia municipality and surrounding area as objective of national interest

Law no. 345/2001 for approving GO 125/2000 regarding the designation of Sulina town, Tulcea county, and surrounding area as objective of national interest

GO no. 77/2001 on the rehabilitation and revitalization of Bucharest Historical Centre (approved by Law no. 140/2002)

Law no. 451/2002 for ratifying the European Convention for Landscape;

Law no. 150/1997 for ratifying the European Convention for archeological heritage protection, adopted in La Valetta on the 16th of January 1992



Annex 2. Situation of County Development Strategies and County Spatial Plans per county

No	County	County development strategy available online	County Spatial Plan available online	Status of CSP according to MRDPA website (data available for 2010)	Other mentions according to County Councils websites
1	Alba	yes	yes	elaborated in 2000, updated 2009	
2	Arad	yes	yes	elaborated in 2009	
3	Argeş	not identified	not identified	elaborated in 2010, under CC approval	
4	Bacău	yes	yes	elaborated in 2009	
5	Bihor	yes	not identified	elaborated in 1994, update recoded in 2009, under approval process by central and local authorities	
6	Bistriţa-Năsăud	CDS mentioned as being in elaboration	not identified	no data	
7	Botoşani	yes, but not on CC website	yes, in public consultation	elaborated in 2001	upgraded in 2009, endorsement completed in 2013
8	Braşov	yes	yes	elaborated in 2005	
9	Brăila	yes	yes	elaborated in 2009, under approval process by central authorities	
10	Buzău	yes	not identified	elaborated in 2007, under approval process by central authorities	
11	Călăraşi	yes	not identified	elaborated in 2007	
12	Caraş-Severin	yes	yes	elaborated in 2005, under approval process by central authorities	
13	Cluj	yes	not identified	elaborated in 1999	
14	Constanţa	not identified	not identified	elaborated in 1996	
15	Covasna	not identified	not identified	elaborated in 1998	
16	Dâmboviţa	yes	not identified	elaborated in 1997	



17	Dolj	yes	not identified	no data	
18	Galați	yes	not identified	elaborated in 1997	
19	Giurgiu	yes	not identified	elaborated in 2002	
20	Gorj	yes	yes	elaborated in 1999	upgraded in 2009
21	Harghita	yes	not identified	elaborated in 1999	
22	Hunedoara	yes	yes	elaborated in 2010, under CC approval	endorsement process has been completed
23	Ialomița	yes	not identified	elaborated in 2002, endorsed in 2004	
24	Iași	yes	not identified	elaborated in 2002, endorsed in 2002	
25	Ilfov	yes	CSP mentioned as currently in elaboration	elaborated in 2003, under approval process by central and local authorities	
26	Maramureș	yes	yes	elaborated and endorsed in 1999	CSP upgraded in 2008
27	Mehedinți	not identified	not identified	elaborated and endorsed in 2003	
28	Mureș	yes	yes	elaborated and endorsed in 2002	
29	Neamț	yes	not identified	elaborated and endorsed in 2003	
30	Olt	not identified	yes	no data	elaborated in 2010-2011
31	Prahova	yes	yes	elaborated and endorsed in 2004	
32	Satu Mare	yes	CSP mentioned as existing but not made public	endorsed in 1999	elaborated on different sections with different contractors between 1999-2006
33	Sălaj	yes	not identified	no data	
34	Sibiu	yes	yes	elaborated and endorsed in 2007	
35	Suceava	yes	not identified	elaborated in 1996 and endorsed in 1997	
36	Teleorman	yes	not identified	elaborated in 2004 and endorsed in 2005	



37	Timiș	yes	CSP mentioned as currently being upgraded (posted for consultation)	elaborated and endorsed in 2002
38	Tulcea	CDS mentioned as existing but not made public	not identified	elaborated in 1996 and endorsed in 1999
39	Vaslui	yes	yes, partially available	elaborated and endorsed in 1999, upgrade in 2009 under approval by central and local authorities
40	Vâlcea	yes	not identified	elaborated in 2010, under CC approval
41	Vrancea	yes	yes	elaborated in 1996, endorsed in 1997, upgrade in 2008 under approval by central and local authorities
Total not identified		5	22	

Source: data processed form county council web-pages combined with MRDPA webpage



Annex 3: General Urban Plan

The General Urban Plan (GUP) has a directive character and includes operational regulations, thus being the legal basis for implementing development programs and actions.

1. Validity

According to Law 350/2001-2011, the GUP should be updated and re-approved at least every 10 years. In case of investments which have commenced during the validity period of certain urban plan provision, the validity of those provisions extends up to the completion date of the respective investment projects. In case authorities do not update urban planning documents during the validity time interval approved, the law stipulates that the mandate of the respective administration to issue construction permits is suspended (Art. 62).⁴⁵

2. Contents

The contents of the GUP are briefly outlined in Law 350/2001-2011 and are further detailed in the Guide regarding the methodology and framework content of GUPs (approved by the ministerial order no.13/N/10.03.1999). It is important to mention that, while the provisions of Law 350/2001-2011 regarding the GUP content have been gradually completed and amended in the past years, the methodology is still non updated and has been nonetheless issued before the above mentioned law.

GUP short term regulations (Law 350/2001-2011 Art. 46, par. 2):	GUP medium and long term regulations (Law 350/2001-2011, Art. 46, par. 3):
<i>a) Designate and delineate the area where buildings are permitted with relation to the administrative territory of the locality;</i>	<i>a) Evolution in perspective of the locality;</i>
<i>b) Designate land use destinations in the perimeter where building is permitted;</i>	<i>b) Directions for functional development in a spatial perspective;</i>
<i>c) Functional zoning correlated with the transport network;</i>	<i>c) Routes of utilities and transport infrastructure stipulated in the national, zonal and county spatial plans;</i>
<i>d) Delineation of areas affected by functions of public utility;</i>	<i>d) Areas of natural risk delineated and declared as such, according to law, as well as the specific measures regarding the prevention and risk mitigation, land use and building in these areas;</i>
<i>e) Modernization and development of utilities infrastructure;</i>	<i>e) The list of main development and restructuring projects;</i>
<i>f) Designate protected areas and protection zones for historical monuments;</i>	<i>f) Designate and delineate the areas with temporary or permanent construction interdictions;</i>
<i>g) Designate areas with special protection regime, as stipulated by law;</i>	<i>g) Delineate areas in which urban regeneration operations are foreseen;</i>
<i>h) Property rights and juridical circulation of land;</i>	
<i>i) Stipulate placement conditionality and compliance with regard to built or planted space;</i>	
<i>j) Designate areas of natural risk, delineated and declared as such, according to law, as well as the specific measures regarding the prevention and risk</i>	

⁴⁵ However, recent studies by MDRT show a significant proportion of local councils which have outdated urban plans, situation which has not impeded them not to issue such building permits.



mitigation, land use and building in this areas;
k) Designate areas of risk due to historical deposits of waste.

According to law, the GUP should be elaborated based on the local development strategy of the respective town/commune and is correlated with the budget and public investment programs of the locality which regard the objectives of public utility. This provision has been introduced rather recently (with the law amendment in 2008) and should be however considered in conjunction with the GUP methodology which unfortunately has no/too few mentions on the connection and interrelation of GUP with other strategic documents.

The GUP can identify and designate areas subject to regulations that cannot be amended by zonal urban plans or detail urban plans. Also, the areas with a land use coefficient larger than 4 can only be designated via the GUP. Such provisions are clearly stipulated in the Local Planning Regulation. The Local Planning Regulation, which accompanies the GUP, consists of a set of detailed provisions elaborate on aspects such as land use, placement or volumetric constraints on buildings and public spaces / green areas.

It is important to mention that after approval, the GUP together with the planning rules are opposable in court (Art. 49, par. 3).

Amendments on Law 350/2001-2011 introduced in 2006 imposed also a series of sanctions (consisting mainly in fines) against administrations which do not comply with the law provisions. Such amendments have been considered useful as a major drawback of the planning system regards law enforcement. However, the impact of introducing sanctions depends on the control capacity of mandated institutions. Moreover, this also raises questions on whether law enforcement is difficult due to low local capacity (and thus requires support measures rather than penalties) or indeed the law is applied wrongly or inconsistently.

3. Competences

Process initiation

Generally, the initiative to elaborate/upgrade urban planning documents stems from local communities (be it executive or deliberative bodies). However, the Government and even individuals or juridical persons interested in the spatial planning and development of the respective localities can initiate such a process.

Higher administrative bodies (the mandated ministry, the county council, etc.) can require an amendment or renewal of the GUP for a better alignment or compliance to "*government sectoral strategic program provisions*" or "*the general interests of the state*" (Art 20).

Endorsement

Each GUP, together with the adjacent Local Planning Regulation, has to pass a technical endorsement process before being finally approved and enforced by the local administration to which it pertains. Law 350/2001-2011 stipulates which institutions have endorsement rights for different planning



documentation, however there are specific cases which are regulated by special ministerial orders.

The Ministry for Regional Development and Public Administration has the mandate to endorse the GUP and its adjacent Local Planning Regulations for:

- 1) Bucharest;
- 2) Municipalities, towns and communes which include tourist or spa resorts;
- 3) Settlements where historical monuments included on the World Heritage List are situated as well as monuments or sites included in the List of Historical Monuments and their protection areas.

For this category, the endorsement of the ministry of culture is also necessary.

County councils are mandated to endorse urban plans and the adjacent local planning regulations for municipalities, towns and communes, including those which have tourist/spa resorts.

Nonetheless, each category of settlements must also refer to other central and local organizations with endorsement attributions. Consequently, this process of endorsement is considered to be rather lengthy and bureaucratic and raises questions with regard to underlying principles of decentralization and local autonomy set out by Law 350/2001-2011.

Approval

Urban plans and the adjacent local planning regulations are approved by local councils, after receiving favorable endorsement from all institutions listed above. A distinct case regards the settlements which include historical monuments listed as world heritage sites. In this case, approval rights are held by the Government. Local councils do not hold any endorsement nor approval attributions, but are only engaged in the elaboration process.

Funding

Law 350/2001-2011 stipulates that the mandated ministry can financially support, through specially designated programs, the development of spatial and urban planning documents, including general urban plans. However, it is mainly the local administration that has the obligation to include, in annual yearly budgets, funds for elaborating or updating general urban plans and adjacent local planning regulations, including the studies needed for their substantiation.

For settlements which require more specialized or complex research, the financing of the elaboration of urban planning documents can also be covered with funds for research, under specific conditions outlined by ministries or other actors involved. In any case, the local administration holds full responsibility of the content of the urban planning documentation and it is mandated to ensure and monitor its implementation.

4. Public participation

Art. 5 of Law 350/2001-2011, which sets the principles governing the activities of spatial planning and urbanism also mentions transparency and public participation in the decision making process among those listed. Also, articles



57 – 61 include special provisions with regard to the public participation in the activities pertaining to spatial planning and urbanism.

The law thus explicitly mentions the right of public to information, consultation and access to justice all throughout the activities of spatial planning and urbanism, including the elaboration of spatial and urban planning documentations.

Moreover, the law stipulates that the public participation will be regulated by a specific methodology elaborated by the mandated ministry. This methodology has been elaborated at the end of 2010 and came into force at beginning of 2011 (*Methodology of 30 December 2010 on informing and consulting the public with regard to the elaboration and adjustment of spatial and urban plans published in the Official Monitor no. 47/2011*).

According to the Law 350/2001-2011:

"Public information is the activity whereby the public administration makes public:

- a) The objectives of socio-economic development regarding the spatial planning and urban development of the respective settlements;*
- b) The content of the territorial development strategies and urban planning documents which will be object to approval, as well as those already approved, according to the law;*
- c) The results of the public consultation;*
- d) The adopted decisions;*

The means to implement the respective decisions." (Art. 59)

With regards to ensuring access to information, public consultation is regarded as the process whereby authorities *"collect and consider the options and opinions of the public regarding the socio-economic objectives and programs of spatial planning and urban development of settlements and the provisions of territorial development strategies."* The law also allows the scale of the information and consultation process to be differentiated depending on the documentation referred to.

