

On Possibilities of Application of German Spatial Planning Methodology in Armenia

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Summary

This paper contains general description of the present status of spatial planning in the Republic of Armenia and the Federal Republic of Germany. Similarities and differences between two functioning models in the above-mentioned countries are analyzed. As a result of the analysis, proposals on possibilities of application of some elements of the German model in Armenia are submitted.

Zusammenfassung

Der Beitrag stellt das Gesamtbild des heutigen Systems der Raumplanung in der Republik Armenien und in der Bundesrepublik Deutschland vor. Darauf aufbauend werden die Gemeinsamkeiten und Unterschiede der Modelle in beiden Ländern analysiert. Als Ergebnis dieser Analyse werden Vorschläge für die Adaption einzelner Elemente des deutschen Modells in Armenien diskutiert.

Keywords: Spatial planning, land use planning, zoning

1 Introduction

This paper is developed based on studies initiated and organized within the “Local Governance Programme South Caucasus” implemented by GIZ. The government of the Republic of Armenia, in the name of the Ministry of Territorial Administration requested a study of German experience on land management and spatial planning, and the ways of its application in the Republic of Armenia.

The author of the paper, as program expert, had several meetings with national and local government bodies, as well as the public sector representatives during his study tour to Bavaria and Saxony. The documents and information provided by the German partners during the author’s stay in Germany; these have served as sources for the provisions which had been included in the paper concerning the experience of the Federal Republic of Germany.

2 Spatial Planning in Germany

Not having referred to the complete description of the system of spatial planning in the Federal Republic of Germany, it is essential to separate the basic norms which may be applied in the Republic of Armenia. The main legal act regulating spatial planning in the Federal Republic of Germany is the Federal Law “On Spatial Planning” (in German: Raumordnungsgesetz [ROG]). The law places particular emphases on horizontal and vertical relations during the spatial planning. It is conditioned by the following main principles:

- the programs have to provide for publicity, transparency and public participation;
- priority of possible internal levels, independence of local self-government bodies;
- provision of counterbalancing influences and balancing of interests etc.

It is useless to say that all the above mentioned principles are applied practically by simultaneous ensuring priority of the Law.

The structure of the system of spatial planning applied in Germany (Magel 2013) is presented in Fig. 1. Generally, in nationwide and regional levels, the spatial planning simultaneously promotes balanced development of the regions and improvement of a multicentral system. We think that in the context of application in Armenia it is especially essential to pay attention to the system of planning at regional level, as well as to the concepts of development of cities. In particular, there are 18 spatial planning regions in Bavaria (“Planungsregionen” in German), activities of which stem from spatial planning legislation of Bavaria. Despite the fact the external boundaries of such regions are coincident to the administrative boundaries of regions, however, they are not administrative-territorial units, and are called to promote establishment of efficient spatial planning system.

The named approach is completely grounded, as many factors concerning the spatial planning do not end within of any administrative unit. In particular, the problems regarding environmental protection, allocation and development of civil engineering and transport infrastructures, natural resources utilization, formation of multicentral model of spatial organization, cannot work out within the limits of a separate administrative unit and assume more complex approaches.

