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**LAND USE PLANNING AND DEVELOPMENT
IN ROMANIA**

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By

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ABSTRACT

This report provides a historical perspective on the evolution of urban planning and the framework for development in Romania since World War II. It characterizes the developmental objectives of the Government of Romania and the planning process under communism, and describes their impacts on urbanization and industrialization. The report then describes the new legislation affecting municipal governance and urban development that has been enacted since 1990, specifically laws on local administration and finance, privatization of housing, land reform and development. It concludes with a description and critique of current trends and issues and proposed legislation to reform urban planning practices and intergovernmental relationships.

EXECUTIVE SUMMARY

Romania was one of the most centralized and despotic of the communist regimes, and the legacy of command-and-control and strict hierarchical subordination makes the transition to a market economy very difficult. The legal, policy and institutional framework for planning reflected prescriptive development and land use standards and an overly centralized decision-making structure. Under communism, spatial planning was to be closely integrated with economic and social planning.

Since 1990, the national legislature has enacted new laws affecting municipal governance and urban development. Specifically, it has adopted new laws on privatization of housing and land, local government administration and finance and the developmental approval process. While these laws have promoted privatization of property, many central government controls remain.

Currently, the legislature has proposed modification and clarification of existing planning and development laws, revision of the relationship between the national government and units of local government and called for a resolution to the question of the distribution of national assets or "patrimony." This report comments on the laws associated with development and municipal governance and the problems and issues faced by the city of Brasov (and other cities in Romania) during the current transition period to a more decentralized and market-oriented system of government. It identifies questions that need to be resolved, such as the role and authority of local governments in planning and management of land, the valuing of property and real estate transactions.

The author concludes that Romanian urban planning and local government officials suffer from a lack of understanding of the principles of planning for a market economy, techniques for growth management and skills in cost-benefit and cost-effectiveness analysis.

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I. BACKGROUND INFORMATION

ICMA consultant, Mircea Enache prepared this report as part of an ICMA technical assistance assignment to Romania that took place from June 27 to July 9, 1993. It was funded under ICMA's Local Government and Housing Privatization Contract for Central and Eastern Europe. The assignment focused on providing hands-on, useful assistance to Romanian mayors and other local government officials to help them cope with their current housing and municipal problems.

The nature of the problems faced by Romanian cities includes the full range of issues before all the other cities of the former Eastern Bloc. In addition, Romania was the most centralized and despotic of the communist regimes. Its legacy of command-and-control and strict hierarchical subordination makes the process of the country's transition to a market economy a very difficult one.

To determine priority assistance areas, USAID held meetings with representatives of the Federation of Mayors before this mission. Based on those discussions, the three topical areas that were selected as starting points were urban planning (Brasov), infrastructure financing (Craiova) and municipal finance (Constanta).

ICMA presents this report as a separate contribution by the author to the urban planning assistance provided to Brasov. It contains a more general presentation of past and present urban planning practices in Romania, and it takes advantage of the author's knowledge of the cultural background of the country, based on a career in urban planning, teaching and research in Romania. Review of current legislation and planning documents and guidelines, as well as knowledge of previous urban planning practices and policies, provided an insight into the progress of the processes of privatization, local government reform, and planning controls and activities in the period of transition to a market economy.

The first chapter of the report, which is devoted to a presentation of planning and development in communist Romania, describes the industrialization and urbanization of the country in the postwar period, the rapid growth of cities, the development of housing policy, planning legislation, and strategies, and the organization of planning administration under the previous regime.

The next chapter, focusing on planning and development since 1990, presents the state of legislation, the institutional setting, procedures, operating and decision-making policies, as well as major policy issues, problems and constraints that need to be addressed.

The final chapter makes recommendations and proposals for increasing the efficiency and effectiveness of urban planning in the transition period and improving urban planning methodologies, based on integrated information systems designed to support planning decisions.¹

¹ The author wants to acknowledge consulting and using in this report insights from the USAID preliminary documents and reports on local government, planning and housing in Romania, and the World Bank Report *Romania: Decentralization and Local Government Reform*, prepared by a mission to Romania in May 1992 led by Felix Jakob.

II. URBAN DEVELOPMENT AND PLANNING IN COMMUNIST ROMANIA

A. Urban Development in Postwar Romania

1. Postwar Romania

Postwar Romania faced all of the problems typical of underdeveloped countries. The vast majority of the population lived in rural areas and worked in agriculture. A tradition of urban life had developed only in Bucharest and a few other cities, mostly in Transylvania. In Brasov, Sibiu, Timisoara and Cluj, a core of Saxon, Swabian and Hungarian population, together with the local Romanian population, had developed patterns of urban life similar to the ones in Western Europe, particularly Austria and Germany. Sophisticated urban governance rules had been established since the Austro-Hungarian rule in Transylvania, and accurate and reliable civic registers and land records had been kept for over a century.

Bucharest, the capital of the country, Ploiesti, the main center of the oil industry, and other small cities in Romania had grown into entrepreneurial communities. They had a budding bourgeoisie, lucrative businesses, and joint ventures for the exploitation of local raw materials and natural resources, mostly with German, French, and U.S. companies.

The communist takeover, which began with the arrival of the Red Army on Romanian soil in 1944, culminated in the forced abdication of King Michael in December 1947. From 1948 to 1953 the Communist Party concentrated political and economic power in its own hands and established the main facets of a centrally planned economy. The Party suppressed political opposition and imprisoned and sentenced to hard labor dissidents, intellectuals, landowners and members of the bourgeoisie. Along typical Stalinist lines, even minor ideological deviations were treated as acts of disloyalty. Industry, commerce and finance were nationalized; agriculture was collectivized; and private wealth was confiscated.

The extent of the communist reform set Romania apart from almost all the other East European countries. Unlike Poland or Hungary, the Party seized almost all of the country's agricultural land from private hands, with the exception of small plots in steeply sloping mountain areas, and developed large cooperatives and state farms to work the land. Unlike Poland or Hungary, no private sector existed in commerce, small industry and services, with the exception of very limited activities in services, tightly controlled and organized in "cooperatives." An attempt at "motivating" the providers of goods and services was made in the early 1970s, when the government allowed people to run small private shops in space leased by the government for purpose of raising the quality of services. Such activities were banned a year or two after, however, for fear of "income inequality" consequences.