5. Guide regarding the methodology for the elaboration and framework content of the General Urban Plan

Approved by: Ministerial Order no. 13N of 10.03.1999

Issuer: Ministry of Public Works and Spatial Planning

The methodological guide regarding the elaboration and framework content of the General Urban Plan has been issued in March 1999 and approved through ministerial order. No updates or amendments are recorded so far.

Main provisions:

The guide covers aspects such as the legal framework relevant for the GUP, purpose and objectives of GUP, methodological guidelines for the elaboration process, GUP framework content, indicative content for the endorsement / approval documentations as well as examples of visual representations including list of objects and features to be represented and conventional colors and symbols to be used.



According to the methodology, the GUP is elaborated with the following purpose:

- Set out directions, priorities and regulations for the planning and urban development of localities;
- Rational and balanced use of land necessary for urban functions;
- Identify areas exposed to natural hazards (ex: landslides, floods, etc);
- Identify valuable build environment and means for its capitalization for the use of the community;
- Increase of quality of life, particularly in the field of housing and services;
- Substantiate investments of public utility;
- Ensure the regulatory support for issuing planning certificates and building permits;
- Correlate collective interests with individual interests with regard to land occupation.

The main objectives set out by the PUG, according to the guide are to:

- Optimize the interrelations between localities and their administrative and county territories;
- Capitalize on the natural, economic and human potential;
- Organize and develop communication networks;
- Establish and delineate the city/village limits;
- Establish and delineate the areas where building is permitted;
- Establish and delineate functional areas;
- Establish and delineate areas with temporary or permanent building interdictions;
- Establish and delineate protected areas and their protective perimeters;
- Modernize and develop utilities infrastructure;
- Identify land owners within city limits;
- Establish the objectives of public use;
- Establish land use and compliance restrictions for buildings.

Free access of local communities to the GUP is to be ensured by the local council.

The General Urban Plan, as set of documents, consists of:

- Substantiation studies
- The plan itself, which includes *written pieces*: synthesis memoir, general memoir (presents may results of the substantiation studies and justifies opted solutions for their), local planning regulations and *graphic representations*: situational map of the targeted locality within the administrative borders of the city/commune, situational analysis illustrating the dysfunctions identified, planning regulations and zoning, land property and juridical circulation of land.
- Preliminary GUP (optional, in case the GUP elaboration process is foreseen to be lengthy)
- Documentations necessary for the endorsement process.



Endorsement authorities mentioned include the Ministry of Regional Development and Public Administration, but also the Ministry of Transport, the Ministry of Health, or the Ministry of Culture. The endorsement process including all these institutions is done simultaneously except for MRDPA, which is the last institutions to ensure a final endorsement.

The third chapter of the guide presents the framework content of GUP. Different requirements and complexity levels regarding the content of GUP are provided for different categories of localities, based on demographic size. The guide sets out four categories as such:

1. Municipalities with population over 100,000 inhabitants;
2. Municipalities and towns with population between 30,000 – 100,000 inhabitants;
3. Municipalities and towns with population below 30,000 inhabitants;
4. Communes.

An indicative list of substantiation studies is provided:

- A. Analytical studies:
 - Upgrading the topographic support;
 - Geotechnical conditions;
 - Traffic within the locality and its territory of influence;
 - Protection of the environment;
 - Juridical regime of land;
 - Identify and protect heritage sites with special value;
 - Spa or tourist potential.
- B. Studies with a consultative character:
 - Socio -urban surveys regarding public options;
- C. Prospective studies:
 - Socio-demographic evolution;
 - Evolution of economic activities;
 - Evolution of labor force transit.

The guide mentions that the content and topics covered by the substantiation studies is to be decided by the contracted service provider together with the beneficiary. However, some sections are by default considered mandatory, optional or non-required, depending on the category of locality under analysis, according to the provisions mentioned above. Endorsements over the GUP are expected to be issued in maximum 30 days from the moment of document submission. If an answer is not received under this time frame, then the GUP is considered by default to have received a favorable endorsement.

Interconnection with other law provisions:

The guide builds on the legislative framework that was in place before the issue of Law 350 / 2001 on spatial planning and urbanism and all subsequent amendments and secondary legislation. The main law regulating the spatial planning field was, at the time the guide had been issued, Law no 50/1991 regarding building authorizations and measures for housing construction (republished in 1997). Consequently, the guide can be considered to be behind a number of current legislative provisions and also policy trends.



Some inconsistencies with Law 350/2001 include aspects such as the strategic scope of the GUP, strongly enforced by the most recent law amendment in 2011. The guide still holds an approach towards the GUP as having a narrower regulatory scope which is also reflected in the structure and content it suggests.

A factor which strongly hinders the public consultation and information processes regards the formats and copies of the planning documents that are being submitted. Law 350/2001 has introduced with amendments in 2008 obligations to hold digital formats of the GUP however the methodology still only requires a mandatory two full copies in hardcopy. Still no provisions are made regarding publicizing such planning documents on the city hall website or other publicly accessible information channels.

Other than that, provisions otherwise well intended and useful, may be hindered by other laws (or lack of). For instance, the guide provides that the elaboration of GUP should be externalized to specialized service providers. In this context, it recommends selection criteria such as capability, expertise in the field and financial offer. Such aspects may be considered non-compliant to public procurement legislation by mandated institutions in the field.

General remarks:

- Different complexities of planning documentations are understandable and do indeed depend on the context and complexity of the territory studied. However, it may not necessary be the case to set complexity standards based on demographic size criteria or at least such element may not adequately inform the decision to include or not a specific thematic sections.
- The quality and relevance of the data used in the GUP elaboration process is critical for the quality and relevance of the planning documents resulted. While the guide does mention an indicative list of (basic) data to be analyzed, no recommendations are made with regard to time references, statistical units/scale, or privileged access to statistical sources. Since planning documentations analyze and regulate intra-urban aspects, using statistics aggregated at municipality/town/commune does not meet the need to inform decisions and regulations directed at sub-sections of the respective settlements. Indeed, promoting and enforcing better statistical accuracy is also reliant on other regulatory changes regarding the Romanian statistical infrastructure. This aspect must be considered in any endeavor aiming to improve the quality, reliability and credibility of planning exercises.
- Planning methodologies can and should have a significant role in guiding local planning processes towards achieving wider national policy frameworks and objectives. Similar documents prepared in other countries abroad emphasis more on how national objectives and priorities as well as overarching planning principles should be reflected in local planning processes. Examples of such issues include: recommended planning approach for ensuring vitality of town centers or fostering architectural quality, recommended planning policies and



regulations to boost town competitiveness and support land and property markets function for the benefit of local communities and economies, national approach and recommended actions for mitigating urban sprawl etc. Such orientation included in a methodology is thus provided upfront, in the form of planning guidelines. The current GUP methodology does consider this need but rather post-factum, at the end of the planning process, in the form of endorsement rights hold by line ministries. This approach may miss the objective of ensuring alignment to national policies (i.e., there is less incentive to consistently adjust a document that has already been drafted) plus it may lead to waste of resources as well as increase the time frame and bureaucracy required in the elaboration of planning processes.



Annex 4: Zonal Urban Plan

1. Validity

The validity of ZUPs is stipulated in the approval decisions. In the case of ZUPs, no specific time frame is stipulated in the law. If authorities do not upgrade the planning documents by their expiration date, the right to issue building permits is suspended (Art. 62). All throughout their validity, implementation monitoring is the responsibility of specialized departments on spatial planning and urbanism within county councils, cities or communes, as well as the State Inspectorate in Construction.

2. Contents

The ZUP contains specific regulations regarding the targeted area which refer to street layouts, architectural and planning layouts, depending on the urban structure characteristics, land use, utilities infrastructure development, juridical status and circulation of land, protection of historical monuments and sites, including their protective perimeters.

According to art. 47, the elaboration of ZUP is mandatory for areas such as:

- Central areas of localities;
- Built protected areas and historical monuments, leisure and relaxation facilities, industrial or technological parks;
- Areas designed for hypermarkets and/or commercial parks;
- Production areas;
- Cultural parks;
- Development areas for new residential sites;
- Transport infrastructure;
- Areas undergoing restructuring or urban regeneration;
- Coastal areas/areas of seashore protection (up to 200 m inland);
- Other areas established by central or local public authorities, according to law, which are functionally or morphologically homogenous or surfaces larger than 10,000 m².

Many of these categories have been introduced with the law amendment in 2011. The delineation of areas for which the elaboration and approval of a ZUP is mandatory is usually stipulated in the GUP. The Local Planning Regulation adjacent to the GUP can also designate specific areas that cannot be subject of any ZUP and detail urban plan (DUP) regulation, thus being exempted of any derogation imposed by such documents (Art. 47).

The ZUP regulates aspects such as: building regimes, area functionalities, maximum allowed heights, land use coefficient (CUT), share of land coverage (POT), building placement coordinates within the land parcel (i.e., distance towards front, back and lateral limits), architectural characteristics of buildings, construction materials allowed. ZUP, as all planning documents, are opposable in court after approval (Art. 49, par. 3). The sanctions imposed by Law 350/2001-2011 are applicable to non-compliance with law provisions regarding ZUP as well.

3. Competences

Process initiation

As in the case of the GUP, the initiative to elaborate/upgrade Zonal Urban Plans comes from local communities, the Government or other stakeholders interested, be it



individuals or organizations. The rights of the Government to require amendments or renewals applies to the ZUP as well with the purpose to ensure better alignment or compliance to "government sectoral strategic program provisions" or "the general interests of the state" (Art 20).

Endorsement

Similar to the GUP, the Zonal Urban Plan, together with the adjacent Local Planning Regulation, has to pass a technical endorsement process before being finally approved and enforced by the local administration to which it pertains.

The Ministry for Regional Development and Public Administration has endorsement rights for ZUPs concerning the central areas of Bucharest and other cities having municipality status, as well as other functional areas of interest from the respective cities. The ministry endorses also ZUPs which regulate protected areas, subject to specific restrictions. It can also extend the limits specific territorial administrative units.

County councils also hold endorsement rights for all area categories mentioned above. Adding to this, county councils also endorse ZUPs pertaining to central areas of towns, villages or other functional areas of interest to the respective settlements. Other central and local organizations may also have endorsement attributions for any of the categories mentioned above.

Approval

Zonal Urban Plans and adjacent local planning regulations are approved by local councils, after receiving favorable endorsement from all institutions listed in the previous section.

Funding

Zonal urban plans which regard investments of public utility or protected areas are funded from public sources (state budgets or local budgets). Other zonal urban plans are financed by private stakeholders (individuals or juridical persons) with support from local public authorities (Art. 54). The mandated ministry can also financially support, through specially designated program, the development of spatial and urban planning documents, including zonal urban plans.

4. Public participation

Law provisions regarding public participation elements apply the same to all planning documents.

5. Guide regarding the methodology for the elaboration and framework content of the Zonal Urban Plan, including those regarding protected areas

Relevant regulations:

- Order no. 176/N/1999 for approving the technical regulation „Guide regarding the methodology for the elaboration and framework content of the Zonal Urban Plan ", indicative GM-010-2000;
- Order no. 562/2003 for approving the technical regulation „Guide regarding the methodology for the elaboration and framework content of planning documentation for protected areas (ZUP)"

Issuer: Ministry of Regional Development and Public Administration.



Main provisions:

The ZUP is an urban planning document having regulatory character. It targets a specific area of the locality and stipulates different rules and regulations necessary for the area development or conservation. The guide contains several common provisions to Law 350/2001, the latter being issued one year after the guide was drafted and approved. Additional information in the guide includes a more detailed presentation of the elaboration process. A few of the steps mentioned are: process initiation, population information, contracting a specialized service provider, choosing documentation sources, substantiation studies, public consultation, drafting visual representations, endorsements and approvals. The process as well as the document structure and suggested topics are largely similar to the case of GUP provided that the territorial scale is lower.

