

TOOLS USED IN URBAN DEVELOPMENT AND PLANNING

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Abstract:

The instruments used in urban development and planning follow the achievement of a strong public administration, local or national, always with viable solutions serving the community it represents, having at the same time, a legislation to support its efforts and to offer the possibility of harmonious urban development.

Key words: *urban management, urban marketing, information system, administration, legislation.*

The management has the character of an economic discipline, of synthesis, because it takes a number of economic categories and methods from many other disciplines in this field, such as economics, economic analysis, marketing, finance and a multidisciplinary character [1], determined by the induction of some categories and sociological methods, mathematical, psychological, statistical, legal, using them in a specific manner, reflecting the peculiarities of management relations [2].

In literature [3] it is considered that the management targets two main objectives:

1. To guide the urban community, supporting the environmental turbulence;
2. To reduce the waste originated from internal dysfunctionalities or qualitative operation errors.

Urban management starts from the responsible administration of the existing potential, of the created natural capital and the social one. The management can refer to the systems of urban transport, waste collection, urban land management, energy production and consumption, or eco-restructuring of industries. An integrated approach of urban management includes generating the problematic and constructing the territorial system model by using the logical tree with elements of system construction, obtaining a structural-functional tree relevant to the anatomy of the system and to determine the optimum model of the territorial system [4].

The management operates with concepts such as: strategy, plan, program, project that have become practical instruments used in the urban development processes [5].

The local development strategies are defined as being:

- The essential part of the planning process of any local community;
- Determining long term goals and objectives for the collectivities, the adoption of local politics and granting resources to achieve these objectives, taking into account the needs, the expectations and the desires of the citizens and the elements of the local political system [6].

A strategy is just the framework for a local action. It takes into account the area problems, its possibilities, means and resources; it defines a planned approach of the economic development and creating jobs [7].

The local development strategy is defined as being a complex step, as the result of the collaboration between the actors of the progress, which implies a comprehensive effort to formulate the objectives, to identify strategic ways to achieve these objectives according to the resources that can be engaged [8].

In literature [9] it is considered that a strategy has six main components, meaning: *problem analysis, survey information, an exam of the resources, defining objectives, an action plan, a control system and assessment.*

Planning a strategy implies an examination of the past, an evaluation of the present, and a planning of the future. To find solutions, the combination of actions and the global structure that impose in order to reach economic development and to increase the number of working places is a mainly creative process that appeals to discussions, an honest analysis, opened to numerous consultations [10].

The steps that recommend the elaboration of the development strategy are:

Forming a local initiative group, identification of the members of the Strategic Development Consortium, identification of the optimal legal form, identification of the actors interested in the development and the implementation of a local development strategy, the analysis of the context and filling the community profile and of the business attitudes survey, identifying the critical aspects form the economy, identifying the advantages and the dangers (SWOT Analysis), the elaboration of the action plans and choosing the optimal action plan, adapting the local development strategy [11].

According to Chapter IV from Law no. 350/2001, republished, concerning the improvement of the land and urban planning, there are: planning documentation (articles 40 – 43) and urbanism documentation (articles 44 - 49) [12].

According to article 39, paragraph (1) from Law no. 350/2001, through *planning documentation and urbanism documentation* there are understood the landscaping plans, the urbanism plans, and the general statute of Urbanism and local regulations of urbanism, endorsed and approved under this law.

The main role of the landscaping plans and the urbanism ones is that of the planning instruments, in order to translate into reality the territorial and urban strategies and the public policies in this area. These landscaping and urbanism documents gain, following the approval process, in accordance with the legal provisions, the power of some acts of authority. This status gives to the technical provisions of these documents the status of legal provisions [13].

Landscaping documentations include proposals of directing nature, setting the strategies and main directions of development of a territory at various levels of complexity. They are detailed by specific regulations within the administrative territories of towns and communes. The provisions of directing nature contained in the approved landscaping documentation are binding on all public authorities and those with regulatory functions for all natural and legal persons [article 32, paragraphs (2-4), Law no. 350/2001] [14].

According to article 40, from Law no. 350/2001, the landscaping documentation of the territory is the following:

- a). National Landscaping Plan (NLP);

- b). Zonal Landscaping Plan (ZLP);
- c). County Land Plan (CLP).

Town planning documentation refers to urban and rural areas use and establishes the use of lands and the construction conditions for these lands. They transpose at urban and rural levels the proposals contained in the National, Zonal and County Landscaping plans. Town planning documentation have specific regulatory functions and establish rules that apply directly on settlements and parts of them to the cadastral parcels constituting fundamental elements mandatory for issuing permits [article 44, paragraphs (1-5), Law no. 350/2001].

According to article 45 from Law no. 350/2001 the landscaping documentation is:

- a). The General Urban Plan (GUP) and local regulations associated with it;
- b). The Zonal Urban Plan (ZUP) and local regulations associated with it;
- c). The Detailed Urban Plan (DUP).

Applying the landscaping and approved urban planning documentation shall be provided by issuing the planning certificate (article 28).

According to Article 29, paragraph 1 from Law no. 350/2001, the planning certificate represents the binding information document through which the county or local government makes known the legal, economic and technical regime of the buildings and the necessary conditions for the realization of investments, real estate transactions or other real estate operations, according to the law.

The planning certificate is needed to complete and file the documentation for obtaining the building permit, but he does not take the place of a building permit. From a legal perspective, the planning certificate is the equivalent of a notice that, under certain conditions, has some binding effect. It has an important role, meaning it ensures its recipient that for a period, he will not be opposed changes that affect rules contained by the certificate [15].

Execution of construction works is permitted only on the basis of a building or demolishing permit issued under this law (n.s. Law no. 50/1991, republished, regarding the authorization of the construction works execution) at the request of the holder with a real right over a building - land and / or buildings - identified by the cadastral number, where the law does not provide otherwise [article 1, paragraph (1) Law no. 50/1991].

According to article 42, paragraph (1) [16] the authorization for construction/demolition is in accordance with the provisions of the article 2, paragraph (1) from the Law, the final act of authority of the competent public administration according to the law under which it can be executed construction works on the basis of which are provided legal measures concerning the siting, the design, the construction, the operation and the post-use of the building regarding the construction or dismantling of the constructions, including related facilities as well as improvements where appropriate.

The building permit is public and can be consulted at the headquarters and on the websites of the issuers, meaning municipalities and county councils. In addition, from 1998 there is the legal obligation for all construction sites to display – on a visible place, throughout the works - a panel of identification that must contain minimum data and information regarding the objective: name and address, the recipient of the investment, the general designer, the builder, the building permit number, the issuing body, the deadline for completion of the work specified in the authorization, the start date and the completion date of the construction [17].

Together with two other instruments used in urban development and urban planning there are the urban marketing and the systems for urban development, all together, influencing the development of a city, of a region, and of a community. It is important that all these tools to be used correctly, to be understood and applied cumulatively for the city, region or community to benefit from the results of a management, a marketing and an information system well-tuned, adjusted and adapted to the needs of at a certain time.

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