2. Industrialization and Urbanization

Once the communists controlled all industrial, commercial and financial activities, and had seized most land and assets from private hands, Romania could be governed as one big enterprise run by the central government. Following the Soviet model, the country pursued a policy of rapid industrialization and urbanization, according to the prevailing economic doctrine that heavy industry and manufacturing are the engines of economic growth. Millions of peasants

were gradually brought to the urban centers, and a new class, the industrial workers, was created. For the needs of this new class—the main political support of the communist party—huge investments in social housing and services were made during the 1950s and 1960s.

Romania's industrialization began in 1949-1950. The urban population rose from 22 percent of the total population in 1948 to 29.8 percent of the total in 1965, and to 50.6 percent in 1985. Ceausescu, who sought to control Romanian society entirely, accelerated this process of industrialization by overcentralizing the government structures and the processes of decision. Political rather than economic reasons dictated the policies of continuing investments in vast industrial and infrastructure works, such as oil refineries, metallurgic plants or the Danube-Black Sea Canal, few, if any, of which amortized over the years.

The dictator's ambition to create an "independent" Romania, fully serving his interests, first took shape in his standing up to the Soviets when they invaded Czechoslovakia in 1968. By showing courage and determination, Ceausescu gained stature in the Western world and was considered a maverick in the communist bloc. However, the same ideals of independence and grandeur pushed him in the 1980s into forcing the total repayment of foreign debt at a rate that caused the population to starve and the entire infrastructure of the country to crumble.

3. The Building of Romanian Cities

The building of the Romanian cities after the war started with vast residential areas, developed on vacant land on the city outskirts using industrialized building techniques. Inadequately provided with services and facilities, the new cities consisted almost exclusively of a limited range of standardized apartments in public housing projects built by state-run construction enterprises or by industrial enterprises. The residential areas accommodated an increasing urban population which, by the mid-1980s, reached 50 percent of the country's population.

The typical rural dweller had known a life of long hours of hard work on the farm and had lived under the tight social controls of the rural villages. Life as an industrial worker in a state-run enterprise—living in a state-owned apartment for a nominal rent amounting to 1 to 3 percent of his or her salary, and enjoying the attractions of the urban life—was a dream come true. A new mentality developed among vast segments of the population, that of the "free lunch" and the easy life, without responsibilities and accountability. "We pretend to work, and the state pretends to pay us—this is what communism is all about" was the standard joke of the 1960s and 1970s.

As a result of these urban policies, the housing stock built over the last decades consists almost exclusively of a limited range of standardized units built to three basic standards—low, medium, and increased—with one to five rooms, i.e., efficiency to four-bedroom apartments, respectively. All apartments are equipped with a kitchen, a small storage room, and one or one-and-a-half bathrooms, depending on the number of bedrooms. Their net floor areas range from 24 square meters for a low-standard, efficiency unit to 121 square meters for an increased-standard, four-bedroom unit. The quality of construction was good in the beginning but has been going down in the last 10 to 15 years. Production of a more basic type of unit with shared facilities, now considered substandard, was stopped by the Ministry of Construction by the mid-1980s. State-run construction enterprises built vast residential areas in Bucharest and in provincial cities, using such industrialized techniques and accommodating tens or hundreds of

thousands of inhabitants. For example, industrialized units in 5- to 11-story apartment buildings in District 6 in Bucharest account for over 95 percent of the total housing stock in the district.

4. Housing: Social or Economic Good?

In the face of the harsh economic realities of the 1970s, the concept of social housing provided by the state for a nominal rent became less and less popular, and alternative solutions to the housing problem were sought. The state raised rents in the state-owned units and allowed and encouraged tenants to buy the units they lived in. The state-run construction enterprises built new units for sale to the population.

The scarcity of available urban land for development led to planning policies restricting the growth of urban areas beyond the imposed—and continually reduced—city administrative boundaries (The Law of Urban Planning, *Legea sistematizarii*, 1974). Major state-run construction enterprises would typically build new apartment buildings along major avenues radially linking the downtown areas of the cities with the new residential areas on the outskirts, by tearing down the old one- to two-story housing units—usually substandard, in disrepair, and lacking even the most basic utilities, such as running water and sewer facilities.

The new construction typically consisted of a front of five-story apartment houses in provincial cities and 11-story ones in Bucharest, built along the main avenues with little, if any, regard for the old housing stock and the old street pattern behind the apartments. State-run planning agencies, following Ceausescu's directions, would force additional developments into the residential areas built in the 1960s at the outskirts of the cities by squeezing in new high-rise apartment buildings, thus dramatically increasing residential densities, with almost no new infrastructure construction.

During the 40 years from the nationalization of housing in 1947-1948 to the 1989 revolution, the private land and housing markets became increasingly constricted, to the point where activity finally came to a practical standstill in the late 1980s. The nationalization restricted private ownership to one unit per family. The state confiscated other units, most becoming part of the public rental housing stock. Initially, new residential construction on private plots or on land leased from the state was allowed by law, but only for owner cooperatives. It was totally prohibited in 1972, and from then on, legal private building activity was practically limited to renovation of existing buildings. Finally, in the early 1980s, private real property sales were forbidden altogether as part of a drive against private ownership. Throughout this period, tight rental controls were in effect, which heavily disadvantaged landlords.

Finally, by the early 1980s, the growth of urban areas beyond city administrative boundaries had exhausted all available urban land for development. New construction was only possible by massively tearing down old housing stock in areas adjacent to the central districts of cities. While some of the stock in those areas was substandard and poorly equipped, many of the buildings that were targeted for destruction were in good shape; others were historic landmarks, monuments of architecture or parts of designated historic districts. The techniques of industrialized construction used by the state-run construction enterprises did not allow flexibly building smaller apartment houses of, say, four to six units. Instead, they required vast areas of cleared land to erect the standardized high-rise buildings.

In September 1985, Ceausescu officially stated that by 1990, 90 to 95 percent of Bucharest's inhabitants would live in new apartment buildings, thus providing a model for other Romanian cities. In the period 1978-1989, state-run planning and construction agencies tore down up to 90 percent of the traditional architecture in many cities and replaced it with new structures of a completely different scale and style, often in a totally changed urban setting.

B. Urban and Regional Planning Activities

Communist Romania used the term "systematization"² (*sistematizare*) to refer to planning activities that applied to localities or regions, especially physical planning activities. In the Romanian context, *sistematizare* was more than physical planning. It was an *ideal* of how spatial planning was to be integrated with economic planning (*planificare*) and socialist development. It was also a *program* for developing each settlement in the country, from village to urban area. Finally, *sistematizare* involved an *organizational structure* in which national objectives, regional imbalances and local resources and potential were to be harmonized into a centrally administered state policy, according to the law.

