

THE MAIN OBJECTIVES OF URBAN PLANNING ACTIVITY

Delia-Georgiana SEMENESCU
PhD Lecturer
“Constantin Brâncuși” University of Târgu-Jiu

ABSTRACT

TERRITORIAL PLANNING AND URBAN PLANNING ARE BRANCHES OF THE SAME TRUNK. THE DOMAIN OF REFERENCE IS THE SPACE. THUS, TERRITORIAL PLANNING AND URBAN PLANNING ARE A FIELD OF STUDY AND A SPATIAL DISCIPLINE BASED ON GEOGRAPHY, ON THE ONE HAND, AND ON ARCHITECTURE, ON THE OTHER HAND. TODAY, WE ARE WITNESSING A NEW APPROACH OF THE TWO BRANCHES, FROM THE PERSPECTIVE OF ADMINISTRATIVE SCIENCES, WHICH EMPHASIZES THE ROLE OF PUBLIC AUTHORITIES IN THE DEVELOPMENT AND USE OF URBAN PLANNING AND TERRITORIAL PLANNING TOOLS, AS WELL AS THE INVOLVEMENT OF CITIZENS IN SPECIFIC ACTIVITIES¹.

KEYWORDS: URBAN PLANNING/ URBANISM, TERRITORIAL PLANNING, LOCAL DEVELOPMENT, OBJECTIVES.

Changes in political, economic, social and cultural terms in the post - December Romanian society have generated an increase in interest for local development. Privatization and decentralization have significantly influenced the labor market, leading to massive layoffs and the emergence of unemployment² and, as a consequence, the lowering of the standard of living, creating disparities between different areas of Romania³.

Local development involves the associating of all those participants in economic and social life in order to establish projects. The "natural" partners here include elected representatives, workers, entrepreneurs, the organizations where chambers of commerce, handicraft, agriculture and industry operate, also the associations of activities and development, local committees for employment, county committees, valleys, etc.⁴.

Citizens, in their turn, are an important factor in determining local development, which also involves urban development. Urban development also includes the urban planning carried out by the local and central public administration, along with other activities such as economic, technical, informational, etc.

¹ Dragoș Dincă, Cătălin Dumitrică, *Dezvoltare și planificare urbană*, Pro Universitaria, București, 2010, p. 169.

² Lucica Matei, *Dezvoltare economică locală* Editura Economică, București, 2005, p. 77 apud Dragoș Dincă, Cătălin Dumitrică, *op. cit.*, p. 62.

³ Dragoș Dincă, Cătălin Dumitrică, *op. cit.*, p. 62.

⁴ F. Xavier, *Descentralizarea*, Editura Humanitas, București, 1991, p. 61 – 62 apud Dragoș Dincă, Cătălin Dumitrică, *op. cit.*, p. 67.

In a broad sense (*lato senso*), the urban planning / urbanism is the art of ordering in a harmonious and rational manner the life of a population in a determined geographic space.

In this context, we can speak from a historical perspective, of a classical urbanism, which has found its expression in the functional school of urban planning in Miletus, in Ancient Greece (...) and which is characterized by the planning of the city in regular dimensions, with the streets forming a square system. There was then a Renaissance urbanization, the Renaissance affirming in front of the medieval structure of the city a unitary vision on aesthetics and urban space (...).¹

Urbanism is, according to DEX², the science of designing and planning the construction, systematization, reconstruction or restructuring of a human settlement.

With the appearance of man and as it evolved, the influences on the natural environment also have multiplied. Thus, as the science and technology developed, it [o.n. urbanism] has been given the opportunity to transform the environment more and more, but has done it against its elements.

Considering that the relationship between humanity and the natural systems and resources has changed in a negative sense, especially in the second half of the last century, the mission of our generation is to take decisions that will settle what our future will be and, in general, if the planet remains habitable or not³.

The city is a complex form of human settlement, having multiple urban amenities, usually with administrative, industrial, commercial, political and cultural functions⁴.

The second half of the 20th century has been marked by a steep rise in urbanization, a phenomenon that has generated many conflicts, especially due to the mismatch between demographic growth and limited physical space. This trend is a continuous process of transformation of the urban environment⁵.

Thus, developed countries of the world have met many times over the last 50 years to solve environmental problems and of its protection.

The international community gathered for the first time in 1972 at the Stockholm Conference on the Human Environment to discuss the issue of global environment and of development needs.