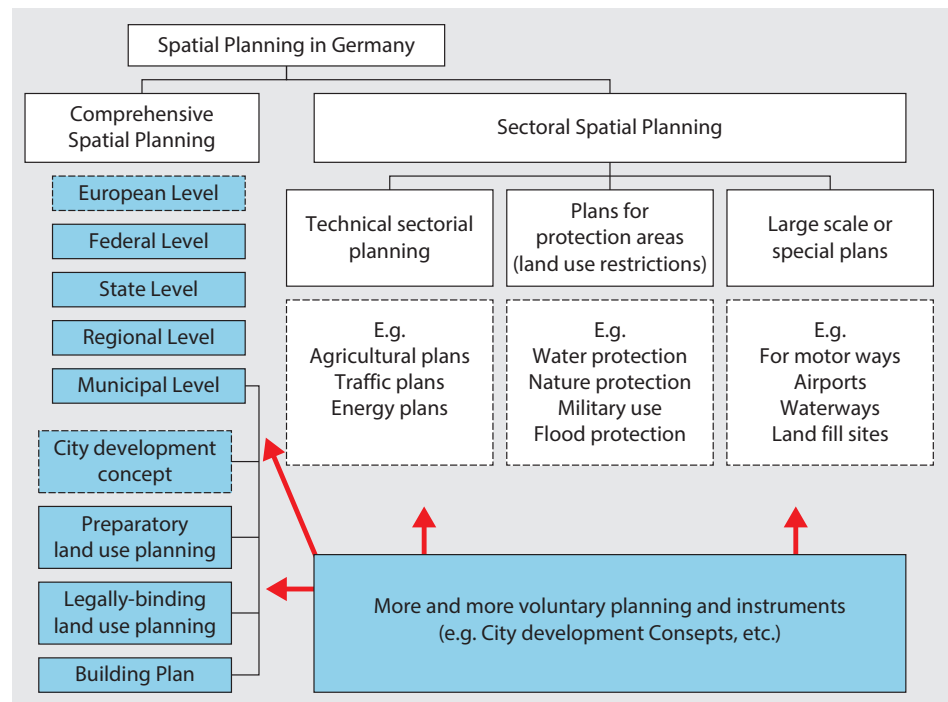


Fig. 1: Structure of spatial planning system deployed in Germany

Such an approach also can be completely applied in Armenia, if diversity of the earth landscapes, features of natural and geographical factors in different regions, as well as differences of the levels of economic development are taken into consideration.

Planning documents at community level in Germany are designed on the basis of the community development concept. These documents are very concise and set out the main actions and milestones of the community development by sectors. They are comprehensive and available for all strata of the population which is especially important in the stage of public discussions when the perspective of the community development is made clear. All regions and municipalities in Bavaria are provided by the above mentioned documents, which enable implementation of complex, coordinated development programs at federal, land, regional and community levels.

3 Spatial Planning in Armenia

There is no separate law in the Republic of Armenia regulating the sphere of spatial planning. The basic provisions concerning the sphere are included in Articles 14.1 “Principles of spatial zoning”, 14.2 “Types of zoning”, 14.3 “Regulation of urban development activities in administrative borders of the communities”, and 17 “Urban development documents” of the Law of the Republic of Armenia “On Urban Development” (information on the official website of the Ministry of Urban Development, www.mud.am).

Besides, procedures for elaboration and approval of documents of different levels of spatial planning, as well as basic requirements to their composition and contents have been established by resolutions of the Government [1, 2, 3, and 4].

Pursuant to the Article 17 of the Law on Urban Development, design documents associated with the sector of urban development and urban development document are tools of state regulation of the sector and, as such, are divided into two categories, namely, programmatic urban development (or spatial planning) documents and architectural and construction documents. Spatial planning documents are developed for the entire territory, administrative and territorial units of the Republic of Armenia, their groups or individual sectors. Spatial planning documents include: major documents for settlement and territorial organization of the Republic of Armenia (national level);

- a) projects of spatial planning of the regions (spatial level), as well as the groups of communities of the Republic of Armenia. They are processed for the purpose of making the provisions, established under the main project of settlement,
- b) master plans of the communities (strategic document of local level), which establish the guidelines of spatial development of the community,
- c) projects of urban zoning (local level – document of operative nature).

The listed projects are the documents of complex planning and are established as projects subject to mandatory processing.

Besides this, the documents of sectorial (processed in case of need) spatial planning have also been established. Those documents are processed in conformity of the legislative acts of separate spheres (e.g. projects of improvement of landscape, recreation systems, allocation of productive abilities, engineering and transportation, communal and social infrastructures etc.).

The systemic presentation of the urban development documents is set out in the Fig. 2.

The following documents have been designed and approved in the Republic of Armenia over the period of independence (1991–2013).

- Master plan of settlement of the Republic of Armenia (official website of the Ministry of Urban Development, Spatial planning documents, Main draft of resettlement of the Republic of Armenia, www.mud.am), which was approved in spring 2003;
- Spatial planning designs of the regions of Shirak, Gegharkunik and Vayots Dzor (for 3 out of 10);
- Master plans for 111 communities (out of 915).

It is apparent that the specified number of the developed documents cannot be sufficient, especially in case of master plans, as 36 of them were approved in 1991 to 1992, from which it can be assumed that the orders of their development have been drawn up in the Soviet period and do not comply with requirements of market economy. Generally, the following defects are available in the system of spatial planning of Armenia:

1. Disregard of the frame of subjects of the ownership right to the land: the only holder of the named right in Soviet system was the state. Anyway, at present, residential, public and productive lands are practically privatized, as well as the arable lands and perennial plantations.
2. The fact that in Armenia many spheres of public services, as well as productive abilities are privatized and mechanisms which will ensure the cooperation of the state and communities from one side, and the private sector from the other one while implementing the programs intended to spatial development are not formed yet, is not taken into account.
3. The mechanisms of public discussions of spatial planning documents are for now not available for public discussions therefore the population cannot practically participate in planning activities.
4. The problems regulated by the documents of different levels are not clearly separated. That is why there are irrelevant repetitions in the contents and unreasonable requirements in those documents.