1. The 1974 Law of Regional Planning and Systematization of Urban and Rural Localities

In 1974, Romania's Grand National Assembly passed Law 58/1974, "Concerning the Regional Planning and Systematization of Urban and Rural Localities" (*Legea sistematizarii teritoriului si a localitatilor urbane si rurale*—Buletinul Oficial, Nr. 135, November 1, 1974).

The Planning Law of 1974 set out legal and administrative mechanisms for executing the plan set forth by the 1972 Communist Party Conference *Directives* for urban and regional planning. Its objectives were: "the judicious organization of the entire country's territory (districts, communes, urban and rural localities)"; the determination of appropriate guidelines for construction density, population density, recreation areas, road infrastructure and utility building, and preservation and improvement of the natural environment. The law made provisions for enhancing historic and artistic monuments and sites, increasing the efficiency of economic and social investments and raising the working and living standards of the entire population.

To facilitate the optimization of land use and the reclamation of valuable agricultural land, the law required that each locality establish strict boundaries or "building area" (*perimetru construibil*) beyond which it prohibited construction. Cities, towns and villages were encouraged to make this building area as small as possible, to the extent that houses lying outside it were to be torn down. The law strictly forbid the use of agricultural land for other uses.

Guidelines for city planning stipulated that apartment buildings be five stories high and never less than two stories high in rural areas. Energy-saving housing designs that made optimum use of space and building materials were to be furnished by architects working for the local people's

² The term "systematization" was introduced into the literature on socialist planning by Steven Sampson in his book *National Integration through Social Planning: An Anthropological Study of a Romanian New Town*, Columbia University Press, New York, 1984. The author wants to acknowledge using insights from Steven's book and from personal conversations with him.

councils. Roads and public transportation systems were to be built to improve the link between the central and peripheral zones of large cities, and residential areas were to be built as close as possible to the industrial parks and factories in order to reduce commuting time.

Organizationally, the law established a centralized planning administration led by the Committee for the Problems of People's Councils (*Comitetul pentru problemele Consiliilor Populare*). A Central Commission of Party and State for Regional, Urban and Rural Planning supervised the Committee. Each of the 40 county or district people's councils (*Consilii Populare Judetene*) and the municipality of Bucharest had their own planning institutes, which elaborated the plans in detail. At each level, citizens were supposed to participate through the Systematization Commission (*Comisia de sistematizare*).

Each physical plan included a background profile of each settlement (*Studiu de sistematizare*) to determine its possibilities for future development; a plan for each locality (*Schita de sistematizare*) that outlined the spatial and socioeconomic development in several alternatives; and detailed plans (*Detalii de sistematizare*) and location studies (*Studii de amplasare*) showing the actual locations of buildings, streets, utilities, etc., plus detailed economic and demographic projections.

By law, the president of the Socialist Republic of Romania was to approve personally all district-level regional plans (*studii de sistematizare ale judetelor*), those of district seats (*capitale de judet*), Bucharest and other municipalities, plus any large-scale housing, commercial, cultural or tourist facilities.

During 1975 and 1976, the government enacted other laws and decrees to support the systematization policies. These concerned agricultural land use (Law no. 59/1974), industrial location and investment (Law no. 29/1975), road construction (Law no. 37/1975, 73/1975), water resources, housing, apartment ownership and migration permission.

2. Urban Planning Strategies and Policies

Under the official policy of systematization in Romania, the city was the preferred locus of development and planning, with rural policies subordinated to the needs of cities, much as physical plans were subordinated to economic plans at all levels. All urban settlements came under the national planning authority rather than the district (*judet*) and received state fiscal aid for building local facilities and infrastructure.

While urban planning policies in Romania allowed for a gradual increase in both the percent and the overall numbers of urban population, large cities were restricted as to who might move there (Decree no. 68/1976). The labor force needs of the city's factories and service enterprises determined urban population levels. If the local workforce was insufficient—as it was in some older industrial cities—the district people's council would permit a limited amount of immigration.

For example, in Brasov, the prospect of working for the growing truck and tractor manufacturing industries attracted large numbers of relatively low-skilled workers. Most of them

came to Brasov, started working in the plants, gained temporary residence and eventually obtained permanent residence. Workers crowded the scarce housing stock available in the city and put pressure on the municipality to build apartment buildings to accommodate them in new residential areas, sometimes as big as 30,000 in population (*Temelia* and *Valea Cetatii*). The new tenants, who came from as far away as hundreds of kilometers and who brought their families and dependents to stay with them in the newly built units, became a major burden on the city infrastructure and services.

The prevailing urban employment policy was to seek out commuting workers from suburban villages. The 14 largest cities in Romania gave urban residence permits only to those persons who lived more than 30 kilometers from the city. Commuting served the state as a more efficient and less costly form of labor recruitment than migration. The city used the commuting worker's labor, while the village supplied food, housing needs and social services. Although commuting might have been economically efficient for urban enterprises and inexpensive for the state, it burdened the individual worker with increased travel time (often more than two hours daily, six days a week), the cost of the monthly train ticket (several days' salary) and the need to work a "second shift" in agriculture. Gradually, the city absorbed many of the commuters as temporary residents and eventually as permanent residents.

3. Organization of Planning Administration under the Previous Regime

The organization of planning administration and the institutional setting for planning at various levels reflected an overly centralized structure of decision. Under the guidance of the Council of Ministers and Party/State Commission for Planning, the Committee for the Problems of People's Councils (*Comitetul pentru problemele Consiliilor Populare—CPCP*) approved and supervised the physical plans for each locality. Because of its relatively small staff, however, the CPCP did little more than act as a clearinghouse for the thousands of local planning files and documents submitted to it for approval.

CPCP offered practical help through its Institute of Planning Research. Working in conjunction with the 40 district planning institutes (*Institute de proiectari judetene*), it provided technical guidance, surveys, maps, building specifications and the like. For example, *judet* planners received standardized models for certain types of public buildings so as to make efficient use of industrialized construction techniques. Thus, most Romanian nurseries have a capacity of 240 beds, kindergartens of 100 children; and apartments are usually 5 or 11 stories high. The planners were instructed to use the models so that they blended in with local architectural styles, and to carry out their plans as an ensemble rather than a set of individual alterations in buildings and street patterns.

Planning at the county level was managed by the Section for Architecture and Systematization (*Sectiile de arhitectura si sistematizare*) belonging to each of the 40 *judet* people's councils and to the people's councils of the Bucharest Municipality. The Section collected important baseline data of a demographic, economic, and geographic nature, then provided this data to the associated district planning institute (*Institutul de proiectari judetean*), whose staff actually made up the plans and the planning documentation and submitted them to the Section for approval.

