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**Subject** : **Communiqué on Spatial Planning Preparation**

## I. INTRODUCTION

Communiqué on Spatial Planning Preparation (“**Communiqué** ”) which is prepared by Ministry of Environment and Urbanisation, is entered in force with the publication on Official Gazette dated 14.06.2014 and numbered 29030 and with this Communiqué , Communiqué on Principles About Making Plan and Communiqué on Environment Plan are abolished. A considerable number of definitions of special purpose plans are made and also spatial planning stages are composed with the Communiqué. Important points about regulation constitute the subject of this memorandum.

## II. EXPLANATIONS ABOUT PLANS

The main division made in the Communiqué is difference between spatial plans and special purpose plans. According to this, whereas spatial planning stages are composed by spatial strategy plans, environment plans and reconstruction plan; special purpose plans such as integrated coastal zone plan, long-term development plan, and transportation master plan are not included in this stage and excluded.

General planning principles about spatial plans are provided and public interest is accepted as the most important element of planning again. Moreover, it is ensured that plans are integrate with map section, indication, plan note and plan report; high staged plan directs low staged plan and low staged plan will be proper to high staged plan; plans will be based on disaster, geology and natural data; major projects which need a decision at a level of country and region should be evaluated in the scope of spatial strategy plan and environment plan; remarks of institutions and concerned people will be taken by survey, public opinion survey, research, meeting, workshop according to type of plan to ensure participation; plans will be coherent with adjoining and around plans.

Principles on spatial planning are also specified. Prominent principle is that to ensure planned and healthy development, in selection of huge usage areas such as shopping malls, industry, storage, logistic regions, necessary analyses should be made considering development way, population and building density; and plans should be made considering these studies.

Preparing a report showing the purpose of plan is an obligation while making spatial plans. Details about plan reports are stated in the Communiqué in details.

Another subject regulated with Communiqué is minimum walking distance. According to this, walking distances in zoning plans are planned considering education, health, access distance of the population at the service influence zone to green areas, topography, settlement, density, present tissue, natural and artificial threshold. In other paragraphs of article, distances are detailed.

Prominent plan types in the Communiqué are stated below.

## **1. Spatial Strategy Plan**

Spatial strategy plans which constitute the first and highest stage of spatial plans, are defined as plans which associate country development policies and regional development strategies in spatial level; evaluate regional plans considering economic and social potentials, objectives and strategies, transportation relations and physical thresholds; determine spatial strategies to bring underground and over ground resources into economy, to protect and develop natural, historical and cultural values, directing lodgements, transportation system and urban, social and technical infrastructure; make contact between spatial policies and strategies about sectors; are prepared with 1/250.000, 1/500.000 or higher map scale by using schematic and graphic language; are able to be done all over the country and in the regions considered necessary; are sectorial and thematic, integrate with map sections and reports.

This plan is made (i) national, considering the whole of country, territorial waters and exclusive economic zone, (ii) regional considering metropolitan regions, development centres, new cities, development corridors, production, supply and consumption movements and relations, urban and regional network, settlement density, transportation relations and physical

thresholds including basins or regions determined by Ministry of Environment and Urbanisation (“**Ministry**”), and composed by sectorial and thematic map sections and plans.

While making spatial strategy plans, data are gathered from institutions about location of planning zone on the world and region, regions having special conditions or limited for development, settlement systems and urbanisation, spatial tendency of sectors, basic infrastructure and transportation. Researches and analyses are made considering these data.

## **2. Environment Plan**

Environment plans which constitute second stage of spatial plans, are defined as plans which show basic geographic data such as forest, river, lake and farm land in accordance with the objective and strategy decisions of spatial strategy plans if it exists; determine usage decisions of general area about sectors such as urban and rural settlement, extension areas, industry, agriculture, tourism, transportation, energy; provide relations between settlement and sectors, and protection-use balance; are able to be prepared at the level of region, basin or city by using indication proper to scale on the maps scaled 1/50.000 or 1/100.000; are integrated with plan notes and reports.

Environment plan is made at the level of region, basin or at least a city which show geographic, social, economic, administrative, spatial and functional similarities. In the preparation period, all data in the scope of planning area secrets are prepared as sensible as map scaled 1/25.000.

In case, plan does not satisfy the need or affects main decisions of plan, continuity, integrity from the point of vision, purpose, objectives, strategies, principles and policies, the revision is made in whole environment plan. The conditions to make revision are stated in the Communiqué in details. Besides, it is possible to make changes of plan which do not impair the integrity and continuity of main decisions of environment plan.