So, inertia of design techniques, inherited from Soviet period, does not allow to form an efficient system of spatial planning. Therefore, we can state that the funds invested for drawing up documents of spatial planning, do not yield desired results yet. Consequently, processing and application of methodology, typical of liberal relations, can be regarded as main issues, requiring primary solution.

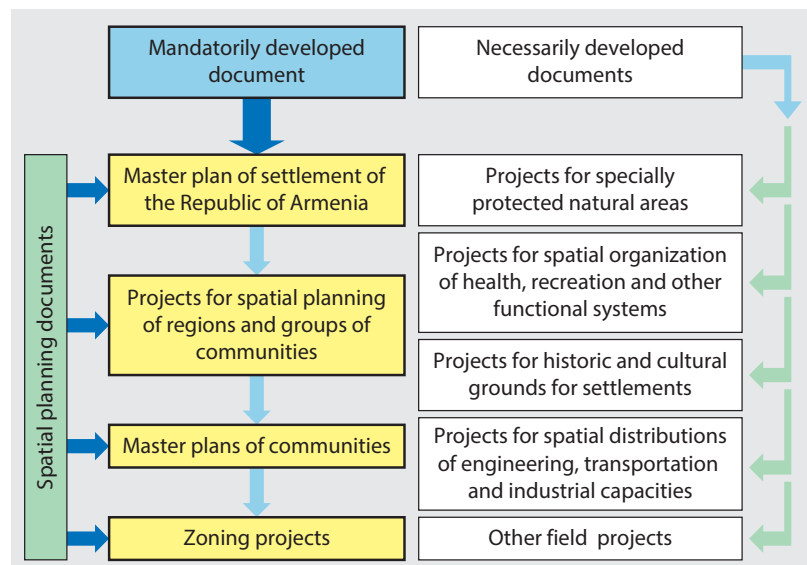


Fig. 2: System of spatial planning documents, applied in Armenia

4 Possible directions of application of the German experience in Armenia

Potential of application of the experience accumulated in German Federation in Armenia should be viewed at two dimensions. The regions of the former Western Germany may be considered as a model system designed in the course of historic development and as result of undertaken steps (and its individual elements may be regarded as targets in terms of the outcomes of the reforms). At the same time, in the Eastern regions there have been problems specific to post-Soviet states and the steps undertaken towards solution of those problems deserve attention.

It should be noted that especially with relation to the structure of spatial planning system the model, applied in Armenia, has certain parallels to the German model, as the experience of Germany in different areas had been brought in Tsarist Russia in different historic periods, afterwards it was inherited by the soviet system. That fact left its definite trace on legislative environment and structural models of the countries, which had become independent later on, including the Republic of Armenia.

The analysis of the spatial planning systems of Armenia and Germany leads to a presentation of the specificities of the model applied in the Federal Republic of Germany, which may be directly applied in the Republic of Armenia.

1. Parallel application of “top-down” and “bottom-up” principles in hierarchy of interrelations among the spatial planning documents is deployed in Germany. Thereby, the principle of priority of internal links is visible which points to the person-targeted nature of the system. The principle that the provisions of the documents of upper level should be considered in the documents of lower level, prevails in legal acts of the Republic of Armenia.
2. Areas of spatial planning in Germany are not always conditioned by administrative boundaries which enable to develop spatial planning projects taking into account natural, geographic, and economic factors. There are many regions in Armenia with small and underdeveloped communities (by cluster and linear arrangement), for which designing common spatial development documents would be much more efficient. The same approach may be applied to those settlements of the densely populated zone of the Ararat valley which actually have been merged forming one common populated area.
3. In Germany great priority is attached to securing participation of all social groups of population and interested stakeholders in all stages of designing spatial development documents, starting from the project conception to its design and implementation. This model enables not only to avoid undesirable tensions, but also it secures public trust and support towards implementation of the documents. Functions of public

notice in the Republic of Armenia are designed for notifying the public of the final version of documents, as a result the population does not take part in preliminary and current discussions of projects. To overcome this undesirable and inefficient approach it is necessary to form mechanisms for ensuring public participation in all stages of spatial planning.