A complete urban plan for a city consisted of several types of documents. The background study (*Studiu de sistematizare*) outlined the geographic, economic, and demographic profile of the community. The plan placed special emphasis on the structure of the workforce and the city's projected employment needs. Plans for large cities had statistics on commuting.

On the basis of the background study, the district planning institute prepared the actual plan (*Schita de sistematizare*). The *schita* contained detailed land use maps of the locality and a written statement outlining two or three alternative proposals for its future development. Each alternative proposal was divided into an immediate five-year projection and a 10- to 15-year projection. The long-term projections were often meticulously worked out, even though the actual plan might change radically over the years. Alternative proposals did not usually differ from each other very much. They might vary in the forecasts of population growth, in implementation schedules or in the location of new construction.

Included with the planning maps, charts, graphs and text were the cost estimates, technical specifications for large buildings and utilities, memoranda to and from ministerial officials over land use or industrial locations, and signed approvals by the chief planner, local officials and eventually the president of the district people's council (*Presedintele Consiliului Popular Judetean*).

The Urban Planning Law of 1974 (*Legea sistematizarii*) mandated citizen participation during all phases of the planning process. This took place during periodic assemblies of the population to discuss the planning proposals and plans, as well as through progress reports by planners to community leaders and consultations with individual citizens affected by the planning decisions. For example planners could decide to expropriate citizens' houses to make room for streets or state-owned housing apartments. On the basis of local inputs, the district planning institute (*Institutul de proiectari judetene*) formulated a plan.

The Systematization Section of the District People's Council (*Sectia de sistematizare a Consiliului Popular Judetean*) approved the plan and then sent it down to the city to be approved by the city people's council (*Consiliul Popular Orasenesc/ Municipal*). At this stage, local population or district officials could still suggest revisions. When approved, the district submitted the plan to the Committee for the Problems of People's Councils (CPCP) in Bucharest, which forwarded them to the proper authorities for final approval.

III. PLANNING AND DEVELOPMENT SINCE 1990

A. The Status of Legislative Reform

The legislature passed local public administration and elections laws in 1991, and the Romanian people democratically elected mayors and councils for the first time in the spring of 1992. Romania's new Constitution, adopted in December 1991, makes provisions for local public administration to be based on the principles of decentralization and local economy. With the new Constitution, Romania has readopted a two-tier system of government, i.e., the central government and the local government.

Administratively, the country is divided into 41 districts (*judete*), which form the geographical base for both the decentralized administration of the central government (*prefeciuri*) and the local government system. The districts, in turn, are divided into 2,948 municipalities, including 260 urban communities (*orase*) and 2,688 rural communities (*comune*).

In spite of the slow pace of decentralization and the transfer of responsibility and resources to local government in Romania, municipal government has grown in importance. The constitution calls upon it to play an increasingly important role with regard to the resolution of local problems and the provision of urban services.

However, local administrative reform in Romania remains only partially completed. Local officials have very little authority under the present system because most local services are provided by public enterprises (*regii autonome*), which are controlled by central ministries directly or through the district (*judet*)-based "prefectures." Local mayors and councils have very little own-source revenue; the resources coming from the central government through the *judets* are proscribed as to purpose and have become scarcer as economic conditions have continued to deteriorate.

City halls that had been accustomed to being directed from above must now learn to work through complicated issues on their own. Even without sufficient authority and resources, Romanian cities must begin to develop models to deal with the full range of urban problems. Local officials need to understand how market economies deal with municipal issues.

The principal laws affecting planning and development are:

1. The Law no. 69/1991 on Local Public Administration

The Law no. 69/1991 on Local Public Administration (*Legea privind administratia publica locala*, published in *Monitorul Oficial*, November 1991) stipulates that "public administration in territorial-administrative units is based on the principles of local autonomy, decentralization of public services, eligibility of the local public administration authorities, and complies with the citizens' opinions on problems of particular local interest." "Autonomy" means both the organization and the functioning of the local public administration, and the administrative management under its own responsibility of the public interest that it represents.

The public administration authorities by which local autonomy is carried out are the local councils (*Consiliile locale*), as legislative authorities, and the mayors, as executive authorities. In each district (*judet*), a district council (*Consiliu judetean*) is elected and coordinates the activity of local councils (city and commune) to carry out the public services of district interest. The district council elects from among its members the president and the standing delegation.

Article 8 of the law states that "the relations between the District administration and the Local (City) administration are based on the principles of autonomy, legality and collaboration in solving ... the mutual problems. There is no subordination relation between Local and Judet Public Administration." The *judet* is concerned with regional issues and the municipality with local issues.

Article 9 states that "with a view to insuring local autonomy, the Public Administration authorities in communes, cities and districts develop and approve the revenue and expenditure budgets and are entitled to institute and collect local taxes and duties in accordance with the law."

The central government appoints a prefect in each district and in the municipality of Bucharest. The prefect is the representative of the central government and coordinates and supervises the public services of ministries and other central authorities organized in the territory. The prefect may bring to court any acts of the local public administration that are deemed unlawful.

All local authorities are elected for a term of four years. Mayors and city councils are elected directly but independently. The Assembly of the *Judet's* City Councils (*Adunarea Consiliilor Locale Judetene*) elects *Judet* councils indirectly. Cumulation of offices is prohibited by law. Local authorities cannot be recalled by their constituencies and can only be dismissed by the government at the prefect's initiative. Local governments have to submit any decision of special importance for approval by referendum.

2. The Decree-Law no. 61/1990 on Selling State-Built Housing Units to the Population

The Decree-Law no. 61/1990 (*Decret-Lege privind vanzarea de locuinte construite din fondurile statului catre populatie*) regulates the sale of public housing stock by the state to the population renting the respective units. The government offers the tenants the chance to acquire the units they are occupying by making a downpayment of 30 percent of the assessed cost of the unit. A credit from the national savings bank (*Casa de Economii si Consemnatiuni*—CEC) finances the remainder of the cost at an interest rate of 4 percent annually over 25 years (only 2 percent in the case of persons under 30 years of age and the socially disadvantaged). In 1991, the percentage of downpayment was lowered to 10 percent. Half of the sale proceeds are assigned to the state budget, and half go to the extra-budgetary funds of the districts for investment projects by local government in housing and local municipal finance.

