

Problems during the Implementation of the Urban Regulatory Plans in Kosovo

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1. ABSTRACT

The paper aims to give an insight upon the main issues concerning the implementation of the regulatory plans with a special focus in the municipality of Prishtina and develops the basis for a framework that enhances the role of the public administration and the effectiveness of the future revisions or compilation of the new regulatory plans.

Different from the 90', the Law on Spatial Planning No. 2003 / 14 regulates the Municipality Planning on three levels:

(1) Municipal Development Plan (2) Urban Development Plan; (3) Urban Regulatory Plans

In the case of the Municipality of Prishtina, in the lack of the first two, the Urban Regulatory Plans are being developed relying exclusively on the guidelines presented by the Strategic Plan 2004 and the system that the working companies choose to acquire.

The Municipality has made a call for the development of total 19 (nineteen) regulatory plans so far, 14 of which have been already approved facing evident difficulties into being implemented by the administration.

This paper reasons upon two main points as important issues in this manner:

- The present and potential role of the Public Administration on the nature of the regulatory plans.
- And secondly Relation between the acquired standards and the urban reality in the city.

This has been done through a deeper analysis of the current situation of two study cases located in the city center in order to understand the results of the materialization of the Regulatory Plans, the advantages and disadvantages of the applied strategies.

2. SPATIAL PLANNING IN KOSOVA THROUGHOUT THE AGES

2.1 Kosova - general information

Kosova is located in the center of South-Eastern Europe with a great importance throughout the history as crucial crossroad in Balkan Peninsula. With an area of 10.887 km², Kosova is landlocked by Serbia to north-east part, Republic of Macedonia to the south, Albania to the west and Montenegro to the northwest.

The latest estimation assume a population of 2 million people with 5 different ethnic communities from which 92 % are Albanians, 5.3 % Serbians and 2.7 % the other communities. An outstanding peculiarity of the population of Kosova is the percentage of young people with around 70 % under the age of 35 years old with an average age of 26 years old, respectively - 14 years 33%, 15 - 64 years 61 %, 65 + years 6 % (report 03/2008, Office of Statistics Kosova).

2.2 Planning practices and legislation in Kosova

After many decades as a province of the Federal Republic of Yugoslavia, on February 17th 2008 Kosova for the first time in history it becomes an independent country. Along with the other spheres planning practices lived a steep turn of development.

Up until 1999 the Spatial and Urban Plans for Kosova as an autonomous province were developed by the central administration in Belgrade

With the end of the armed conflict on 1999, the Security Council according to the UN Resolution 1244 established UNMIK as the administrator of the country with the primary function to assist the development of the administrative infrastructure.

On 2002 with the assistance of the UN-HABITAT was established the Institute of Spatial Planning.

On 2003 the administration approved the Law on Spatial Planning no.2003/14 which according to article 9 & 10 regulates planning on two levels:

1. Planning for the Territory of Kosova: **The Spatial Plan of Kosova and
The Spatial Plan for Special Areas.**
2. Planning for the Territory of Municipalities : **Municipal Development Plan
Urban Development Plan
Urban Regulatory Plan**

The Municipal Development Plan article 13 : a multi-sector plan which defines the long-term strategies of economic, social and spatial development on both the urban areas and the villages within the Municipality.

Urban Development Plan article 14 :a strategic, multi-sector plan of long-term projections for the development and management of the urban area.

Urban Regulatory Plan article 15 : regulates the spatial use, constructions zones and construction conditions.

All of the above listed plans require a revision every five years and demand the development of such in this specific hierarchical order with a great coordination between strategies and actions moving from the top-down.

Unfortunately such an order was not respected which constitutes one of the mayor issues on the implementation and state of the cities in general.

Instead most of the Municipalities developed a so called Municipal Development Plan (MDP) and proceeded with the development of Urban Regulatory Plans (URP).

Among the factors that impoverished such projects in terms of quality were the lack of the necessary information and coordination between policies of different spheres:

- **The absence of recent cadastral maps.** Most of the municipalities were based on cadastral maps of 1936', 1978' or best case scenario 1986'.
- **Lack of a data from other sectors.** The process of privatization added to the list of factors that hampered the creation of a common database to be used for the development of a municipal plan with real strategies for the cities.
- **Implementation of new policies.** Having foreseen the creation of a number of new municipalities, the Decentralization policy draw new administrative lines imposing a review of the current strategies for the cities.
- **The absence of GIS maps.** The developments of such database has started only two years from now.

In the case of Prishtina as a capital city with a growing centrality especially during the last decade the situation has reached its extreme when addressing the planning dimension due to many socio-political and administrative factors.

3. URBAN REGULATORY PLANS IN PRISHTINA

3.1 General information about Prishtina

Prishtina is located in the north-eastern part of Kosova. Being the capital city it serves as administrative, educational and cultural center of the country.

Prishtina is the largest city among the 30 municipalities that compose the territory of the country. The municipality consists of 33 local entities, 15 of which construct the city urban area and 18 of them the villages around.