The need to reorientate the efforts to achieve the integration goal was made after eleven years since the Stockholm Conference, in 1983, when the United Nations set up the World Commission on Environment and Development

- WCED known as the *Brundtland Commission*. This committee produced and published in 1987 the document "Our Common Future" (Brundtland Report), which set out the framework to be the basis of the 40 chapters of Agenda 21 and the 27 Principles of the Rio Declaration and which has defined sustainable development as "the development that meets the needs of the present generation, without compromising the ability of future generations to meet their own needs." In June 1992, at Rio de Janeiro was held United Nations Conferences on Environment and Development - UNCED also called the "Rio Conference", to which 120 leaders of the world

¹ Mircea Duțu, *Dreptul urbanismului*, ediția a IV-a, Editura Universul Juridic, București, 2009, p. 23.

² DEX, Editura Univers Enciclopedic, București, 2016, p. 1293.

³ A. I. Dușcă, *Dreptul mediului*, ed. a II – a, revăzută și adăugită, Editura Universul Juridic, București, 2014, p. 184 apud Robert Bischin, *Elemente de dreptul urbanismului în România și Uniunea Europeană. Legislație, doctrină și jurisprudență*, Editura C. H. Beck, București, 2016, p. 4-5.

⁴ DEX, Editura Univers Enciclopedic, București, 2016, p. 824.

⁵ Dragoș Dincă, Cătălin Dumitrică, *op. cit.*, p. 166-167.

were gathered, an occasion with which the need to integrate economic development and environmental protection into the objective of sustainable development has been officially recognized at international level¹.

Urbanism must represent an activity: *operational*, by detailing and delimiting on the ground the provisions of the landscaping plans; *integrative*, through the synthesis of sectoral policies on the management of localities territory; *normative*, by specifying the ways of using the land, defining the destinations and gauges of buildings, including infrastructure, landscaping and planting, according to art. 4 of Law no. 350/2001² on territorial planning and urbanism.

Current urbanization has as its object the spatial planning and, as a defining function, its adaptation to the socio-cultural and ecological requirements expressed by the city³.

Increasing competitiveness and quality of life are major objectives of local, national and global economic policy and, in the context of the expansion of globalization, the role of cities in the global world economy is becoming increasingly important. The phenomena of the last decades on technological evolution, the demographic growth and the urban concentration on a world scale have led to the acquisition of new dimensions of the issue of urban management⁴.

The Earth, as a natural factor of human existence, has always been an invaluable wealth, even though its functions have varied in time, especially in terms of their share. Thus, as a production factor, it has been the subject of passionate, long and long-held theories, even to our own time, but especially in the thinking of classical economists, from Ricardo to Marx. After this flowering of the earth's economic role as a natural resource and of the physiocratic visions, the notion in its content and meanings has gradually changed, being used today mainly in the narrow sense of soil, which is an essential and limited element for all living beings. It is also the case of the Romanian legislation in force, which uses the notion of "land" as synonymous with the "soil" and which refers exclusively to the terrestrial surface, the subsoil enjoying a completely different legal regime⁵.

Today urbanism is viewed in close interdependence with the territorial planning as an integral part of it and it is constituted by a set of activities aiming the ensuring of the optimum conditions of life and work for all the inhabitants⁶.

All activities carried out and pursued by urban planning and territorial planning in Romania lead to a territorial development involving all areas: economic, social, cultural etc

We can say that the territorial development transforms the form of inhabited territories (infrastructure, landscape, city, but also the territorial structure and geographical distribution of the population and human activities).

Territorial development is a comprehensive concept also used as an objective of public policies: it follows not only the economic growth in the regions concerned, but also the sustainability, with its economic, social, environmental and cultural aspects. In the current European context, characterized by low growth rates and increased regional imbalances,

¹ <http://www.mmediu.ro/beta/domenii/dezvoltare-durabila/concepte-si-principii-de-dezvoltare-durabila/>

² Legea nr. 350/2001 privind amenajarea teritoriului și urbanismul, publicată în Monitorul Oficial al României nr. 373 din 10 iulie 2001, cu modificările și completările ulterioare.

³ Mircea Duțu, *op.cit.*, p. 23.

⁴ Dragoș Dincă, Cătălin Dumitrică, *op.cit.*, p. 167.

⁵ Mircea Duțu, *op.cit.*, p. 144.

⁶ Dragoș Dincă, Cătălin Dumitrică, *op. cit.*, p. 167 - 168.

territorial development has become a general priority in terms of improving services and employment, and in order to reduce territorial imbalances.