3. The Law no. 85/1990 on Selling State-Financed Housing Units and Other Spaces to the Population

Law no. 85/1990 (*Legea privind vanzarea de locuinte si spatii cu alta destinatie construite din fondurile statului si din fondurile unitatilor economice sau bugetare de stat*) builds on and expands the Decree-Law no. 61/1990. It states that state-financed public housing units that cannot be finished by the government and sold under normal legal requirements can be sold by public auction to the highest bidder.

The apartment houses can be sold by unit; by groups of units, e.g., units served by one entrance and staircase; or by the entire building. The public auction is organized by the city council and can also include other spaces within the apartment houses, such as small commercial and service spaces, spaces built for use by cottage industries and other spaces that are owned by the *regii autonome* in charge of the maintenance of public housing or are owned by city hall.

The sale proceeds are supposed to be used to pay off the credit obtained for the construction of the housing units, while the remainder, if any, is to be used for investment and for finishing unfinished construction. Article 10 states that the ownership rights extend to common spaces, utilities and facilities that cannot be divided. The ownership right also extends to the land belonging to the building itself, as specified in the building permit—i.e., in the case of new apartment houses, the building "footprint" and 50 centimeters around the building. The ownership of the common spaces is determined by individual shares, which are proportional to the square footage of the owned unit.

4. The Law no. 50/1991 on Building Approvals and Measures for Housing Construction

The Law no. 50/1991 (*Legea privind autorizarea executarii constructiilor si unele masuri pentru realizarea locuintelor*) establishes the rules for granting building permits by the local administration according to approved urban plans and documentation. The application for obtaining a building permit must include the certificate of urbanism, which defines the legal, economic and technical status of the land and land improvements. Article 10 of the law states that private land owned by the state and by local governments can be leased by public auction, with the exception of vacant land administered by city halls and claimed by the previous owners. City Hall decides the starting price and has to make sure that the selling price of land is amortized in 25 years, under market conditions, and that it includes the cost of infrastructure and land improvements.

The law sets maximum square footage for apartment units as a function of the number of stories of the building. Credit is made available for housing units and vacation house construction, and penalties and sanctions are stipulated for nonconformity with the law. All citizens are exempt for ten years from paying property taxes on the private housing unit built under the conditions specified by this law (five years for vacation houses). If a building contains several units as well as spaces with other designations, the owner of each unit owns a share of the common spaces, utilities and facilities that cannot be divided, as well as a share of the leased land belonging to the private domain of the state or the respective local government. The right over the leased land is inherited by the legal successors and by the new owner of the housing unit, in case it is sold.

The Attachment to the Law no. 50/1991 establishes the approval procedures for the urban plans and documentation, which fall into five categories: 1) regional development plans, 2) general urban plans, 3) sectoral urban plans, 4) detailed urban plans, and 5) planning/zoning ordinances. For most regional plans and general and sectoral urban plans, the law requires that the plans be overseen by the Department of Urban and Regional Planning (*Departamentul pentru Urbanism si Amenajarea Teritoriului—DUAT*) of the Ministry of Public Works and Regional Planning (*Ministerul Lucrarilor Publice si Amenajarii Teritoriului*).

The regulations accompanying the Law no. 50/1991 detail the approval procedures and describe the legal documents required by the law for urban development and construction. The certificate of urbanism (*Certificatul de urbanism*) contains information about the legal, economic and technical status of a zone/plot of land, determined by the existing records and by the approved urban plans and documentation (see Attachment A). The certificate of urbanism is issued by the city hall or the prefecture. If the issuing authority is the prefecture, the Law no. 50/1991 requires the endorsement of the city hall on whose jurisdiction the construction belongs.

When approved urban plans and documentation are not available, the city hall or the prefecture issued the certificate of urbanism on the basis of existing or unfinished urban plans, or based on the current urban practice, with the endorsement of the local planning commission.

The local administration records the certificate of urbanism in a register of certificates. For each zone or plot of land, several certificates may be issued to different applicants who might have different interests. The certificate of urbanism is valid for a period of time from 3 to 24 months, and its validity can be extended for a maximum additional 12 months. If the proposed construction is complex and situated in a sensitive location within the urban area, additional studies and endorsements are required, such as special studies of impact, traffic, urban remodeling, architectural details, etc. Endorsements by the local planning commission, commission for the environment or the commission for architectural monuments might also be required, as well as expert engineering or technological studies.

The certificate of urbanism is followed by the issuance of a building permit (*Autorizatie de construire*), which is valid for 12 months and can only be extended once, for a maximum of another year. When issuing the building permit, the city hall can impose restrictions related to the building activity, such as:

- Location, use, functional and structural requirements, and esthetics of the building;
- Use of public land during construction (access, heavy equipment, temporary closing of public roads, temporary occupation of public land, traffic detours, pedestrian traffic protection, advertisements, billboards, etc.);
- Protection of adjacent properties;
- Work safety regulations and health and social protection of construction workers;
- Environmental protection for the construction period; and
- Fire regulations.

The Attachment to the Law no. 50/1991 also states the required contents of each category of urban plans and documentation. (For the purpose of illustration, the requirements for the General Urban Plan are presented in Attachment B.)

The Department of Urban and Regional Planning (DUAT) develops the General Urban Regulations (*Regulamentul general de Urbanism*) which the central government then approves. The Local Urban Regulations (*Regulamentul Local de Urbanism*) are developed in parallel with the General Urban Plan and the Sectoral Urban Plan.

The Local Urban Regulations explain and detail the General Urban Plan by providing prescriptions, recommendations and rules for its application (see Attachment C).

5. The Law no. 15/1990 on the Restructuring of State Economic Enterprises

According to the Law no. 15/1990 (*Legea no. 15/1990 privind reorganizarea unitatilor economice de stat in regii autonome si societati comerciale*), public service enterprises provided most public services (water supply, solid waste collection and disposal, urban heating, urban transportation, road maintenance, etc.). The creation of these enterprises (*regii autonome*) predates the Local Administration Law and results from the breakup of the state-run district service departments.

The *regii autonome* own their assets and can establish, as part of their organization, plants, factories, workshops and subsidiaries to achieve their economic goals. They have the right to own, use and sell their assets. They must cover all their expenses, including interest, amortization and loan payoff, and must make a profit. The *regii autonome* must create a reserve fund and a development fund and must cover all expenses related to overhead, benefits, taxes, etc. The remainder is the net profit, out of which 5 percent is used to create a profit-sharing fund for the *regii* employees and 95 percent goes to the state or the local administration to which they belong.