The set of documents resulting from the above described process imply:

- Substantiation studies
- ZUP: containing written memoir (based on the conclusion of substantiation studies), local planning rules and visual representations on suggested aspects
- Preliminary ZUP (with a validity of up to 3 years)
- Documents necessary for endorsement and approval processes.

Central endorsement agencies include: the Ministry of Regional Development and Public Administration, the Ministry of Transport, the Ministry of Health, the Ministry of Culture, and other central institutions, depending on the specifics of the area targeted.

Local endorsement agencies include: the County Council, the administrators of utility distribution networks, including: water and sewage, energy, telecommunications, heating/natural gas networks, the county office for environment protection, the county office for public health, firemen administration, civil protection, county offices for historical and cultural heritage, county office for cadastre, geodesy and cartography, as well as other institutions with activity in the field of education, health, culture, sport, traffic, forests etc.

Indeed, the areas covered by a ZUP are very heterogeneous; therefore the guide keeps a general tone and details on the process, structure and standard components of the documentation.

In conjunction to this guide, the framework methodology for ZUP regarding protected areas is a more recent guide having been issued after several important regulations with regard to spatial planning and heritage have been passed (i.e., Law 350/2001, Law 422/2001, Law 5/2000 on the National Spatial Planning Act regarding protected areas, etc.).

This, combined with a more specific subject of regulation, makes that the guide format and approach is rather different to the other three general methodologies or GUP, ZUP and DUP. A more consistent set of technical standards and recommendations are being provided, both in the form of content and structure requirements. Also, more importantly, more specific guidance is set with regards to the objectives of the plan and interconnection to other planning documentation, adding up consistently on information included in Law 350/2001 and ensuring a better interrelation with other relevant regulations.



Annex 5: Detail Urban Plan

1. Validity

The validity of the DUP is stipulated in the approval decisions and, as in the case of the ZUP, no specific time frame is stipulated in the law. All throughout their validity, monitoring the compliance with DUP regulations is the responsibility of specialized departments on spatial planning and urbanism within county councils, cities or communes, as well as the State Inspectorate in Construction.

2. Contents

The DUP is based on expert studies and stipulates aspects such as distances towards lateral and back-end limits of the parcel, car and pedestrian access, architectural volumetric, land occupation (Art. 48). Its content is based on a guiding methodology approved by ministerial order in 2000 (further detailed in the methodology section).

3. Competences

Process initiation

Detail urban plans can be initiated by public administrations as well as interested individuals or organizations, based on a planning certificate and, if the case requires, an opportunity note (Art 50).

Endorsement

Endorsement rights concerning detail urban plans differ on whether the targeted buildings are listed or not. DUP targeting historical monuments have to be endorsed by county councils, the Ministry of Culture as well as other interested central and territorial institutions. Endorsement rights of all other sites are held by territorial institutions, with no specific reference in the law.

Approval

Detail urban plans are approved by local councils in case of all building sites, including those listed as historical monuments.

Funding

Detail urban plans which regard investments of public utility or protected areas are funded from public sources (state budgets or local budgets). Other detail urban plans are financed by private stakeholders (individuals or juridical persons) with support from local public authorities (Art. 54).

As with the other planning documents, the local administration holds full responsibility of the content of the urban planning documentation and it is mandated to ensure and monitor its implementation, regardless of the funding body.

4. Public participation

Law provisions regarding public participation elements apply the same to all planning documents.



5. Guide regarding the methodology for the elaboration and framework content of the Detail Urban Plan

Relevant regulations:

Order no. 37/N/2000 for approving the technical regulation „Guide regarding the methodology for the elaboration and framework content of the detail urban plan”, indicative GM 009-2000;

Issuer: Ministry of Public Works and Spatial Planning

Main provisions:

The DUP methodology is part of the same set of guides for GUP and ZUP, having a similar approach and structure. Being based on the legal and regulatory framework of the 90's, its provisions cannot be considered as detailing the overarching law on spatial and urban planning, which it proceeds. However, provisions are not in contradiction either, as the guide retains a rather general and strictly technical approach.

The methodology describes the process of DUP elaboration, similar to the cases of GUP and ZUP, but it targets a much lower territorial scale. Recommendations are made with regards to structure, general minimal content requirements, standard indicators and visual representations to be included. Also reference is included to endorsement bodies which include, as in the case of GUP and ZUP, a rather wide array of central and local administrations.



Annex 6: Spatial Planning Instruments in Romania

Territorial level	Name of the plan	Character	Jurisdiction	Validity (years)	Content/aims	Approved by	Co-ordination with other plans		Existing guidelines	Remarks
							higher levels	lower levels		
National	National spatial plan (PATN)	strategic	Romania	10-15	Synthesis of sectoral strategic programs. Specialized sections: transport network, water, protected zones, natural hazard zones, tourism, rural development, settlements network	Parliament	UE documents	mandatory for spatial plans	no	additional specialized section of the plan approved by law
County	County spatial plan (PATJ)	strategic	county	5-10	Spatial form of social-economic development programs	County Council	in relation with PATN and with PATZ, government sectoral programs	mandatory for spatial plans/land use plans	no	in coordination with other development programs
	Region spatial plan	strategic	various administrative units (counties)	-	Solutions for specific problems within the regions	Local Councils	not specified	not specified	no	project oriented plans no administrative body
	Inter counties spatial plan	strategic	county	-	Solutions for specific problems within specific areas	Local Councils	not specified	not specified	no	
	Inter cities spatial plan	strategic	city, communes	-	Solutions for specific problems within specific areas	Local Council	not specified	not specified	no	
	Metropolitan spatial plan	strategic	county city, communes	-	Solutions for specific problems within specific areas	Local Councils	not specified	not specified	no	
Local city/ commune	General Urban Plan and zoning control (PUG)	strategic, normative	city, communes	10	prospective diagnosis, spatial strategy, local zoning control, action plan for public investment programs	Local Council	not specified	mandatory for PUZ and PUD	GP03 /1999 HG.525 /1996	short term regulation
	Urban Zonal Plan and zoning control (PUZ)	normative	city, communes	-	Integrated coordination of complex zones with strong urban dynamics	Local Council	General Urban Plan	Urban Detailed Plan	GM-010 /2000 526/2003	
	Urban Detailed Plan (PUD)	normative	city, communes	-	-	Local Council	Urban Zonal Plan	-	yes	District Local Councils (Bucharest case)



Annex 7. Spatial Planning Systems in Other EU Countries

Poland: Act to get credibility of the planning system

470. The case of Poland reveals a series of acute failures of planning systems in force since 1995 in many ways similar to those met in Romania currently. ISOCARP⁴⁶ mentions an overall lack of confidence in the planning system, negative low-key image of the whole sphere of spatial planning, weak statutory power of the planning system, powerless institutions of planning and discrepancies and gaps in the planning law. From an institutional point of view, the report signals a lack of measures to strengthen institutional arrangements and coordination in terms of sustainable development at the local level.

471. There are other examples, such as Czech Republic and Hungary where the first phase of planning was the belief in the power of law, where planning documents would seek solutions acceptable to specific private and public interests coordinated by other laws and other responsible offices. However, this practice ended up with a considerable distance between planning legislation and physical development in reality.

472. Another similarity noticed, from the point of view of stakeholders mandated with planning rights, is seen in the role local governments are tasked to play. Actually, this is noticeable in all former socialist countries where local governments have the power and mandates to deal with local plans. As regional disparities increased, as well as the scale of development projects, it is the power of regional/county governments that have been boosted, including their mandates for regional planning.

Netherlands: planning based on vision and consensus

473. The Netherlands is traditionally perceived as a country with vast experience of planning, land and water management, due to natural and historical reasons. The Dutch have built their country based on a good planning vision and negotiation process. The planning acts are adapted according to the main objectives of the country development strategy: strengthening its international competitive position. This requires modern land policy, new national-regional cooperation mechanisms and complex regional developments with an important role hold by the National Public Development Agency. The Agency represents a center of expertise and is endowed with the instruments to synchronize conflicting interests.

France: Centralized system in partnership with local communities through planning

474. France is one of Europe's oldest nation state, organized in a very effective system of administration based on local representatives of the state (the "préfets"). Starting 1982, the central government transferred several competencies to local authorities, especially in terms of regional and urban planning⁴⁷ As other EU countries (i.e., Germany, the Netherlands) the planning level encompasses the EU level as well

⁴⁶ Ryser, Judith, Franchini. Tersi, editors. 2008. *International Manual of Planning Practice*, ISOCARP.

⁴⁷ Ryser, Judith, Franchini. Tersi, editors. 2008. *International Manual of Planning Practice*, ISOCARP.



(ESDP) this document being part of the planning procedure. For the Romanian case, the content of the regional plan may be relevant. The plan has strategic role and comprises 3 documents:

- A report which outlines the analysis of the environmental and development needs
- A project for sustainable planning and development which expresses the strategic objectives identified by politicians
- A guideline document which specifies how the plan will be implemented.

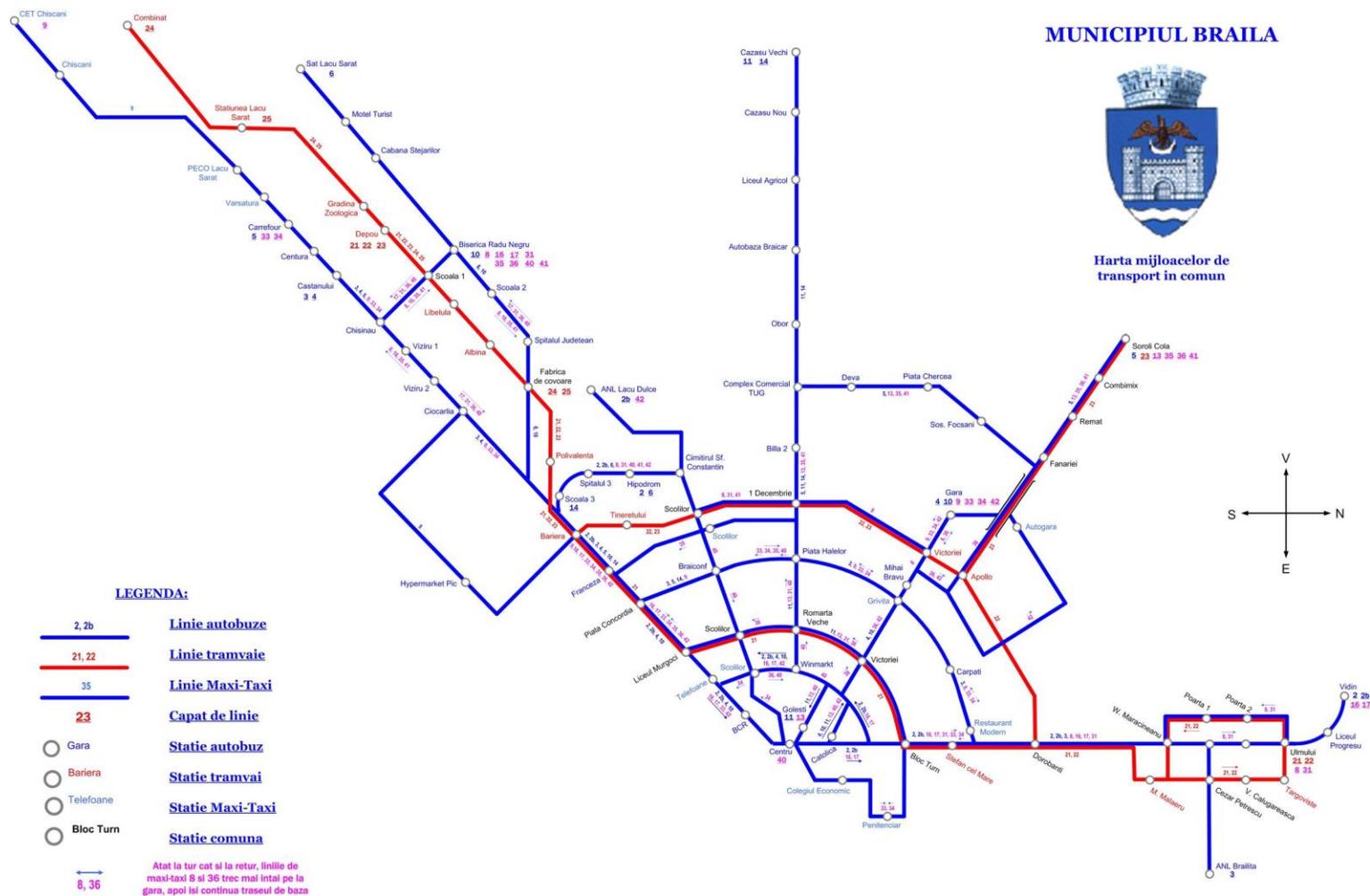
475. However, the complexity of the system of planning and development competences encompassing many level of authorities (as well as many types of plans) increase the juridical risk of planning. For this reason, urban planners are trained as lawyers to protect themselves.

