

MODERNIST NEIGHBORHOODS: CONSERVATION / REGENERATION

**The planning system and instruments in
Romania and their evolution with a focus on
historic city areas**

**Arch. Gabriel Pascariu,
University of Architecture and Planning Ion Mincu in Bucharest**

Bucharest (Romania) - October 06-09, 2011

Oct. 2011

EAAE thematic network on CONSERVATION III workshop

1

Content

General overview

Institutions

Organisations

Education

Legal framework

Planning instruments

PATN - Section V

Zonal plan for protected areas

Examples

Oct. 2011

EAAE thematic network on CONSERVATION III workshop

2

General overview

December 1989 - turning point for the spatial planning system in Romania:

- 1974 Systematization law is abolished
- systematization becomes urbanism or territorial and town planning (*fr. aménagement du territoire et urbanisme /it. pianificazione urbanistica e territoriale*)
- until 2001 the legal framework for spatial planning was fragile
- yet, new planning instruments are in place
- institutional responsibilities are set up at central and local levels based on the principles of decentralization
- a process to set up a status for a new profession and a specific education begins
- planning associations were set up and
- the Register of Romanian Planners (RUR) set up in 2005

Oct. 2011

EAAE thematic network on CONSERVATION III workshop

3

General overview

Over the last 2 decades a new spatial planning framework has been developed:

- *a new legal framework*
- *institutions*
- *professional associations and*
- *education*

Main stages:

- **1st decade (1990 - 2000): “romantic” period of reconstruction of a spatial planning system**
- **the 2000s - consolidation of the system and “turbulences”**
- **2008 and after - rethinking the system (undergoing process and attempts to reformation)**

Oct. 2011

EAAE thematic network on CONSERVATION III workshop

4

Institutions

At central level - In-line body /Ministry

1990-1991 National Commission for AT&U (in 1990) and MLPTAT (June 1990 - October 1991)

1991-2000 - Ministry of Public Works and Territorial Planning (MLPAT)

2001-2003 - Ministry of Public Works, Transports and Housing (MLPTL)

2003-2007 - Ministry of Transports, Constructions and Tourism (MTCT)

Since 2007 - Ministry of Development, Public Works and Dwellings

In 2009 - Ministry of Regional Development and Housing

In 2010 - Ministry of Regional Development and Tourism

National strategies
and regulations /and
control (ISC)

One National Research Institute (since 1996) for spatial planning - Urbanproiect

Since 2010 - one national research institute for constructions, architecture and planning INCDC - URBAN-INCERC

Studies
/researches

At local levels (county, town, commune) - Chief architect, departments /offices for urbanism, technical commissions (consultative)

County /Local Councils responsible for approval of spatial planning documents

Local
strategies,
operational
plans, control

Oct. 2011

EAAE thematic network on CONSERVATION III workshop

5

Associations / RUR

- 1991 - APUR - Association of Professional Urban Planners in Romania (not very active /number of potential members was reduced)
- AUC - Association of Urban Planners from Cluj Napoca
- during the last decades many NGOs active in relation to urban issues

- 2005 / the Register of Romanian Planners (RUR) - www.rur.ro
Provided by the 2001 Planning Act
Executive Board and a Council + working Commissions

Responsible for managing the right of professionals to sign territorial and urban planning documents, or parts of them

Includes architects, planners, landscape planners, geographers, civil engineers, economists, sociologist, ecologists etc.

Around 1850 registered members of which:

over 1400 architects

150 urbanists

150 other specialists

100 - short term higher education (conductors /bachelors)

Oct. 2011

EAAE thematic network on CONSERVATION III workshop

6

Associations / RUR

The Register provides special positions for professionals who got the right to elaborate and signe studies for the protection of the built-up heritage and studies of urban history as parts of a planning document.

Only architects and urbanists can get this right of signature!

RUR is a public autonomous body, but dependent on MDRT

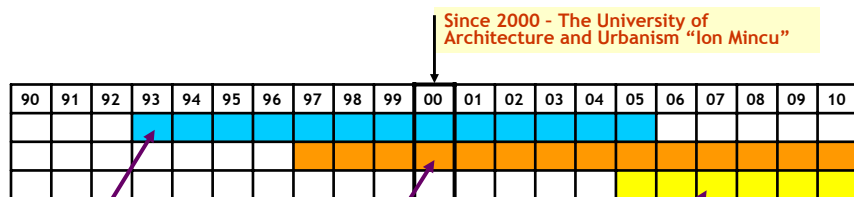
The Ministry of Culture and National Heritage certifies the right of specialists /experts to make studies, projects concerning the PROTECTION of historic monuments (several categories: research, archeology, urbanism, architecture, gardens, structural issues etc.).