It lays in the valley of small rivers of Vellusha – from the mountains on the east and Prishtefka – from north. The city has expanded on the foothills that create an elevated belt on the east side, with a tendency for further expansion especially on the south and south eastern direction. As was anticipated, the territory of the municipality is composed by a hilly relief which covers the eastern, southeastern and northeastern part of it while on the western side the territory lies along the Kosova Plainfield.

The municipality of Prishtina has an area of 572 km² largely composed by mountains and rural areas. The city is widespread in an elevated terrain of 535 - 730 m above the sea level. It is sited in a geographical width and height of 42°40'00"x 21°20'15". As the graph show, due to its elevated terrain Prishtina recons of a city scale open amphitheater whose districts are absolutely in display and with their urban qualities define how presentable the city is.



Map 01. Prishtina
Photographs of 2010

Most of the information upon the demographic data about Prishtina and Kosova in general have derived from the assessments done according to the prior census of 1981 and 1991.

Unfortunately such figures were proven wrong by the latest census in Prishtina which, although the final results haven't been announced yet, which creates an issue since the difference is more than 50 % the figure that was taken as true by the different researches and developments for the city.

Nr	resource	year	data					database
			urban area		municipality		Kosova	
			P	HH	P	HH		
1	ESK	1948	19,631	4,667	44,324	8,000	733,132	Statistical Office of Kosova (ESK) Report : "Population, households and territorial organization of Kosova 2008"
2	ESK	1953	24,081	5,634	51,690	9,452	816,012	
3	ESK	1961	38,593	9,059	70,116	13,706	964,084	
4	ESK	1971	69,514	14,813	105,273	19,928	1,243,771	
5	ESK	1981	111,480	21,017	148,656	26,721	1,584,440	
6	ESK	1991	155,499	29,642	200,000	35,974	1,956,000	Statistical office of Belgrade, evaluated as unreliable
7	ESI, 1999	1999	280,000	-	-	-	1,700,000	EU Initiative for Stability (ESI) Specific indicators
8	IMG	Post war 1999	283,000	-	338,000	-	-	Local administration data, protocol from IMG
9	Prishtina Municipality	-	320,000 385,000	-	-	-	-	Unknown
10	UNMIK/ESTAP World bank	2000	-	-	502,000	-	2,073,000	2000 assessment document
11	OSCE	2000	-	-	545,000	-	2,364,000	Assessment according to the increase rate of 2 % per year
12	ESK	2003	-	-	-	-	2,338,000	Increase of the population in Kosova 35.000 - 40.000 p/year
13	STRATEGIC PLAN assumptions	2003	350,000	-	420,000	-	-	Expert analysis , RIINVEST institution
14	ESK	2005	-	-	-	-	2,502,000	Assessment according to rate of natural increase of 1,775 %
15	ESK	2008	-	23,521	-	32,820	-	Expert analysis
16	ESK	2011	-	-	198,214	40,292	1 733 872	Final results to be presented by mid.2012

Table 01. Demographic data on Kosova and Prishtina

Migration in Kosova and Prishtina more specifically has very different patterns throughout history, quite hard to identify due to a lack of statistical data on the issue especially concerning internal and regional migration.

Table 02. Lifetime and recent migrants by Region in thousands (1998 – 2003)

REGION OF BIRTH	IN MIGRANT	OUT MIGRANTS	NET MIGRANTS	MIGRATED IN LAST 5 Y.	MIGRATED OUT LAST 5 Y.	NET MIGRANT 1998 - 2003	TOTAL NET MIGRANTS
GJAKOVE	4.9	14.3	-9.4	0.5	2.6	-2.1	- 11.5
GJILAN	4.7	14.1	-9.4	1.0	0.7	0.3	- 9.1
MITROVICA	9.6	16.3	-6.7	0.9	7.1	-6.2	- 12.9
PEJA	16	8.2	7.8	3.7	0.4	3.3	11.1
PRIZREN	6.4	11.8	-5.4	2.0	1.5	0.5	- 4.9
PRISHTINE	36.6	14.1	22.5	8.1	1.1	7.0	29.5
FERIZAJ	10.6	10	0.6	1.0	3.8	-2.8	- 2.2

source: Development Research Center on Migration, Globalization and Poverty | SOK 200

According to UNEPFA report (2000) the internal movements up to 1998 was relatively high especially the migration rural to urban areas which was highly fueled later on by the subsequent conflict following the