Spain: Continuously process to refined spatial planning system to respond to challenges

476. Spain has a relatively fragmented administrative structure therefore the spatial planning competences are primarily allocated to regions and municipalities. The reform process was to improve a system indicating that statutory regulations and higher level plans could not respond to economic and social changes, and were difficult to follow, implement, and correlate with. As a result of the reform, regions apply different methodologies for drafting regional spatial plans, and guide municipalities how to draft spatial plans. The large majority of municipalities have a general urban plan approved and operational.



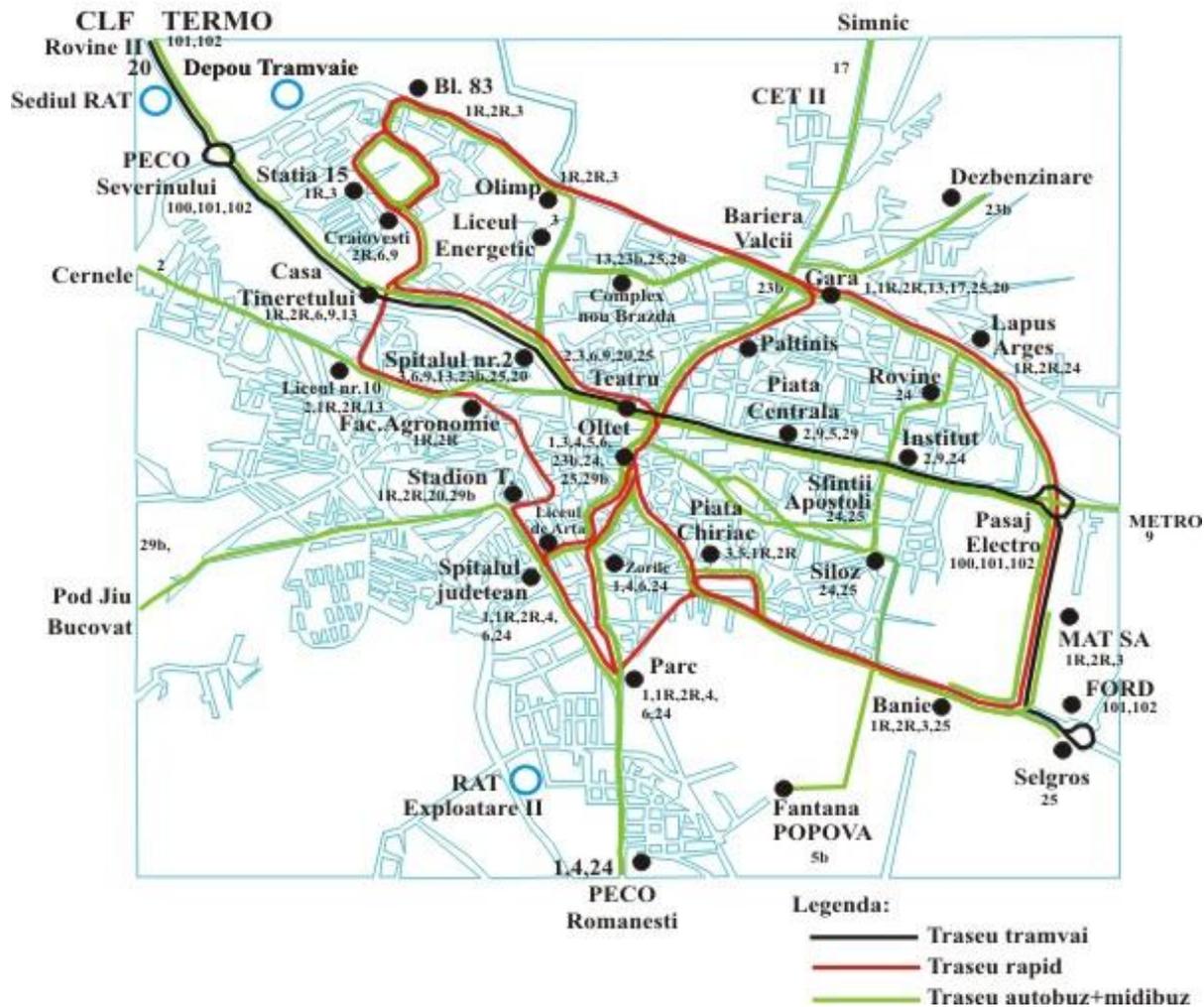
Annex 8. Public Transport Map of Brăila



Source: <http://harti.tramclub.org/braila.jpg>



Annex 9. Public Transport Map of Craiova



Source: <http://www.rat-craiova.ro/index.php>



Annex 10. Built-up Area of Growth Poles

UAT	Built-up Area (hectares)			% Change btw. 1992 and 2012
	1992	2002	2012	
BRAȘOV				
Bod	254	264	298	17.46%
Brașov	3,511	3,928	4,360	24.16%
Codlea	526	530	568	7.97%
Cristian	216	227	294	36.19%
Ghimbav	144	152	212	46.59%
Halchiu	213	213	232	8.91%
Hărman	328	357	438	33.56%
Predeal	220	234	247	12.16%
Prejmer	597	613	633	6.01%
Râșnov	405	425	438	8.02%
Săcele	597	637	708	18.72%
Sânpetru	221	237	330	49.48%
Tărlungeni	475	507	557	17.26%
Vulcan	144	146	150	4.62%
CLUJ - NAPOCA				
Aiton	202	232	217	7.17%
Apahida	720	766	945	31.25%
Baciu	440	445	471	7.05%
Bonțida	377	382	384	1.79%
Borșa	232	232	232	0.00%
Căianu	327	327	327	0.00%
Chinteni	366	379	395	7.97%
Ciurila	183	188	199	8.94%
Cluj-Napoca	4295	4410	5346	24.48%
Cojocna	507	513	513	1.11%
Feleacu	528	536	568	7.53%
Florești	345	462	807	134.04%
Gârbău	264	264	264	0.00%
Gilău	511	543	613	19.85%
Jucu	471	508	571	21.25%
Petreștii de Jos	213	213	216	1.71%
Tureni	274	275	297	8.58%
Vultureni	190	190	190	0.00%
CONSTANȚA				
Agigea	596	602	632	6.10%
Basarabi	398	417	417	4.85%
Constanța	4258	4382	4566	7.22%
Corbu	538	538	564	4.77%
Cumpăna	592	611	726	22.61%
Eforie	504	518	547	8.33%
Lumina	599	627	683	14.14%
Mihail Kogălniceanu	628	640	692	10.17%
Năvodari	1088	1201	1268	16.49%
Ovidiu	366	431	517	41.29%
Poarta Alba	311	313	335	7.54%
Techirghiol	292	293	325	11.47%
Tuzla	300	302	339	13.02%
Valu Lui Traian	548	557	615	12.15%

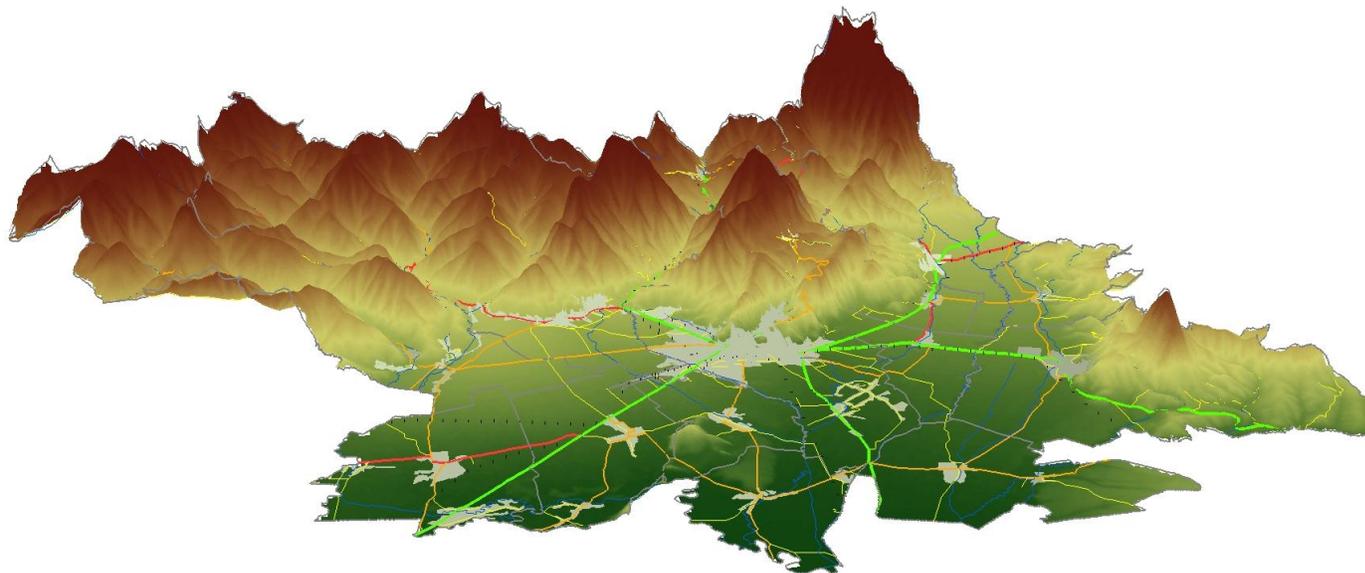


CRAIOVA				
Breasta	204	243	251	23.22%
Craiova	4045	4628	5152	27.39%
Ghercești	271	271	277	2.06%
Mischii	259	259	264	2.11%
Murgași	343	344	347	1.24%
Pielești	271	331	450	66.19%
Pleșoi	202	202	208	2.87%
Predești	182	182	182	0.00%
Șimnicu de Sus	470	494	508	8.08%
Teasc	250	250	275	9.82%
IAȘI				
Aroneanu	278	284	287	3.11%
Bârnova	482	522	569	18.03%
Ciurea	771	850	888	15.17%
Holboca	645	671	696	7.81%
Iași	3596	3966	4224	17.49%
Lețcani	418	420	474	13.37%
Miroslava	635	919	993	56.37%
Popricani	658	751	777	18.05%
Rediu	329	381	401	22.02%
Schitu Duca	540	568	570	5.65%
Tomești	449	481	506	12.67%
Ungheni	294	303	313	6.12%
Valea Lupului	95	105	167	75.55%
Victoria	443	443	443	0.00%
PLOIEȘTI				
Ariceștii Rahtivani	414	434	583	40.89%
Băicoi	957	966	1030	7.62%
Bărcănești	472	474	504	6.78%
Berceni	346	348	387	11.83%
Blejoii	383	437	524	36.70%
Boldești-Scăeni	673	677	714	6.21%
Brazi	830	835	859	3.49%
Bucov	459	484	533	16.08%
Dumbrăvești	317	334	343	8.21%
Paulești	375	409	465	23.81%
Ploiești	3039	3120	3238	6.55%
Plopeni	141	141	152	7.66%
Târgșoru Vechi	397	437	690	73.72%
Valea Calugărească	569	583	606	6.45%
TIMIȘOARA				
Becicherecu Mic	245	248	255	4.12%
Dudeștii Noi	205	205	209	2.04%
Dumbrăvița	266	282	633	137.88%
Ghiroda	454	470	560	23.36%
Giarmata	410	420	442	7.87%
Giroc	411	478	552	34.15%
Moșnița Nouă	469	490	720	53.39%
Orțișoara	576	585	607	5.43%
Pischia	348	348	354	1.85%
Remetea Mare	467	479	503	7.76%
Săcălaz	652	660	750	15.02%
Șag	208	212	238	14.49%
Sânmihaiu Român	504	518	538	6.76%
Timișoara	4920	5130	5568	13.17%