Oct. 2011

EAAE thematic network on CONSERVATION III workshop

7

Education



Short time higher education / collegium -
3 years duration (from 1993 to 2005)

1997 the Faculty of Urbanism is set up / 5 years +
graduation project - 8 series (until 2010); 40-50
graduates per year (with a landscape programme)

2005 Faculty of Urbanism applies Bologna system (B. declaration 1999)
• 1st cycle: 240 ECTS credits awarding a Bachelor's degree (4 years) / 2 programmes
• 2nd cycle: 120 ECTS credits awarding a Master's degree (2 years) / 5 masters
• 3rd cycle: doctoral degree

Master programmes for urbanism were set up after 2005 in other faculties in Bucureşti, Cluj-Napoca, Iaşi, Timişoara (architecture, engineering, geography, horticulture)

Oct. 2011

EAAE thematic network on CONSERVATION III workshop

8

Legal framework

December 1989 – Systematization law is abolished

1991 – Law 50 for issuing of the building permit

- accompanied by a MD (ministerial decree) – 91 /1991, which defines the new planning instruments and their content

1995 – Law 10 for the quality in the field of constructions

1996 – GD (gov. decree) for the General Urban Regulation (sets up responsibilities for issuing the building permit in protected areas)

2000 – Law 5 for approval of PATN Section V – Protected areas (sets up arbitrary limits for historic monuments and demands specific methodologies)

2001 - law 350 - The Territorial and Urban Planning Act (clarifies planning instruments and public responsibilities)

2001 - law 422 for the protection of the historic monuments

2002 - law 451 for the ratification of the European Landscape Convention

2004 - The list of historic monuments is published in the OJ (MO) - MD 2314 (updated in 2010)

Oct. 2011

EAAE thematic network on CONSERVATION III workshop

9

Legal framework

Other significant legal documents:

- Land law 1991

- laws for the public property, cadastre and publicity

- law for the expropriation for public utility (1994, revised in 2010)

- regulations for protection of historic monuments of international importance (world heritage)

- law for environmental protection

- law for protection against natural hazards

Central and Zonal commissions for protected areas are set up (provides a consultative role by the public responsible bodies)

After 2008 - revisions of the Planning Act

Attempts to rise the efficiency and reduce the derogatory procedures.

Debates and studies for the Code of Urbanism / audit of the legal system

Oct. 2011

EAAE thematic network on CONSERVATION III workshop

10

Derogatory planning

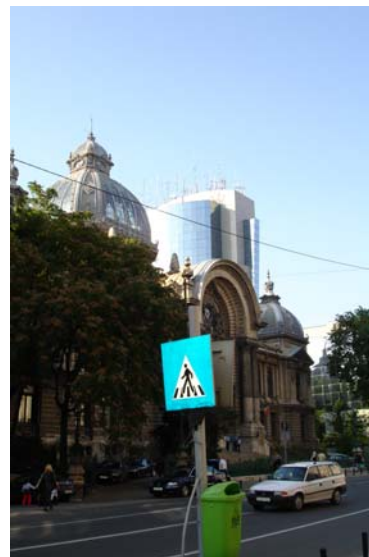


Oct. 2011

EAAE thematic network on CONSERVATION III workshop

11

Derogatory planning



Oct. 2011

EAAE thematic network on CONSERVATION III workshop

12

Derogatory planning






Oct. 2011
EAAE thematic network on CONSERVATION III workshop
13

Derogatory planning





Oct. 2011
EAAE thematic network on CONSERVATION III workshop
14

Derogatory planning



Oct. 2011

EAAE thematic network on CONSERVATION III workshop

15

Planning Instruments

At territorial level:

National	→	National Territorial Plan /Plan de amenajare a teritoriului național (PATN)
Regional	→	Zonal Territorial Plan (PATZR)
County	→	County Territorial Plan (PATJ)
Metropolitan /periurban	→	Metropolitan /Periurban Territorial Plan (PATZM /PATZP)

At local level

Town /commune	→	General Urban Plan (PUG)
Functional area or a group of plots /parcels	→	Zonal Urban Plan
One or several parcels	→	Detailed Urban Plan

Note:

- territorial plans have a guiding / strategic character
- urban plans are regulatory /operational and are accompanied by urban regulations (RLU - regulament local de urbanism)