The *regii autonome* can borrow up to 20 percent of the revenues realized in the past year from Romania's National Bank or from other banks. They have the authority to decide on the investments they want to make and can operate their own hard currency accounts. Financial operations with foreign business partners are done through the Romanian Bank for Foreign Trade or other banks. The Executive Council (*Consiliul de administratie*), which is assigned by the ministry or the local administration, designates a director or a director general with the endorsement of the ministry or the local administration.

The Law no. 15/1990 also stipulates the creation of commercial enterprises (*Societati comerciale*) by central government or local government decision. The commercial enterprises can be participation enterprises (*Societati pe actiuni*) or limited-responsibility enterprises (*Societati cu raspundere limitata*). Initially, the social capital is owned entirely by the state in the form of social shares. The National Privatization Agency (*Agentia nationala pentru privatizare*) manages and coordinates the transfer of social shares to private owners. A voucher system allows the transfer of 30 percent of the social capital of the commercial enterprises. The government issued each voucher distributed to the population at an initial value of 5,000 lei.

Economic activities, public services, plants and factories belonging to *regii autonome*, as well as state-owned land, can be leased at public auction on the condition that the state obtains a fixed annual revenue equal to the average annual net benefit realized by the activity in the past five years. The *regii autonome* and the commercial enterprises can enter contract agreements with Romanian or foreign partners for the management of their assets (plants, factories, workshops, etc.).

According to Law no. 15/1990, the *regii autonome* and the commercial enterprises can enter joint venture agreements with Romanian or foreign partners to create new commercial enterprises. Article 36 contains antitrust stipulations that prevent the monopoly control of

production, market, research and development, preferential pricing, monopoly prices, etc. The Law no. 11/1991 includes similar provisions against competition.

The government can support the *regii autonome* and commercial enterprises through lower interest rates, sole-source contracts, subsidies and tax exemptions for a period of up to four years.

6. The Law no. 18/1991 on Land Reform

The Law on Land Reform (*Legea no. 18/1991 a Fondului Funciar*) has provisions that establish the rights of ownership of agricultural land. However, several clarifications regarding urban land are included, for instance, the legal status of land, which can be: 1) private property; 2) public land, belonging to the state or to the local government or 3) private land owned by the state or by local governments. The main difference between the last two categories is that the public land cannot be sold, while the private land owned by the state or by local governments can be sold or leased.

According to Article 35 of the Law no. 18/1991, state-owned land within the city boundaries that has been used by the city hall becomes the property of the city hall. Also, all land that local governments gave for use to private owners for the duration of the building, now becomes their property, together with the building.

B. Legal and Institutional Framework of Local Government: Brasov a Case Study

According to Law no. 69/1991, local public administration is based on the principles of local autonomy, decentralization of public services and eligibility of the local public administration. The Brasov City Council is composed of 31 city councillors, elected for a four-year term by universal, equal, direct, secret and free vote. The number of councillors is proportional with the city population. Local councils elect from their members a validation commission, consisting of three to seven councillors. The council may elect, for the term of office, commissions for specialized domains, such as Commission no.2, the Planning Commission of the Brasov City Council.

The city council approves the local budget, credits and loans and sets local taxes and duties. It also decides the contracting out of public services and the participation in commercial enterprise activities. The council appoints and dismisses members of the administration board councils of *regii autonome* and of commercial enterprises in its jurisdiction, and establishes guiding norms for their activities.

Among other things, the local council "ensures a good functioning of the administration's communal services, local transport and municipal networks" and "approves and ensures the achievement of the urban plans and programs in full observance of the local traditions and legal provisions." It also ensures free trade and fair competition and stimulates free initiative "under the terms of the law." The council can associate with other councils and with economic enterprises, domestic or foreign, to pursue projects of common interest.

The city council meets in monthly ordinary session called by the mayor. The sessions are open to the public unless councillors decide by a majority of votes to have a closed meeting. The law stipulates that the budget problems shall always be discussed in open sessions. Decisions regarding the local budget, setting local duties and taxes, administration of the public and private domain of the city, urban planning and management, and partnerships with other councils and with domestic and foreign enterprises are passed with a two-thirds majority of votes.

The city of Brasov has a mayor, elected for a four-year term. Among other things, the mayor is responsible for the development of the local urban regulations and the urban plans and documentation. The mayor has to make sure that the regulations, plans and documentation respect the laws and that they get approved by the city council. The mayor controls the activity of the administration staff and appoints and dismisses the staff, with the exception of the secretary, who is a public official. Local governments have the latitude to organize their staff and functions as they consider fit.

The district council (*Consiliul judetean*) is the authority of the public administration of the district. The number of elected councillors for each district council is proportional to the district population. The Brasov District Council has 45 elected councillors. The Law of Local Public Administration stipulates that the district council "coordinates the activity of the Local Councils, with a view to providing the public services of district interest." It also manages the public services of the district and adopts the district budget. The council sets the guidelines for urban planning of the localities in its jurisdiction.

The Law no. 69/1991 has provisions regarding the administration of assets by the local governments. Assets that belong to the public domain are inalienable and imprescriptible. The city and district councils decide upon the concession, letting or leasing of those assets that belong to the public or private domain. The sale, concession, letting or leasing is effected by public auction, under the terms of the law. Under the terms of the law, the local and district councils may decide upon the setting-up of commercial enterprises, associations, and companies with a view to accomplishing works of local interest, with a social capital formed by contributions of the councils and of other legal bodies.

Article 98 of the Law no. 69/1991 stipulates that, in the capacity of government representative, the prefect supervises the activity of the local and district councils and of the mayor, and makes sure that the law is respected. No subordination exists between the prefect, on the one hand, and the local and district councils and mayors, on the other hand.

C. Current Trends and Issues

1. A Continuation of Policies of Central Control

With the first democratic local elections in Romania in February 1992, most city mayors were elected from opposition parties and are reform-oriented. However, the more conservative rural areas are disproportionately represented in the indirectly elected *judet* councils. This may explain why, in reality, a hierarchy has developed with the *judet* council assuming a superior role to the city councils. The system of local government continues to be run, to a large and critical extent, under policies and procedures of central control.

All requests for central government budgetary assistance to local government flow upward through the *judet* council to the center. National resources to support cities are then funneled back through the *judets*. As one local government official puts it, the three issues in the local government are: (1) money, (2) money, and (3) money. Cities are financially at the mercy of the national government. For example, Brasov's own-source revenue currently amounts to only 5 to 10 percent of its total revenue. More than 80 percent of the funding coming from the center is earmarked for social assistance or for services provided by the *regii autonome*.

The government is currently working on a Local Government Finance Act that would provide more autonomy to raise revenue at the local level by introducing new taxes, such as the property tax, and would allow more discretion on spending priorities.