4. Processing and approval of the concepts of development for all levels of planning (republic, region, and community) is an active mechanism for raising efficiency of the planning process. The named approach is very important especially at community level as it will allow all members of a community to participate in processing of the perspective development of the community. Application of that principle will allow taking into account the features of each populated area, to separate the primary and perspective needs, as well as development priorities.
5. Finally, it is very important to bring the terms used in the sphere of spatial planning into conformity with the principles, adopted internationally (CEMAT 2006). Particularly, to apply the term “comprehensive, integrated” or “complex” (comprehensive, integrated planning) instead of the notion “subject to mandatory development”, and to apply the term “sphere” or “sector” (Sector-pegged) instead of the expression “necessarily developed”. It is also desirable to replace the term Master Plan by Urban Planning or Urban Design. Generally, it is the time to bring the notions concerning spatial planning in Armenia into conformity with internationally adopted terminology.

5 Summary

Based on the study of the model applied in the Federal Republic of Germany in the field of spatial planning, it is suggested:

1. To approve the concepts of spatial development in all levels of spatial planning (republic, region, community) before its development.
2. To ensure their public discussion in all stages of development of both concepts and projects.
3. To ensure the practical application of not only the principle of “From up to down”, and also the principle of “From down to up”.
4. To develop projects of spatial planning not only for the areas of administrative units, and also for the regions located in the common geographic and economic sphere/to enter the notion “region of spatial planning” into force.
5. To review the terminology used in the sphere and bring them into conformity with the terms used in Europe.

The overall picture of the system being formed on the basis of the suggestions is set forth in Fig. 3 (it is worthy to

state that the term “region” means both administrative unit and region of planning).

The application of the suggested model will allow:

- to ensure assistance of publicity while implementing the projects of spatial planning;
- to bring the interests of different administrative levels and different strata of the population into balance;
- to extend the opportunities of fulfilment of projects;
- to save the funds being spent for development of the documents of spatial planning;
- finally, to form a system of spatial planning which will be comparable with the system applied in Europe.

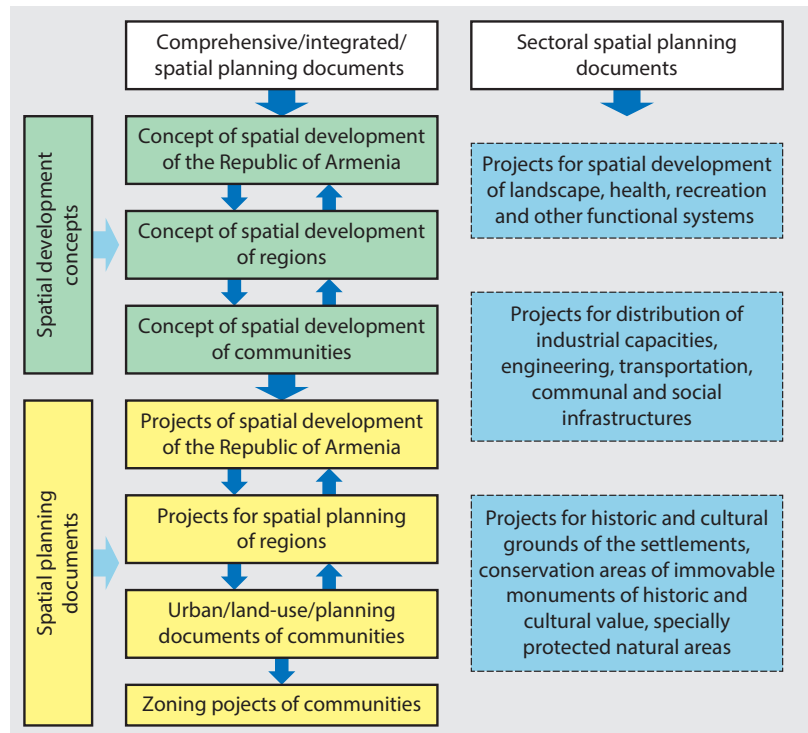


Fig. 3: Structure suggested for application as system of spatial planning in the Republic of Armenia

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- [2] Government resolution N 997-N, dated August 8, 2003, on Approval of the rules of procedures for design, expertise, agreeing, approval and amending territorial outlines and drafts.

- [3] Government resolution N 1920-N, dated December 29, 2011, on Rescinding government decrees N 609-N, dated May 2, 2003, and N 208-N, dated March 4, 2010, on Introduction of amendments in the rules of procedures for design, expertise, agreeing, approval and amending zoning drafts of the populated settlements.
- [4] Government resolution N 408, dated May 14, 2001, on Approval of the rules of procedures for design, expertise, agreeing, approval and amending zoning drafts of the populated settlements.

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