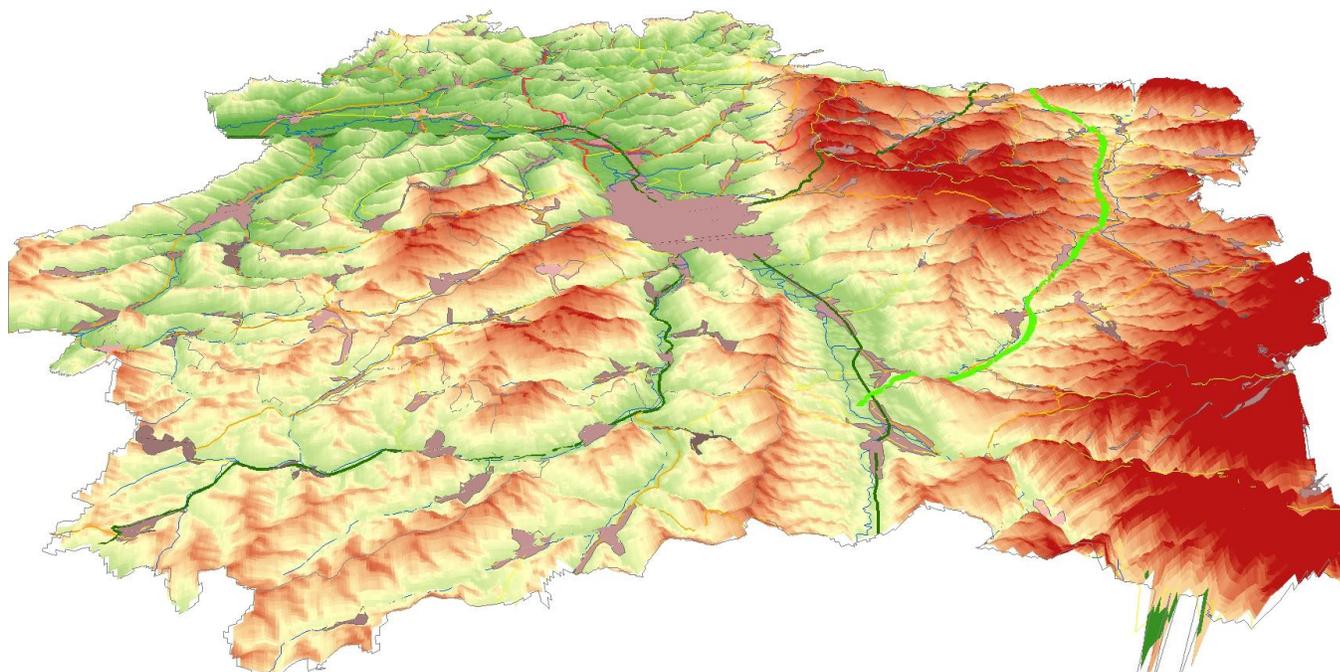


Annex 11. Topography of Growth Poles

Braşov

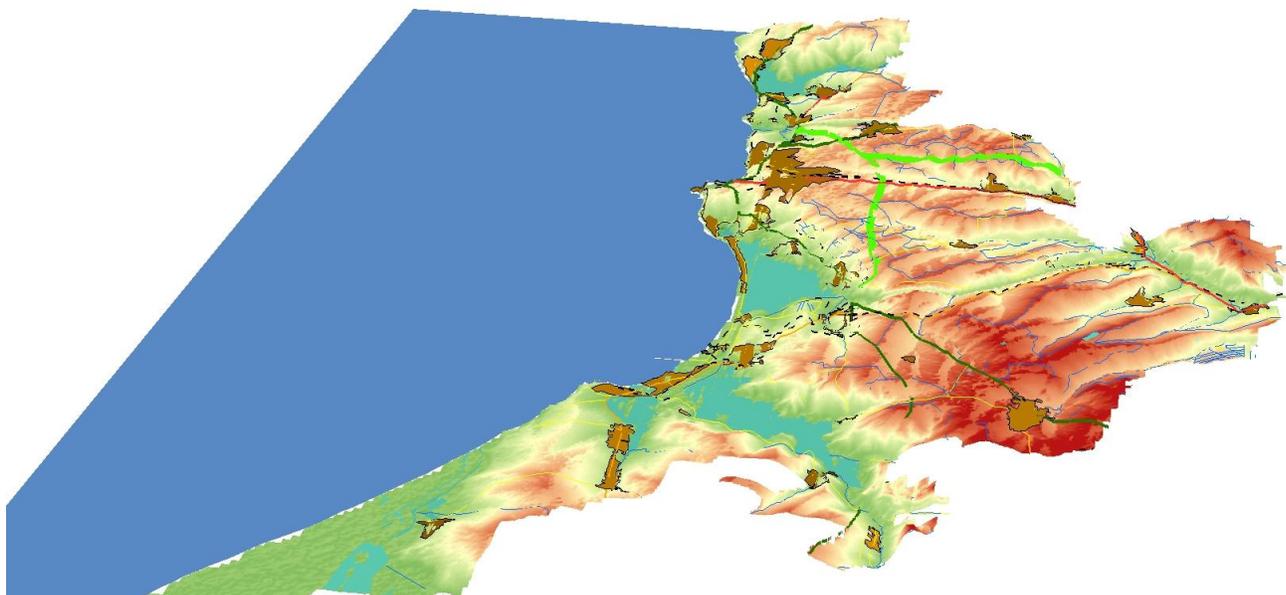


Cluj-Napoca

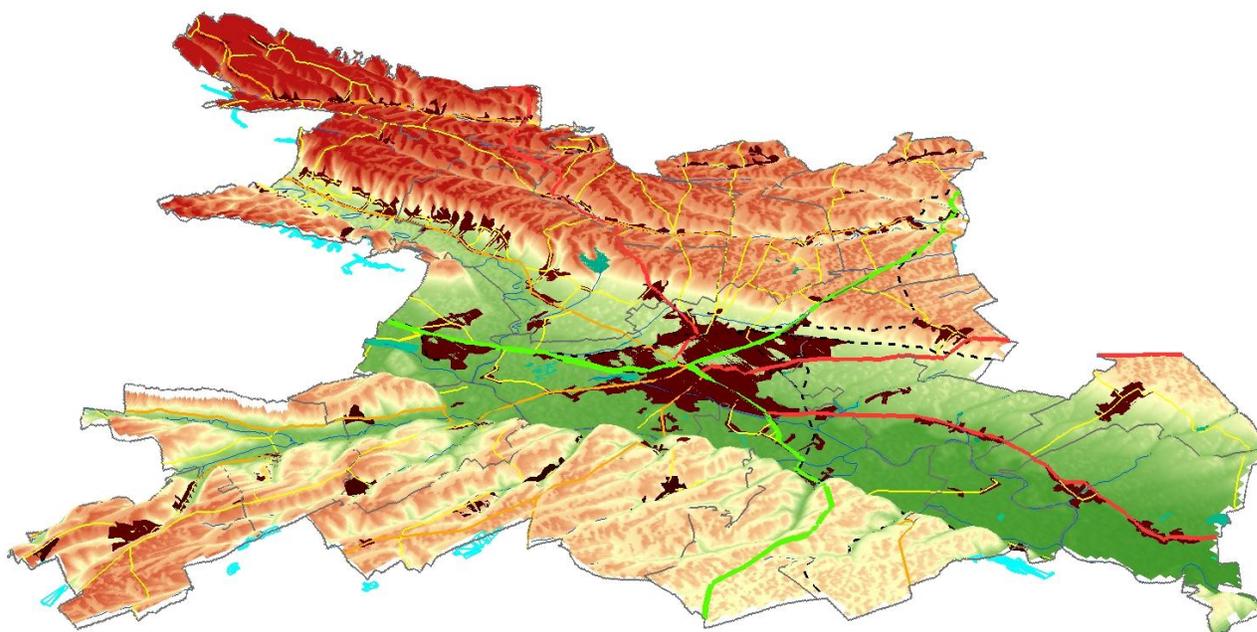




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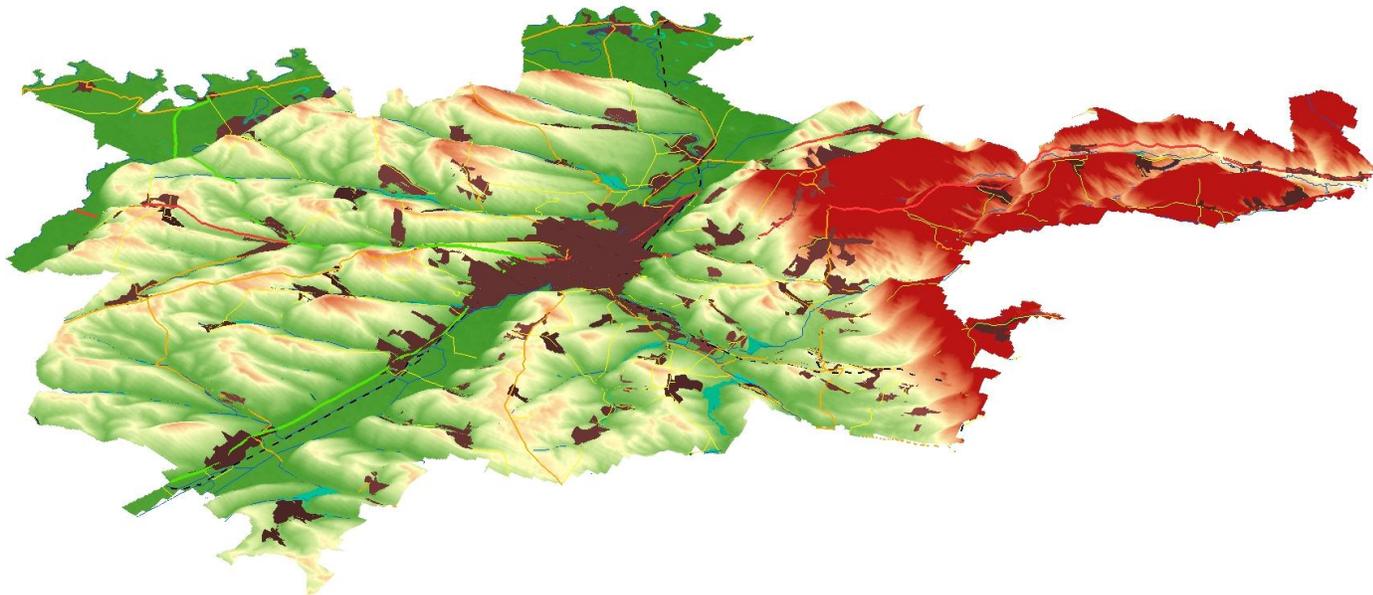