The 1993 budget is even more restrictive than those of the past. The central government continues to earmark revenues and transfers, and the budget national law continues to give authority to the *judet* councils to divide up the budget among cities in the *judet*. Both the central government and the *judet* councils continue to "supervise" local expenditures.

The central government seems reluctant to grant too much autonomy to the local governments. Its arguments include: (1) a lack of local absorption capacity, and (2) the complexity of the situation. Excessive freedom permitted to local governments could, indeed, run the risk of inadequate or inappropriate use of the revenue sources, thus leading to low level and quality of public services. However, local autonomy represents an element critical to the democratic reform in Romania, and it implies "learning by doing." If trends do not develop in the right direction, there is always the possibility of the local government being voted out at the next election for poor performance.

2. Ambiguous and Incomplete Laws

There are ambiguities and lack of clarity in the Law on Local Public Administration:

- The division of responsibilities between *judet* and city is vague.
- The language is ambiguous, as in the phrase "within the limits of the law."
- There is contradiction between the autonomy of the city council and the "coordinating" role of the *judet*.
- There is no clear assignment of responsibilities in the sectors of health, education and social assistance.

Urban planning at the local level is severely constrained by the state of the economic reforms, which are still in an early stage and incomplete. Legislation to support planning activities at the local level is incomplete, conflicting and ambiguous for those interested and involved in the planning/development process. Among the most important laws that are incomplete or inadequate are those concerning local government finance, patrimony (establishing the "private" and public assets of local governments), restitution of nationalized and confiscated housing and land, urban and regional planning and land registration.

The Federation of Municipalities and the Association of *Judet* Council Presidents have proposed two draft laws, yet no action has been taken so far. The Federation of Mayors has proposed a draft Law on Local Government Finance that would regulate the approval process of local public administration budgets and would provide the legal basis for the local governments' raising revenues locally. According to this draft law, 35 percent of the tax on profit of commercial enterprises, 35 percent of the income tax, 35 percent of the value added tax and 35 percent of customs duties would go into the revenues of communes, towns and cities.

The Association of *Judet* Council Presidents drafted a Law on Taxes and Imposts in Local Administration Budgets that further clarifies the sources of revenues and the budget structures of local governments. In spite of weaknesses and lack of clarity in the two draft laws, if passed they would provide the legal basis for the financial autonomy of the local governments. Without such autonomy, the entire effort toward decentralization of planning activities and the development of local urban plans and regulations to reflect the local needs and interests will be impossible.

3. The Draft Urban Planning Law

The author has reviewed two drafts of the Urban Planning Law, Version 2 and Version 3. Although the Urban Planning Law was one of the first the central government considered after the 1989 events in Romania, the Parliament has not reached agreement so far as to the contents of the law and how it should relate to the other laws that have been passed. One clear explanation for this situation is the fact that the Urban Planning Law has no clearly delimited scope, as the urban planning domain covers a broad and fuzzy territory. The law tends to overlap considerably with other laws, in particular the Law no. 50/1991 on Building Approvals and Measures for Housing Construction, in its provisions regarding urban and regional plans and regulations, individual responsibilities for developing the plans and regulations, and the approval process.

The two drafts of the Law of Urban Planning that the author has reviewed draw heavily from the 1974 Law of Regional Planning and Systematization of Urban and Rural Localities, with an attempt at accommodating the local autonomy and the decentralization process. The 1974 law, in some respects, was remarkably progressive for its time and context. It was passed during a period of Romania's opening to western ideas; in particular, the provisions on citizen participation and the description of the vehicles for such participation were progressive ideas. The problem was that none of those ideas would work or could be implemented in a centralized decision-making process.

Another interesting feature about the social psychology and mentality of Romanians is that they have developed, during the 45 years of "social experiment on a massive scale," a fundamental mistrust of government and laws. The universal and deep presence of "double-think" in Romanian society under communism caused both citizens and public officials to pay lip-service to change, innovation, laws and party directives while being profoundly skeptical about their use or application. In fact, what eventually drove Ceausescu mad during his last years was a systematic sabotage of his policies and directives by virtually everybody in the country, with the exception of the circles closest to him.

The author detected a similar attitude during interviews and discussions with public officials, entrepreneurs and lay people in Brasov and Bucharest. They tend to be skeptical about realizing true local autonomy, decentralization and democratization at any time soon. They believe, instead, that the process will be a slow one and that no significant progress will be made before privatization of assets is well underway, private competition is real, and local governments achieve financial autonomy.

The Draft Law of Urban Planning, like most laws in Romania, lacks clarity and structure and is too long and fuzzy. It does not have clear *goals*, such as reasons for undertaking these activities, and what specific areas will be addressed. It does not explain the *principles of land use ownership and control*, such as the question of who has the right to build. It is particularly weak in specifying the *plan implementation personnel and procedures* (e.g., who reports to whom, who approves what, who monitors public and private development). There is no clear indication as to the *participants* in the process, in particular the special interest groups and the private developers. It has fewer provisions on *public participation* than the 1974 Law on Systematization (e.g., who participates and how). It lacks detail on *financial and budget issues*, and it needs clear definition of terms and their consistent use throughout the text.

4. The Distribution of National Assets

The question of the distribution of national assets or "patrimony" is another potential source of conflict. The cities tend to see this resource as an instant solution to their financial problems because owning assets would allow them to borrow by providing collateral for loans. The issue is delayed by the central government, which says the job is enormous and cannot be achieved soon.

City officials complain of lack of clarity as to what they own (assets or "patrimony") and lack of authority to finance investments and services. It is not clear when the government will initiate restitution of property, and, in spite of the fact that a 1991 decree required that local governments inventory all land by September 1992, that operation has not been done.

The massive privatization of state housing is by far the most significant and far-reaching transfer of state assets to citizens. However, organizational structures for the management of condominium buildings are inadequate, and places these now-private assets at risk. A city can take a number of steps to support the proper functioning of condominium associations and the clarification of their roles and responsibilities.

Typically, city governments operate with a lack of clarity in their relations with the *judet* governments. They generally lack control of financial resources and rely heavily on *judet*-controlled central government transfers. Discussions with city officials revealed a widespread recognition that true and complete reform of the local government cannot be achieved without far greater financial independence and local autonomy.