Oct. 2011

EAAE thematic network on CONSERVATION III workshop

16

Planning instruments - territorial layers

8 development
regions (NA) /
NUTS II

41 counties + MB /
NUTS III

320 towns (urban entities)
over 2800 communes
(rural entities) / NUTS V

cca. 13.000 villages

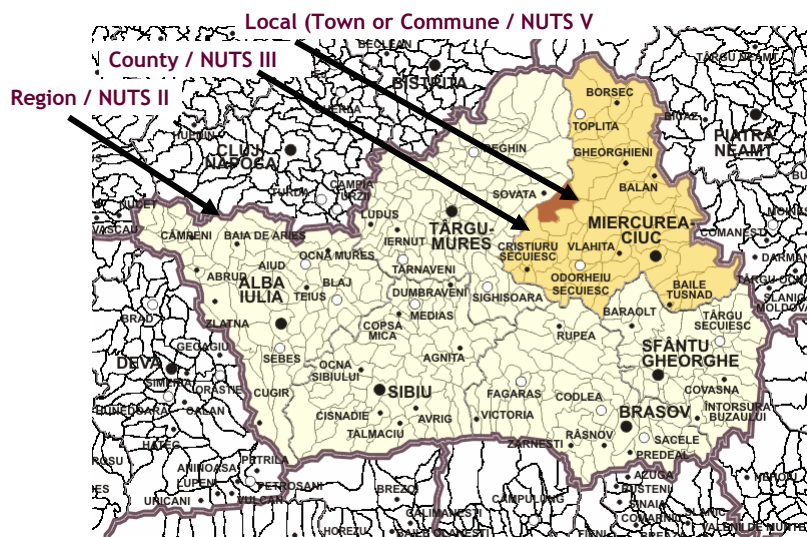
Oct. 2011

EAAE thematic network on CONSERVATION III workshop

17



Planning instruments - territorial layers



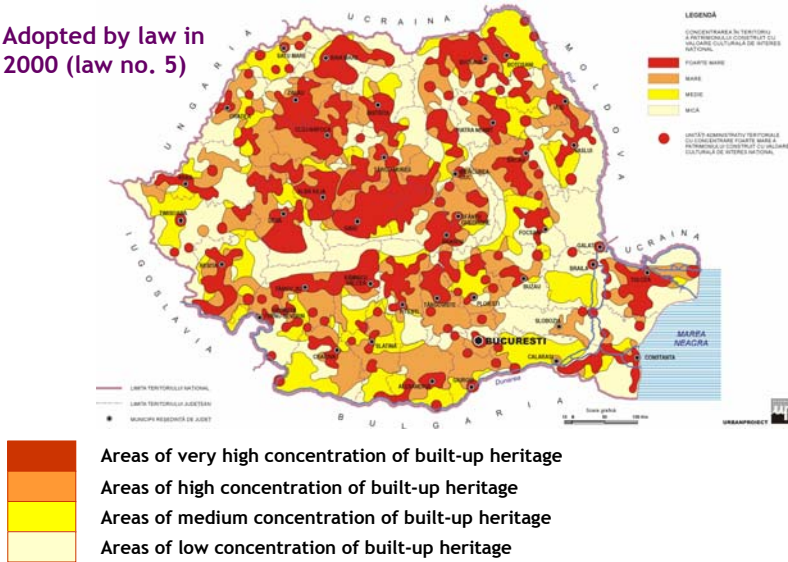
Oct. 2011

EAAE thematic network on CONSERVATION III workshop

18

PATN - Section III, Protected areas

Adopted by law in
2000 (law no. 5)



Oct. 2011

EAAE thematic network on CONSERVATION III workshop

19

PATN - Section III, Protected areas

Law 5 /2000 identifies natural and built-up / cultural areas of national interest
Objective of the law: to protect, valorize and turn to good account the natural and built-up heritage

Follow-ups:

- setting up the protected areas at national level
- setting up areas for the protection of historic monuments (MI)
- demands specific studies to delineate the protection areas of the MI
- demands for specific methodologies for the planning documents in protected areas
- demands the elaboration of planning documents for protected areas and of specific urban regulations and of protection and conservation measures
- identifies over 500 architectural monuments and piles (14 categories) and over 150 archeological sites (11 categories)

Urban --- Rural --- Extravilan

Protection areas (temporary) for MI - 100m, 200m și 500m)

Oct. 2011

EAAE thematic network on CONSERVATION III workshop

20

Zonal plan for protected areas (PUZCP)

Methodology for the elaboration and framework content of the planning documents for protected built-up areas (zonal plan for built-up areas)

Published in OJ (Monitorul Oficial), Part I nr. 125bis of 11/02/2004

- Sets up principles for approaching the planning process in protected areas in urban environment
- Provides specific definitions
- Sets up methods and techniques for the effective elaboration of the planning documents
- Provides a specific content and graphic representation of the planning documents in protected areas
- Clarifies relationship with other planning documents (PUG or PUD)
- Describes the necessary conditions for approval of the planning document
- Sets up responsibilities concerning the initiation and implementation of the plan
- Provides transitory conditions for issuing the planning /building permit
- Introduce specific urban regulations (image of the building, pavements, protection elements etc.)