## **3. Reconstruction Plans**

Master development plan and complementary development plan compose the last step of spatial plan stages. Master development plan states the plan which shows the general type of use of plots, major region types, possible population densities of the regions, development way,

importance and principles, urban, social and technical infrastructure areas, transportation systems in accordance with general principles, objectives and decisions of environment plan if it exists; is basis to prepare elementary development plan; is prepared scaled 1/5.000 as of cadastral condition is processed, in all scales between 1/5.000 and 1/25.000 in metropolitan municipalities, on approved maps, to be integrate with plan notes and detailed reports.

Elementary plan is defined as the plan which shows the decisions about construction and application such as city block about housing, usage, construction order, height of building, footprint ratio, floor area ratio or factor, construction imminence distance, front line, subdivision line, stage line, block division line, transport, pedestrian and bicycle roads, transportation relations, parks, squares, urban, social and technical infrastructure regions; parcel size, parcel side and depth, rear building line, road elevation and number of floors under the elevation, number of independent sections in accordance with principles and rules of master development plan, considering the conditions of region and general conditions of planning region, purpose and needs of the use of construction, accessibility, sustainability; shows the application stages basis to development application program needed for application and other data in details; is prepared to integrate with plan notes and reports on maps scaled 1/1.000 as of cadastral condition is processed..

Detailed data about principles of development plan and construction rules are given in Communiqué and featured data are stated below:

- Development plans shall not be prepared in the regions which do not have approved geologic-geotechnical or micro zoning research report.
- In principle, present or additional social and technic infrastructure regions which do not cause pollution should be planned on the regions owned by or under the control of related institutions.
- In case of having housing use in Trade+Housing, Trade+Tourism+Housing, Tourism+Trade multi-use regions in development plan, determining housing region rates and reserving social and technical infrastructure regions needed for housing are obligations. In case of not determining housing region rates, maximum %30 can be used for housing.
- Designing less car traffic, public transport and pedestrianism preferred transportation system in development plans is principle. Decisions are stated in the zoning plans to

promote the usage of public transport vehicles by popularizing park and ride systems, and allocate parking areas at the places where public transportation stops or stations are located and being integrated with each other.

Master development plan and elementary development plan are analysed under different titles in the Communiqué. According to regulations about elementary development plan, it is possible to separate regions small regions to increase social and technical regions such as playground, green field, car park, station, family health centre, mosque, polis station, neighbourhood unit, transformer in elementary development plan. If number of roadway does not decrease and if TSE standards are respected, it is possible to increase wideness of pedestrian, bicycle, and disabled way separated in roadway in elementary development plans without making changes in master development plan. In elementary development plans, first of all, it is principle to develop design keynotes for disabled, children and elders who have difficulties about using public areas and have movement restrictions to make them reach and use social infrastructure areas easily. Moreover, integral elements such as registered natural and cultural assets protected according to their related regulations, their integral parts, patio walls, protected areas of registered single construction if exists, limits of protected areas if exist, are shown in plans in details. In addition to these, functions determined as multiuse in master development plan are divided in elementary development plans in principle.

Even provisions about development plan revision show similarities with provisions about environment plan revision, there are important differences in plan changes:

- Development plan change is made for the purpose of public interest, based on technical and objective reasons and the change do not ruin continuity, integrity, social and technical infrastructure balance of main decisions of plan.
- The basis in development plans is ameliorating social and technical infrastructure services. It is not possible to make changes decreasing social and technical infrastructure standards stated in present development plans.
- It is not possible to remove, reduce or change the place of social and technical infrastructure regions in development plans except the existence of an obligation. In case of obligation;
  - a) Remarks of investor, Ministry or institutions, which constitute the facility on the changing social and technical infrastructure region in development plan, are taken.

- b) Removing or reducing social and technical infrastructure regions and public social and cultural facilities in development plan except roads are only possible in case of reserving new regions equivalent to these facilities which locate in the same service impact area. Square meter and location is protected in reserving equivalent region. In changing the location of these areas, it is an obligation to remain within the same application stage or region, to consider pedestrian access distances according to present plan. New determined area has to be available to make facility.
- c) Area of removed roads by change of plan can be used in open to public areas such as park, playground, square and green lands determined by development readjustment share only if they does not fall below the total square metres of areas determined by development readjustment share. However in case of willing to change the use subjected to development readjustment share to public partnership interest (except roads), an equivalent area is reserved in the same service impact area which is subjected to development readjustment share.
- Change of development plan about number of floors or height of building is made considering settlement conditions, tissue and identity of region. Silhouette of city or close regions, sides of the buildings according to sun shall not be affected negatively.
- Principles to follow in case of change of development plan about increasing population density because of changing construction factor, number of floors, subdivision conditions given in development plan are stated in Communiqué in details.