5. Urban Plans in the Transition Period: Brasov a Case Study

In the transition period, city officials in Brasov recognize the importance of planning—economic, social and physical—in speeding up reform and gradually gaining autonomy at the local level. The City Hall has dedicated a major effort toward attracting foreign capital for capital improvements programs and major infrastructure works. Brasov is in a favorable position to attract foreign capital because of its traditional links with the West, its attractive site and potential for tourism, cheap skilled labor, cultural traditions and a tradition of local autonomy ("*orasul liber Brasov*").

In all the areas discussed above, the city hall is confronted with major difficulties:

- Incomplete, conflicting, and ambiguous legislation.
- Continuation of the command-and-control practices and hierarchical relationships of the old regime.
- Confusion in the application of law, in particular in the areas of land/buildings/asset ownership.
- Lack of managerial skills for the implementation of its vision and its drive toward local autonomy.
- Severe understaffing of the Brasov City Hall.

The enormous job that the city hall is undertaking is somewhat facilitated by significant resources available at the local level, among which are:

- Leadership and vision.
- Technical expertise available on call in the city (highly skilled planners, engineers, architects, experts in environment and conservation, economists, sociologists, historians, academics, etc.).
- Significant urban planning and management tradition (e.g., detailed cadastre plans and records, planning and zoning regulations, and building codes and building approval procedures dating from the 1920s and drafted for a market economy and private ownership of land and buildings).
- A high potential for finding creative solutions to problems. This potential, when kept within legal bounds, can significantly speed up the process of change and reform.

While many of these traditions were lost during the years of communist rule, they can still be used as a solid base for planning during the transition period. Both public officials and planners have very little understanding, if any, of the very basics of planning under a market economy. Local administration officials have given virtually no thought to the negotiation and bargaining process typical of market-oriented planning, to creative zoning techniques, to growth

management, to attracting and retaining businesses and to basic economic cost-benefit or cost-effectiveness analysis. In every department of public life, a stringent need for education and for understanding the basic principles of a market economy exist, even if the transition process is at the very beginning.

There are, also, many *unanswered questions* that need to be clarified before a serious effort in the direction of urban planning and urban management can be undertaken. Some of these questions (raised in the World Bank report quoted on page 1) are:

- What is the role of local governments in the management of land and real estate transactions, and what is their relationship to the proposed new National Cadastre Office and the State Notary Offices that operate under the responsibility of the Ministry of Justice?
- To what extent are local governments to be involved in, or associated with, valuation of land and real estate property?
- What is implied by prior review by the Department of Urban and Regional Planning and other "entities concerned" of urban planning documents?
- What is the underlying rationale for having building permits for a wide array of constructions issued by the prefecture rather than the city?

ATTACHMENT A: THE CERTIFICATE OF URBANISM

The certificate of urbanism contains information regarding:

(1) Legal status of the zone:

- Its location within or outside the city boundaries.
- Ownership rights of the zone, including liens on property.
- Location in special areas, such as protected areas, areas with temporary or permanent building restrictions, land of public interest.

(2) Economic status of the zone:

- Present use.
- Future use, according to approved urban plans.
- Fiscal status of the city or urban area.

(3) Technical status of the zone:

- Percentage of built area (*procentul de ocupare a terenului—POT*).
- Floor/area ratio—FAR (*coeficientul de utilizare a terenului—COT*).
- Plot size, dimensions and area.
- Utilities (water supply, sewer, electricity, heating).
- Auto and pedestrian traffic, access and parking.
- Alignments and setbacks from existing streets.
- Building height and bulk.
- Building structure and materials.
- Building esthetics: architecture, composition, finishings.
- Building technology.
- Adjacent and related public works needed.

ATTACHMENT B: THE GENERAL URBAN PLAN

The General Urban Plan (*Planul Urbanistic General*) determines the development objectives, actions and measures for a certain locality and a certain time horizon, based on a multicriterial analysis of the present situation. It includes the application of urban development policies. The approved General Urban Plan and the accompanying Urban Regulations (*Regulamentul de Urbanism*) are the documents on which the issuance of the certificate of urbanism and the building permit is based. The General Urban Plan is valid for a period of five to ten years.

The General Urban Plan contains the strategy, the priorities and the regulations for the use of land and buildings in an urban area, and it covers:

- The delineation of the city boundaries, outside which no building is permitted.
- The delineation of functional zones within the urban area, as well as their relationships based on their main use and predominant activities.
- The human potential and resources, social aspects of migration, employment, population distribution and demographics.
- The economic potential of the locality; its industrial, business and commercial profile; and future development potential.
- Traffic patterns, public transportation, pedestrian areas, squares, bike paths, etc.
- Zoning regulations, location restrictions, building density and height, land use patterns.
- Land ownership, location of public buildings and facilities.
- Special zones—historic preservation areas, architectural heritage areas, landscape areas.
- Location of zones with temporary or permanent building restrictions.
- Location of urban renewal areas.
- Road and utility infrastructure.
- Environmental protection objectives, identification of pollutants, mitigation policies.

The urban documentation consists of an executive summary (*Memoriul de sinteza*) that highlights the problems, options and actions identified in the individual chapters of the general report (*Memoriul general*). The chapters follow the problem areas described above.

The general report presents, in each of its chapters:

- The present situation and problems.
- Possible developments and priorities.
- Proposed actions and implied regulations.
- Works of public interest.

The executive summary and the general report are accompanied by maps showing:

- The present situation and the development priorities:
 - Zoning map.
 - Street patterns and urban transportation.
 - Utilities.
- Regulations:
 - Land uses.
 - Legal status of land.
 - Density controls.
- Works of public interest.

ATTACHMENT C: THE LOCAL URBAN REGULATIONS

The Local Urban Regulations (*Regulamentul Local de Urbanism*) accompany the General Urban Plan or the Urban Sectoral Plan and contain prescriptions and regulations regarding:

- Detailed zoning reflecting the proposals contained in the General Urban Plan.
- Building location.
- Land provision for traffic and road intersections.
- Detailed site plans, parking provision and facilities.
- Building materials and exterior finishings.
- Public spaces, street furniture, urban signs, fences, etc.
- Utilities and equipment.
- Public space maintenance.
- Environmental protection.
- Coefficients of land utilization.

The Urban Regulations for Urban Sectoral Plans (*Regulamentul aferent Planului urbanistic zonal*) include prescriptions, recommendations and rules regarding:

- Building alignment.
- Building height.
- Road access to the building.
- Streetfront design for important avenues.
- Building location, size and required repairs.
- Coefficients of land utilization.
- Building materials and finishings.
- Public space and street furniture design.

The Urban Regulations for Urban Sectoral Plans must contain a log (*Caiet de sarcini*) detailing the works and actions required to implement the plan and to evaluate the output.