Craiova

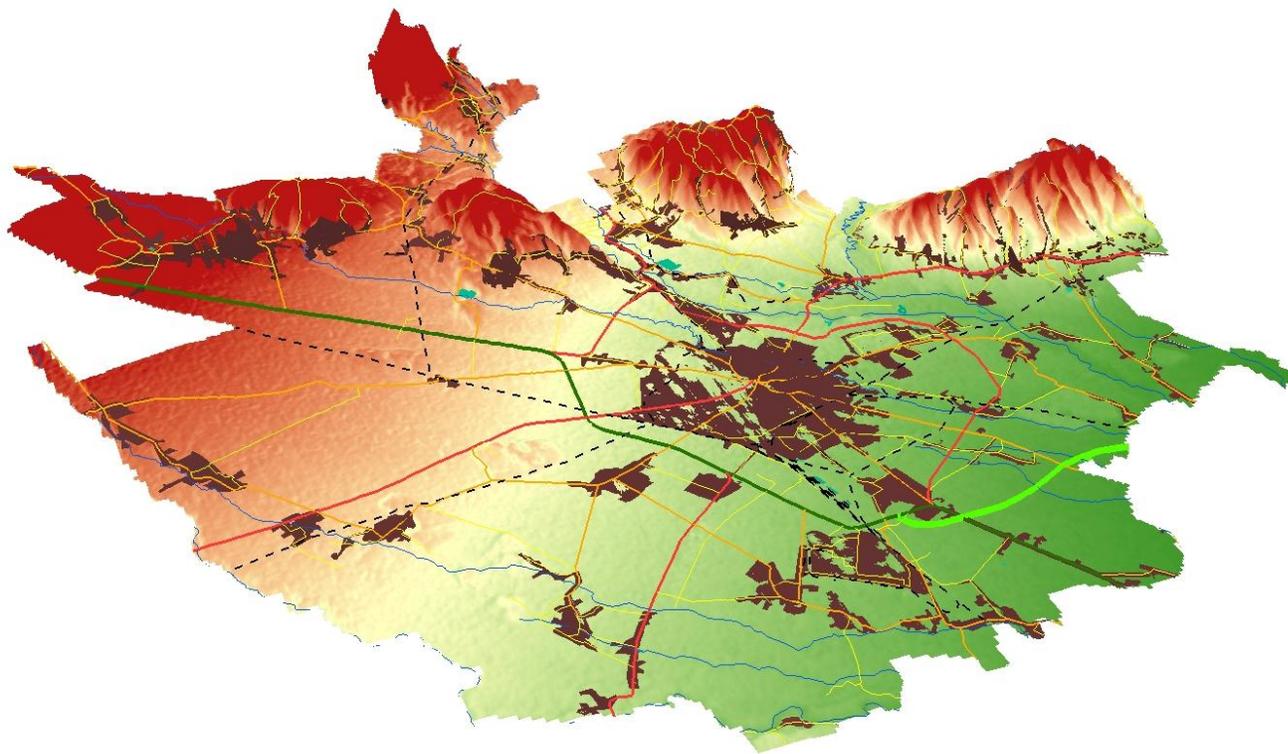




Iași

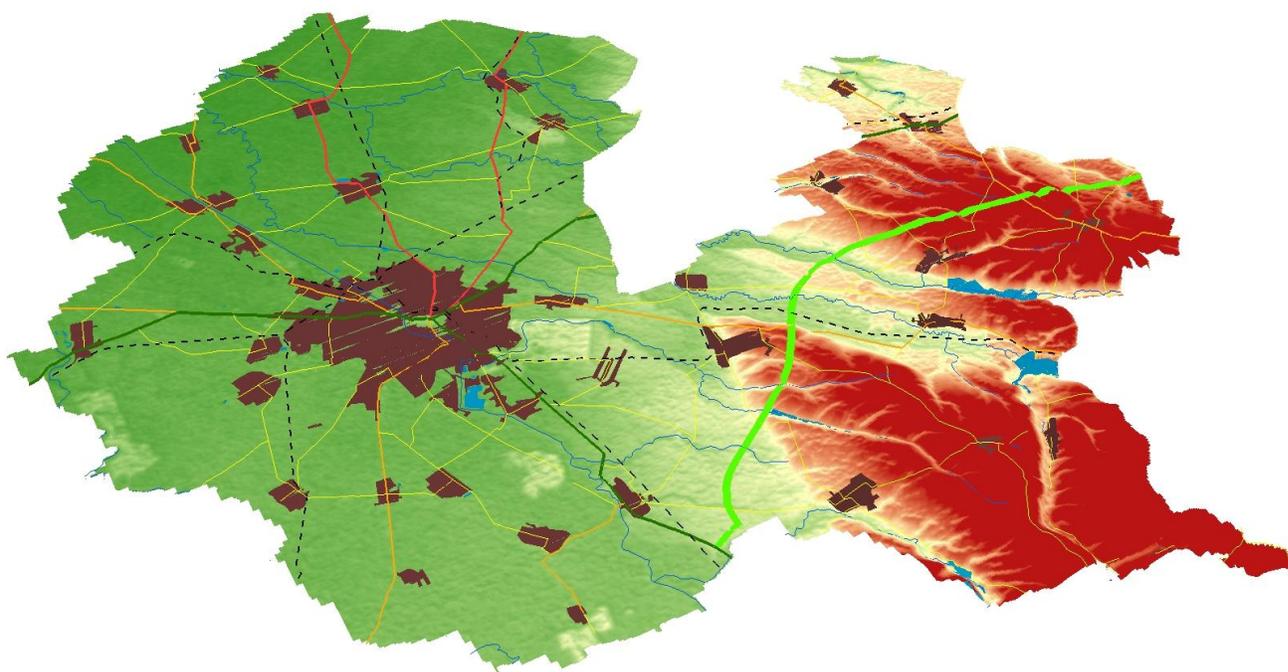


Ploiești

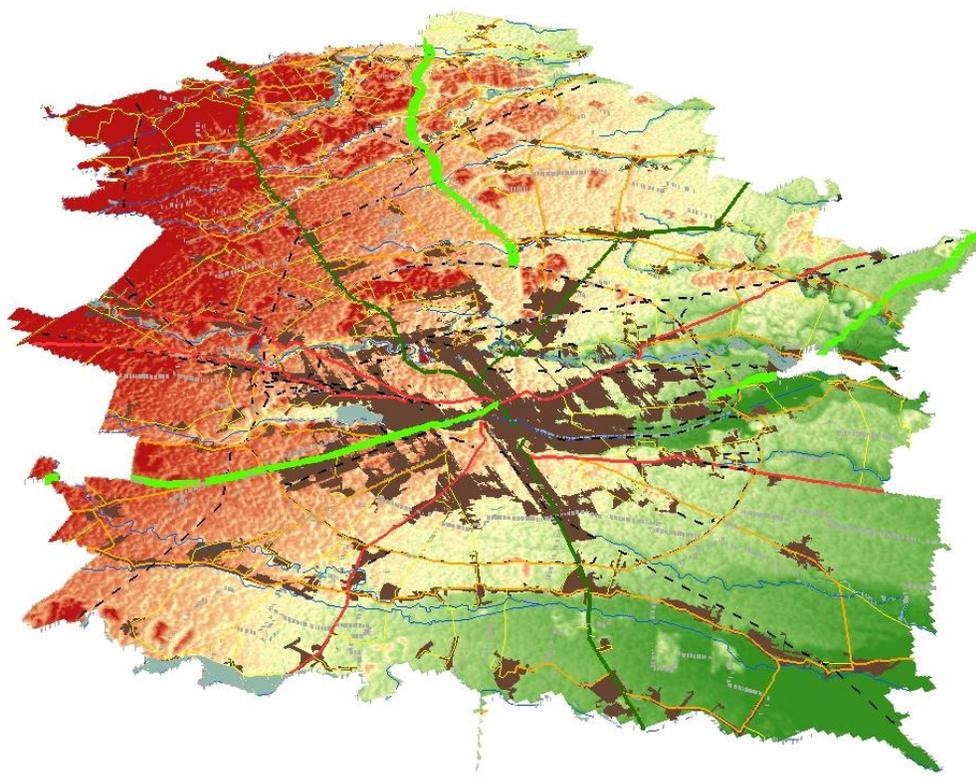




Timișoara



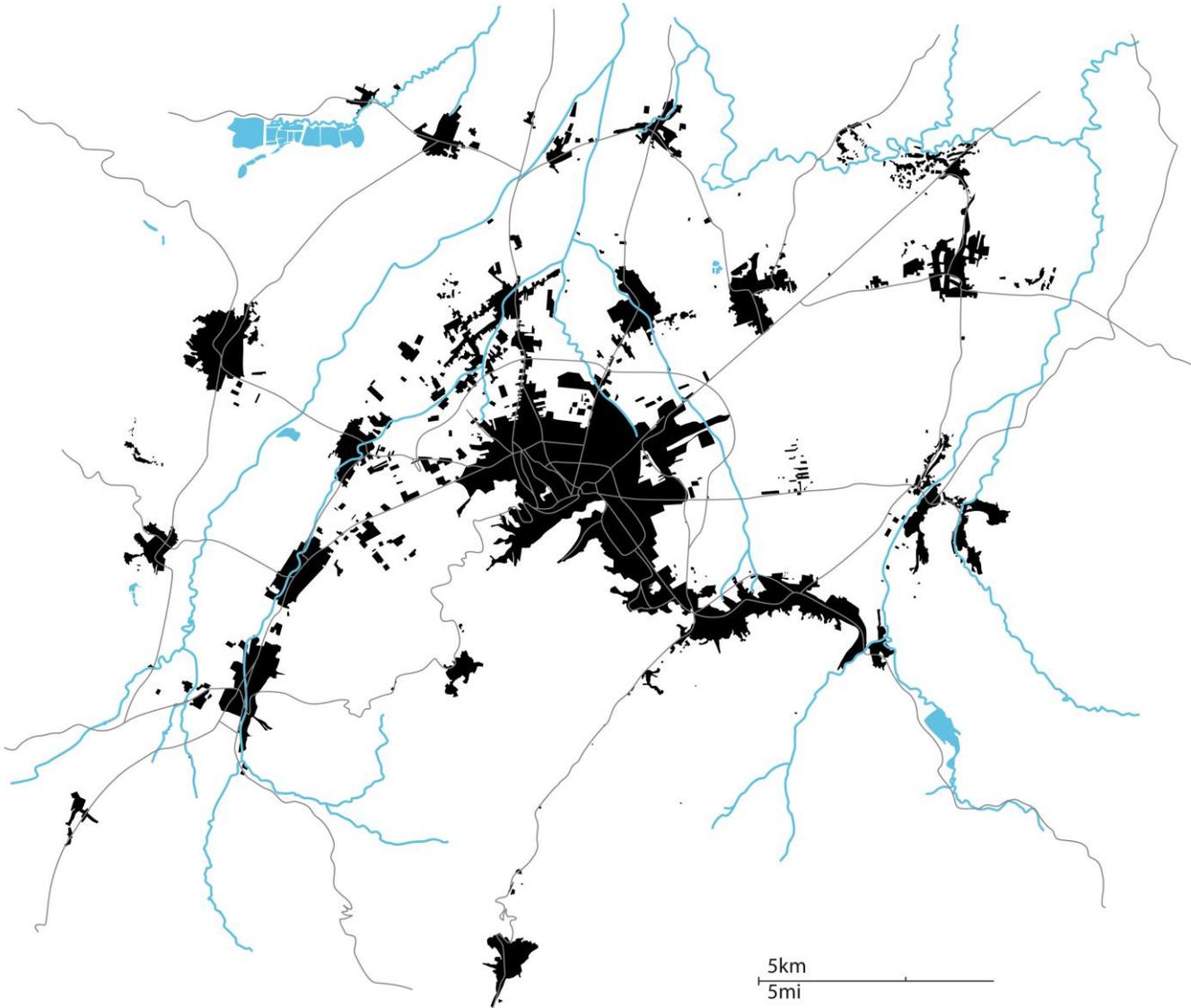
București





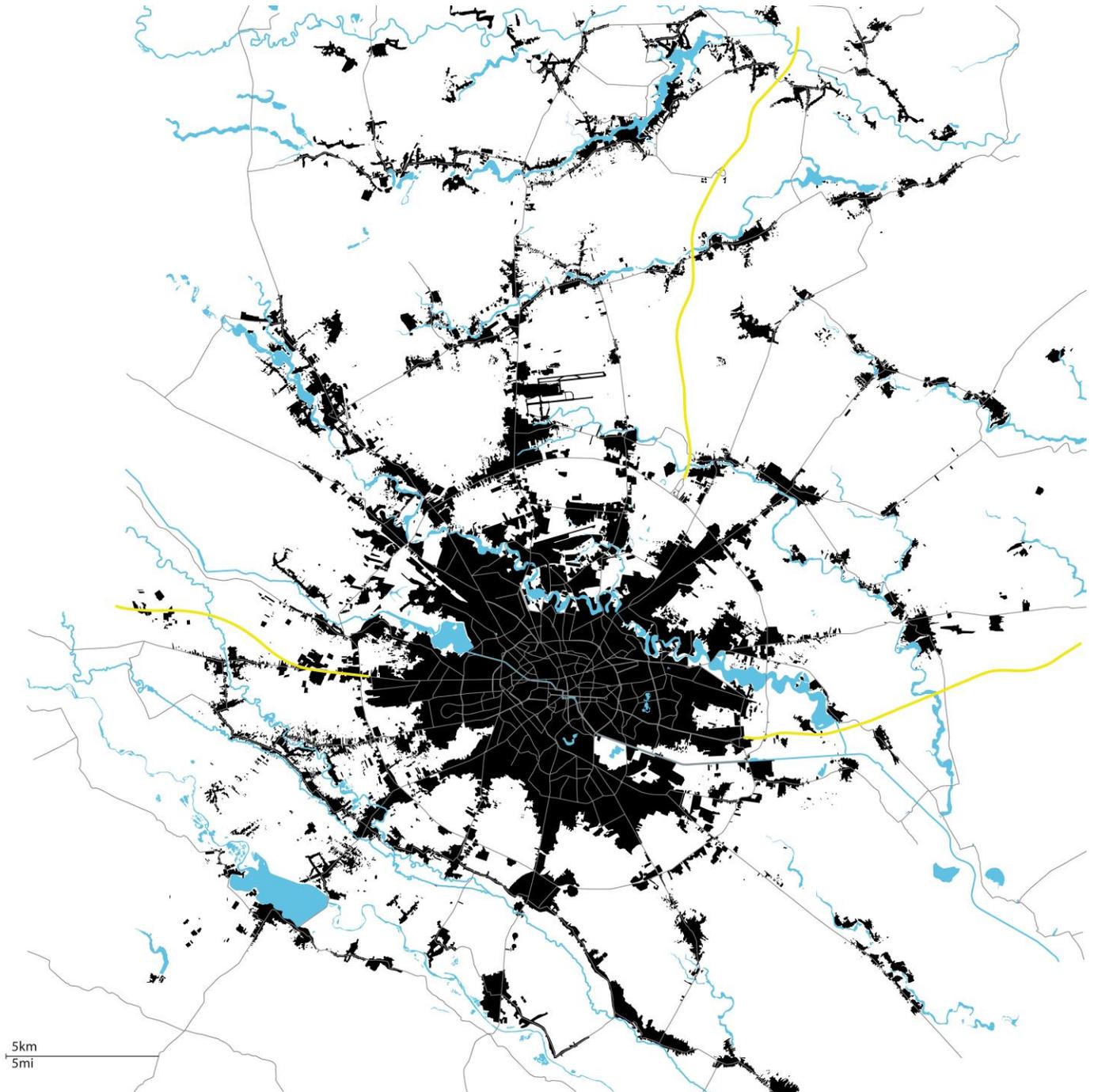