At the level of the Ministry of Regional Development, Public Administration and European Funds, the attributions in the field of territorial planning, urban planning and habitat belong to the Policy and Strategy Department. The activities carried out aim the sustainable, balanced development of the national territory, the strengthening of the economic, social and territorial cohesion, the balanced polycentric growth of the human settlements, the protection and promotion of the national patrimony, as well as the increase of the quality of living in the human settlements¹.

Territorial planning and urban planning are branches of the same trunk. The domain of reference is the space. Thus, territorial planning and urban planning are a field of study and a spatial discipline based on geography, on the one hand, and on architecture, on the other hand. Today, we are witnessing a new approach of the two branches, from the perspective of administrative sciences, which emphasizes the role of public authorities in the development and use of urban planning and territorial planning tools, as well as the involvement of citizens in specific activities².

Between territorial planning and urbanism there is an all-part relationship. Urbanism can be regarded as a part of the territorial planning but a part with many specific elements (...):

- territorial planning refers to vast areas of land in which (most of the time), natural space dominates, while urbanism focuses on the proper human settlement (cities), a set of lands and buildings where the result of human action, the artificial (built) dominates;
- for territorial planning, localities are regarded as elements of a system, while for urbanism, localities are themselves the system they are dealing with;
- there are different degrees of spatial detail, between the territorial planning and urban planning³.

According to art. 5 par. (1) of the Law no. 350/2001, territorial planning and urban planning activities must be carried out in compliance with local autonomy, based on the principle of partnership, transparency, decentralization of public services, participation of the population in the decision-making process, and sustainable development, according to which decisions the present generation must ensure development without compromising the right of future generations to their own existence and development.

Alin. (2) of the same article provides that the public authority is responsible for the harmonious development of the territory (s) within its competence. For this purpose, economic operators or institutions that hold real estate, installations and / or equipment of public interest or who provide a public service have the obligation to make available to the public authority, free of charge, at its request, within 15 days, the necessary information in the planning of the development of the territory of the locality in question.

Urbanism, according to art. 10 of the Law no. 350/2001, aims to stimulate the complex evolution of the localities by elaborating and implementing strategies for spatial, sustainable and integrated development, on short, medium and long term.

¹ <http://mdrap.ro/> - PREZENTAREA CONCEPTULUI DE DEZVOLTARE TERITORIALĂ.

² Dragoș Dincă, Cătălin Dumitrică, *op. cit.*, p. 169.

³ *Idem*, p. 169-170.

It is the essence of urban planning to determine the conditions for the occupation of the land and the intervention on the space from a perspective of harmonization and to ensure a balance between, on the one hand, competing human activities and, on the other hand, between preserving and improving the quality of the environment and viable urban development; that is why it allows the incorporation of the urban planning in time and space, in close connection with the economic and social and cultural development, with the requirements of environmental protection¹.

Therefore urbanism aims at establishing the directions of spatial development of urban and rural localities, in line with their economic, social, cultural and territorial potential, and with the aspirations of the inhabitants [art. 12].

According to art. 11 of Law no. 350/2001, the urbanization activity comprises all the localities of the country, organized in a network, on the basis of their hierarchy and balanced distribution in the territory, and the application of the objectives takes into account the entire administrative territory of the towns and communes or areas thereof.

The main objectives of the urbanism activity, according to art. 13 of the Law no. 350/2001 are as follows:

- a) improving of the living conditions by eliminating malfunctions, ensuring the access to infrastructure, public services and affordable housing for all residents;
- b) creating the conditions for meeting the special requirements of children, the elderly and the disabled;
- c) the efficient use of land in accordance with appropriate urban functions; controlled expansion of built areas;
- d) protection and enhance the built and natural cultural heritage;
- e) ensuring of the quality of the built, arranged and planted framework of all urban and rural localities;
- f) protecting the localities against natural disasters.

Taking into account the definition of the main purpose of urbanism [art. 10] as well as the presentation of the main objectives of the urbanism activity [art. 13], we can understand why the law of urbanism is distinguished from other legislation dealing with the occupation and use of soils, the element of distinction being its aim, namely the harmonious arrangement of urban assemblies².

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¹ Robert Bischin, *op. cit.*, p. 13.

² Ibidem.

6. <http://mdrap.ro/> - *PREZENTAREA CONCEPTULUI DE DEZVOLTARE TERITORIALĂ / PRESENTATION OF THE CONCEPT OF TERRITORIAL DEVELOPMENT.*
7. <http://www.mmediu.ro/beta/domenii/dezvoltare-durabila/concepte-si-principii-de-dezvoltare-durabila/>