#### **4. Integrated Coastal Zone Plan**

Integrated coastal zone plans state the plan which handles coasts, all sectorial activities and plans with interaction zone, including social and economic subjects, in integrated approach; harmonises activities in coastal zones and objectives about coastal zones; takes care of protection coastal ecosystem and use of natural resources in accordance with sustainable development principle; includes bounden infrastructure facilities in coast about transportation types; contains spatial objective, strategy, action suggestions and management plan by providing protection and use balance; is proper to schematic and graphic planning language

scaled 1/25.000 or 1/50.000, integrated with its map section and planning report; prepared in cooperation with related institutions in within the scope of strategic planning approach.

Planning region limit is determined by Ministry based on interacted natural environment, use and activities in coastal and geographic, economic, social, historic and transportation, and by having remarks of related institutions when needed.

Plans of integrated coastal zones guide planning, project and application of authorized institutions in coastal zones, local administration and investors.

## 5. Urban Design Projects

Urban design project is defined as the project which includes mass and construct design or open area designs according to design purpose considering natural, historic, cultural, social and economic properties; constitutes vehicle transportation, car park and service relations and pedestrian circulation relations; shows details of construction, street, tissue, open and green areas relations and urban furniture; deals infrastructure elements in integrated approach and interdisciplinary; states image, meaning and identity properties; includes design principles and tools.

The limits of region to make urban design project may be shown in development plan. However, in case of making urban design projects before development plan, the necessary details in this project are appeared in development plan. According to Communiqué, urban design projects cannot be applied before the approval of implementary development plan.

## III. FINALIZATION PROCESS OF ENVIRONMENT PLAN AND DEVELOPMENT PLAN

Approval, publication and finalization processes are as stated below.

**1. Submitting plan proposals:** First of all, administration examines plan proposals which are delivered for approval, whether they have any missing document or not. It returns the proposals which have missing documents, to be completed in 30 days. Plan proposals are evaluated according to related regulation in the scope of high stage plans according to

stage and type of plan, planning principles, analyses, decisions and justifications, affect and accord of the plan to entire city and around, integration with transportation system, providing urban, social and technical infrastructure regions, urban tissue and habitability. Development plan proposals considered improper by decision makers of authorized administrations to approve plans are notified to related person in thirty days in written by stating justifications.

**2. Approval of plans:** Environment plan, master development plan, implementary development plan; revisions, additions and changes about these plans enter in force by approval of decision makers of administrations. But development application cannot be made before finalization of implementary development plan. Plans are approved with plan notes, plan reports and additions. It is accepted that plan reports and other additions are approved with map sections even it is not mentioned in approval text.

**3. Publication and finalization of plans:** It is proclaimed synchronously latest fifteen workdays after from approval of environment plan and development plans in the manner that everybody can see, on proclamation places determined by administration and on websites of administrations. How and where to see development plans are announced with local communication way in local or national press or related neighbourhood unit. Objections to plans are made in proclamation period which is thirty days, to administration and objections are evaluated by administration. In case of rejection of objections by decision maker of administration, plans are finalized in the date of rejection without any other approval process. In case of not having rejection, it finalizes at the end of suspension period. Rejections are sent to related decision makers of administration in thirty days from the end of the suspension period. Rejections are resulted in thirty days and plans finalize. In case of making changes by administration as a result of objections made in proclamation and suspension period, proclamation process begins again for changing parts. Revision, addition and changes on proved plans are also liable to process stated above.

#### IV. REGULATIONS ABOUT PRESENT PLANS

According to provisional article 1 of the Communiqué, plan proposals submitted to approving authority or putted on the agenda of administrative council before Communiqué entered in force, are resulted according to regulation effective before Communiqué entered in force.



According to provisional article 2, in revisions, additions and changes in effective environment plan scaled 1/25.000; provisions about master development plans are followed.

According to provisional article 3, it is an obligation to use effective indications (legend) in spatial plans and revisions, additions and changes about this plan against indications abolished with the Communiqué .