Annex 12. Urban Mass of Growth Poles

Braşov Metropolitan Area Urban Mass



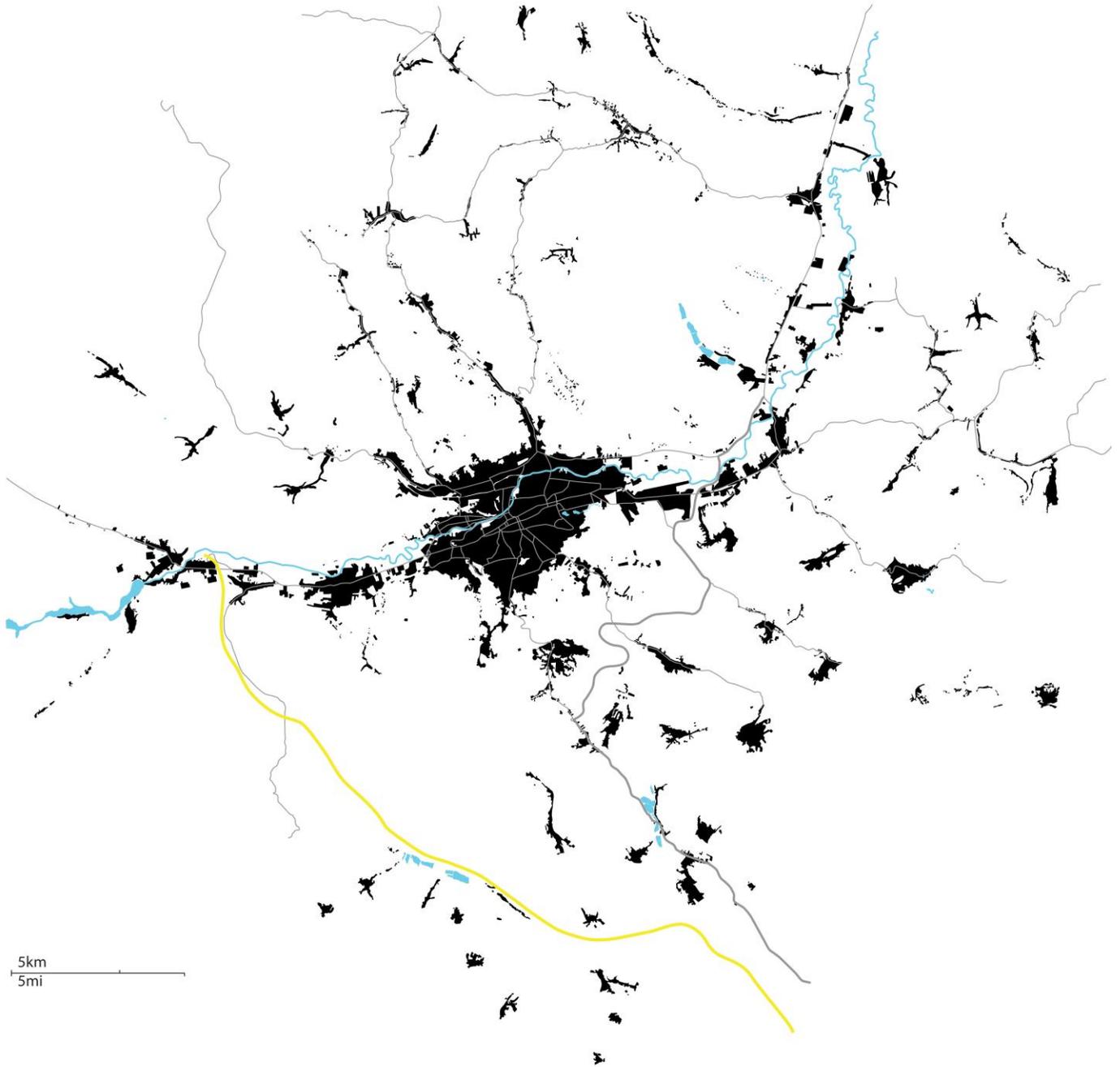


București-Ilfov Urban Mass



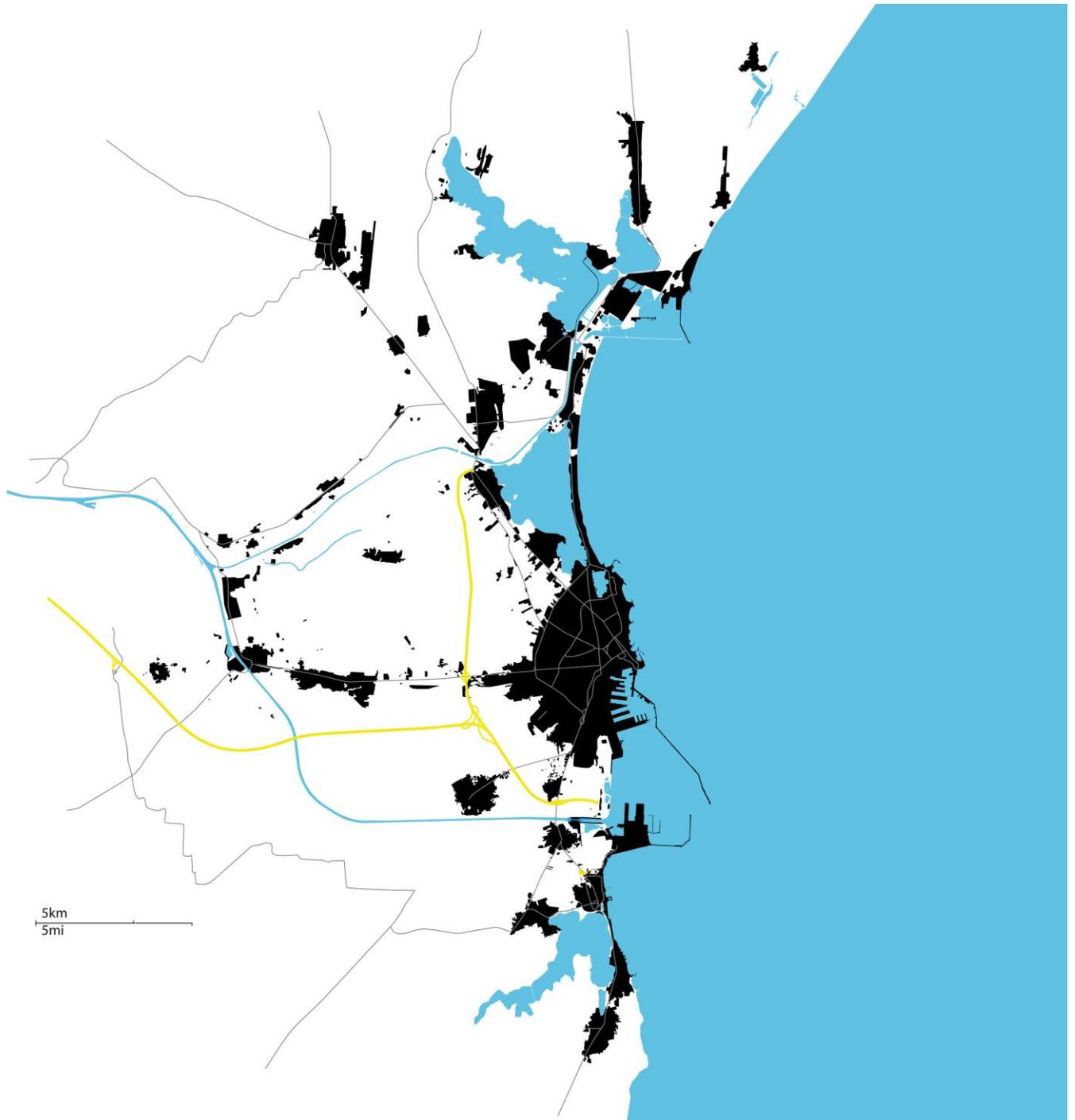


Cluj Metropolitan Area Urban Mass



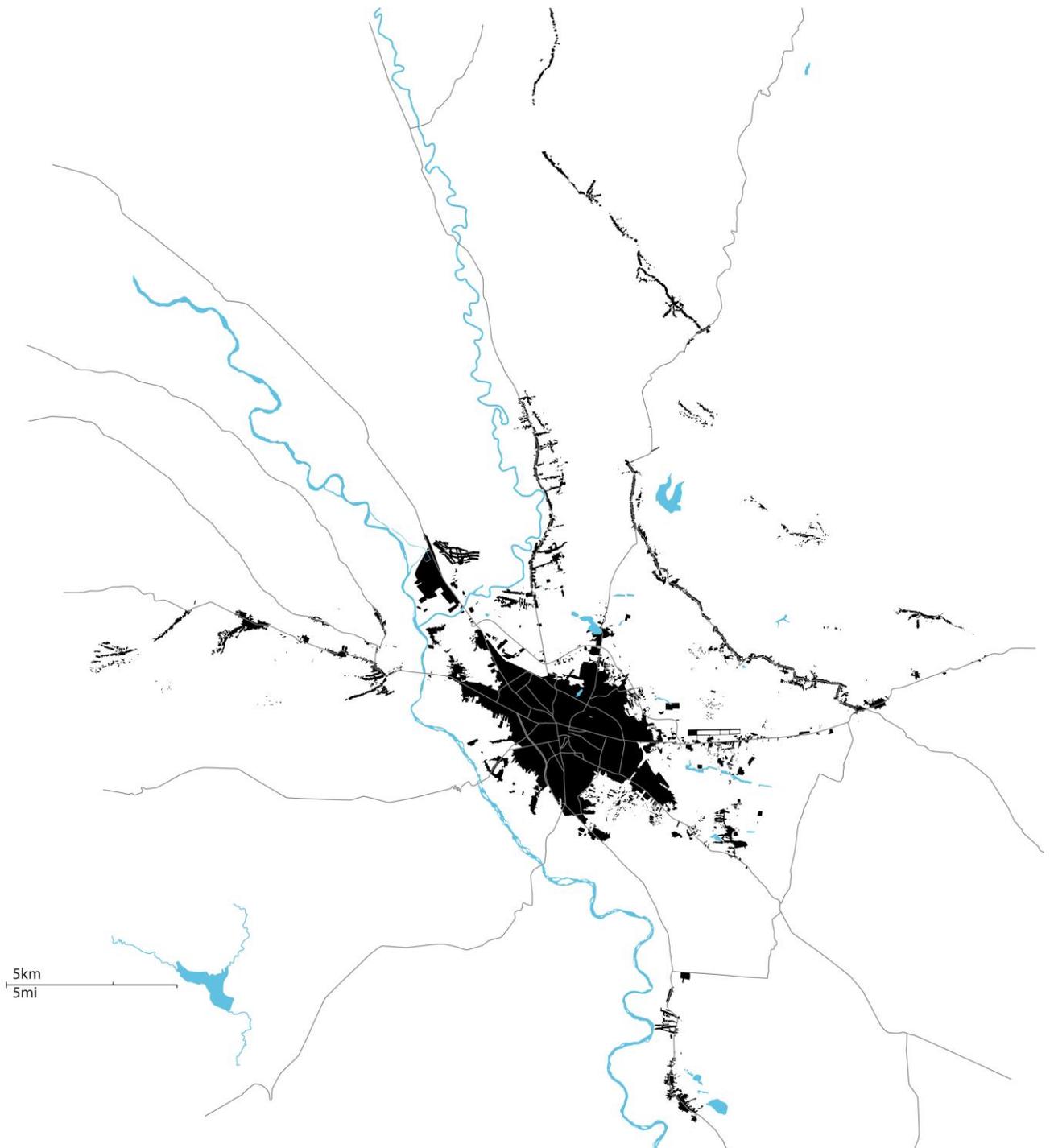