Oct. 2011

EAAE thematic network on CONSERVATION III workshop

21

Zonal plan for protected areas (PUZCP)

Built-up protected areas (as defined in the methodology)

Historic monuments

- monuments listed on the world heritage list
- monuments proposed to be listed on the world heritage list
- cultural heritage of national interest
- archaeological sites of national interest
- historic monuments listed (monuments, piles, sites)

Zones

- *Protection zones of all categories of monuments listed above*

A zone is a sum valuable constructions needing protection

Cultural landscape is considered according to the European Convention

Main steps> general historic study (on a larger area), delineation of the protected zone, zonal historic study, urban study - relationship to the other urban areas

Oct. 2011

EAAE thematic network on CONSERVATION III workshop

22

Zonal plan for protected areas (PUZCP)

General historic study (content)

A. written part

- Methodological note (objectives, methods, sources etc.)
- Analysis of the evolution of the territory /locality (history, population, buildings, urban structure, urban interventions etc.)
- Identification of the valuable elements of the built-up heritage
- Delineation of the “reference historic zones /sub-zones “
- Delineation of “protected built-up zones”
 - of national interest (cat. A)
 - of local interest (cat. B)

Note: protected zoned set up by the PUZCP will replace the arbitrary zones (100-500m)

B. drawings /plates

- Historic maps
- Working (technical) plates
- Operational plates (the historic /protected zones etc.)

Oct. 2011

EAAE thematic network on CONSERVATION III workshop

23

Zonal plan for protected areas (PUZCP)

Annexes to the study

- Documentary fiches
- Evaluation fiches
- Fiches of the historic zones
- Fiches of the protected zones (includes buildings, public spaces and other categories – green areas, fences etc.)
- The Historic Fiche of the Locality (must be part of the PUG)

Other aspects:

- Proposals for buildings to be included in LMI (list of historic monuments)
- Management and implementation issues
- Operational recommendations: development, interventions, incentives



Oct. 2011

EAAE thematic network on CONSERVATION III workshop

24

Planning instruments (examples)



Oct. 2011

EAAE thematic network on CONSERVATION III workshop

25

Planning instruments (examples)

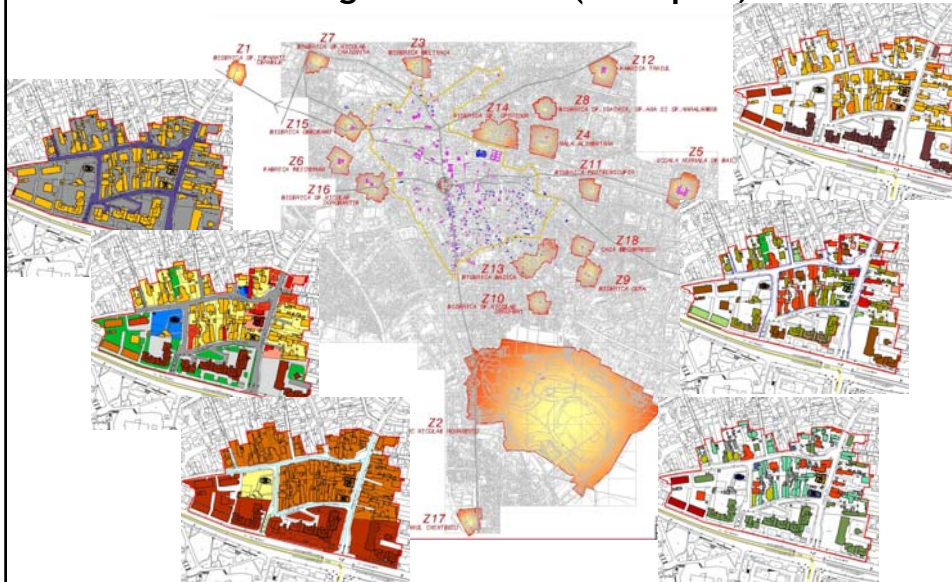


Oct. 2011

EAAE thematic network on CONSERVATION III workshop

26

Planning instruments (examples)



Oct. 2011

EAAE thematic network on CONSERVATION III workshop

27