Constanța Metropolitan Area Urban Mas



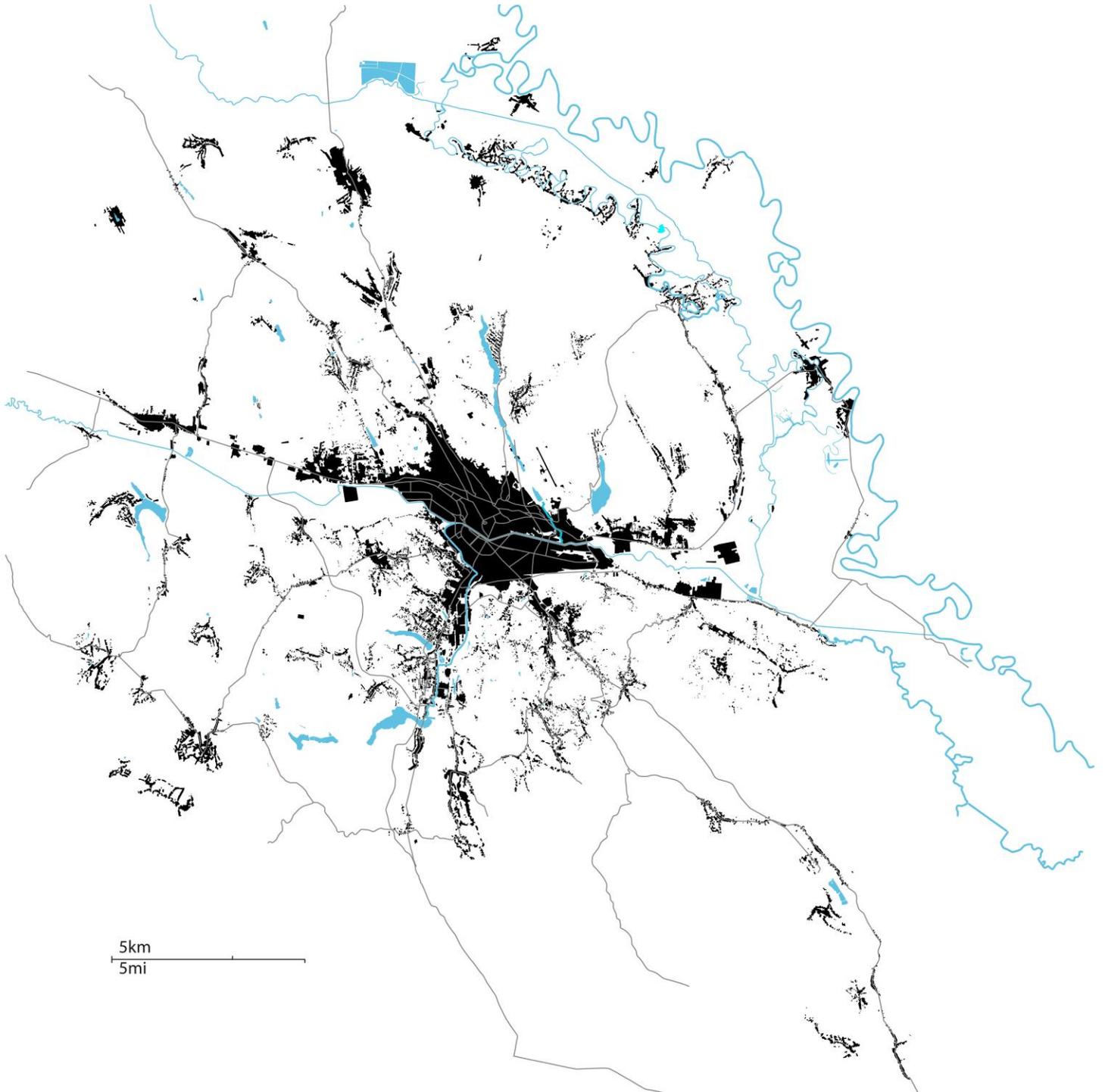


Craiova Metropolitan Area Urban Mass



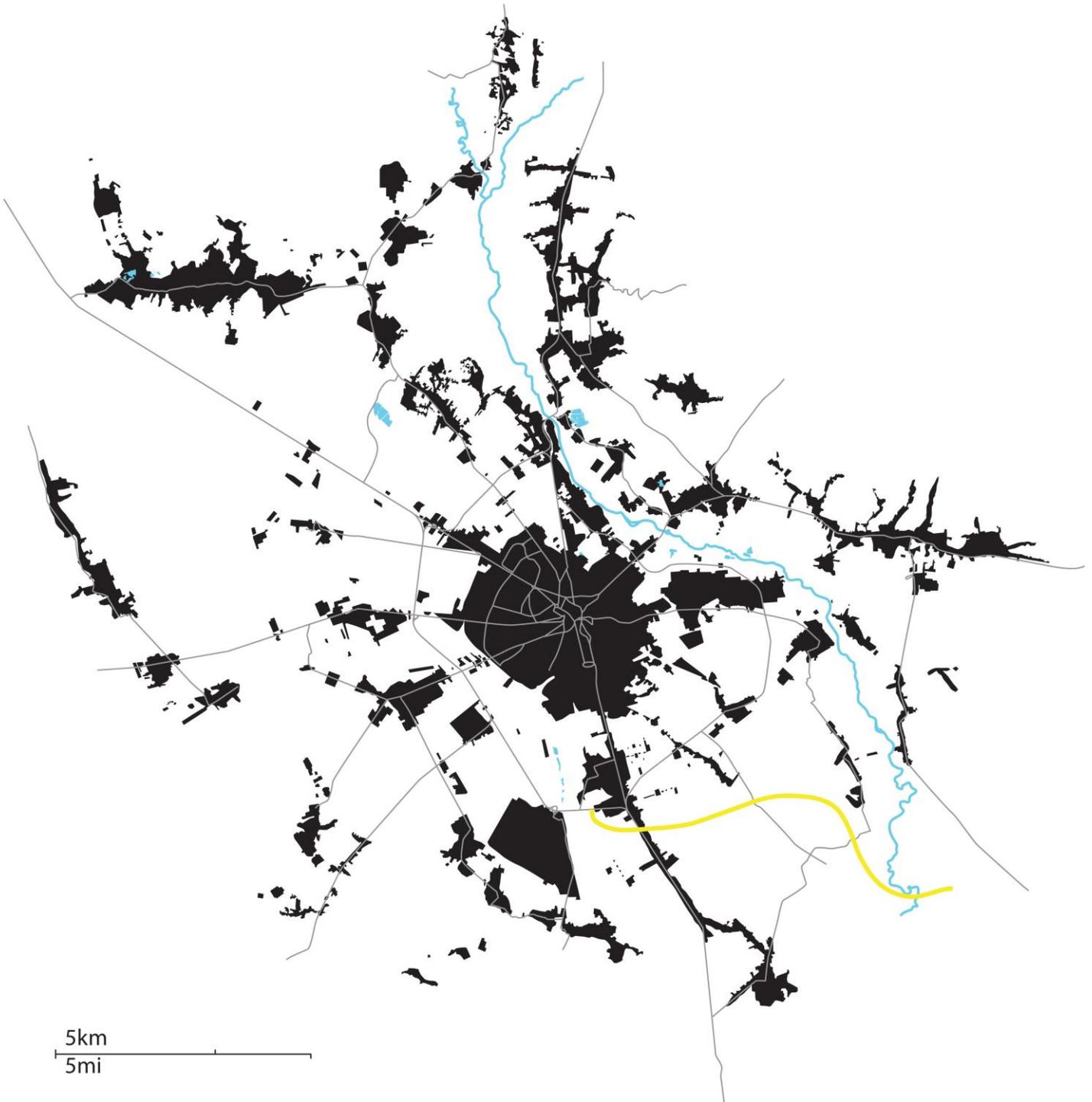


Iași Metropolitan Area Urban Mass





Ploiești Metropolitan Area Urban Mass





Timișoara Metropolitan Area Urban Mass