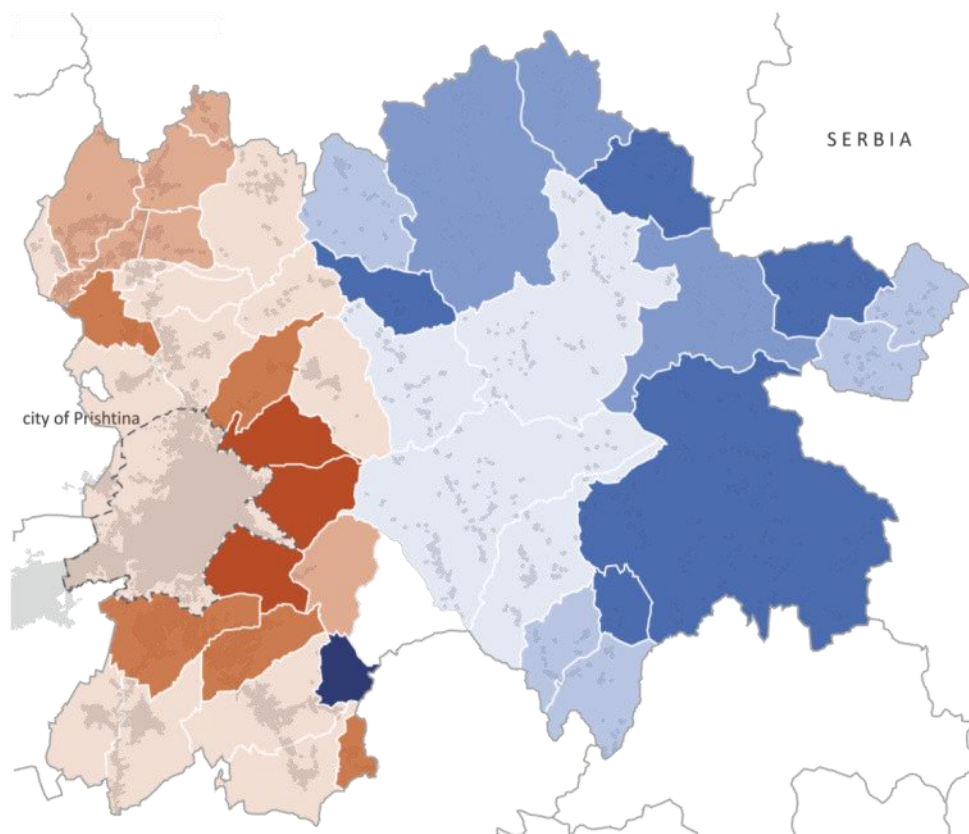
same trend line on the postwar period. While in the other cities the migration affected the structure of the society rather than the density, in the case of Prishtina the number of in migrants was way over the out migrants. Eventhough according to some reports this might be seen as desirable in order to facilitate structural modernization, it was not at all welcomed by the urban areas, especially the capital city which was hit by, what was called by several major international organizations operating in Kosova, a high pace of “brain-drain” from rural to urban breaching the capabilities of the administration and physical resources and services . This is due to both internal migration (rural urban) but also within different regions within the country, which even though is quite high it is twice lower than the inner migration.

REGION OF BIRTH	IN MIGRANT FROM DISTRICTS	IN MIGRANTS FROM OTHER REGIONS	TOTAL
GJAKOVE	600	500	1100
GJILAN	1600	1000	2600
MITROVICA	4700	900	5600
PEJA	4900	3700	8600
PRIZREN	4400	2000	6400
PRISHTINE	17000	8100	25000
FERIZAJ	4400	1000	5400

Table 03. Number of In-migrants from other districts and regions source: Development Research Center on Migration, Globalization and Poverty UNEPFA 2003

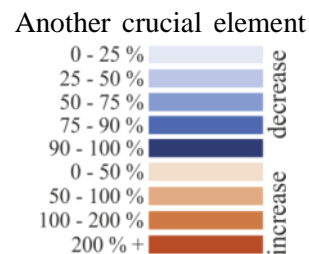
This phenomenon was manifested with an overly charged city center, expansion of the city of Prishtina especially on the east and north part.

Moreover the villages around, with an increased rate of the ones moving the city to the east - to the borderline with Serbia, were highly abandoned in some cases were left totally vacant. Beside the fact that valleys with astonishing views toward the mountains were left impoverished, in the country scale this shift resulted with serious reduction on the agricultural production which hit the economy hard since the need for import increased tremendously.



Map 2 .Movement of the population according to the changes in households during 1981 - 2008

source: Thesis on “Prishtina under construction” , KlodetaKrasniqi 2010



on structure of the population is the post-conflict concentration of the international organizations which targeted Prishtina as a capital city for permanent and temporary labor migration flow mainly by high skilled people from Albania and Western Balkan Countries. This increased the attractiveness of the city as an administrative center of the country imposing the generation of many new practices.

3.2 Planning practices in Prishtina

As was already anticipated, Prishtina presents one of the worst cases on the field of urban planning. As was shown above the law on spatial planning foresees the development of three levels of plans in a strict hierarchical order.

In the case of Prishtina prior to the approval of the Law on Spatial Planning, the local administration started the development of a Strategic Plan, renamed as an Urban Development Plan according to which were developed a number of urban regulatory plans.

The plan is a result of a cooperation between the Planning, Urbanism and Construction Directorate of the Municipality of Prishtina, the Multidisciplinary Consortium formed by 6 foreign companies and a group of local experts. It is also known as VISION 2020 + since in its content it has projected possible scenarios of the demand and spatial resources due to possible demographic increase and need for further expansion.

The contributions of this project are developed into FIVE main dimensions:

SPATIAL DEVELOPMENT PLAN which presents a structural map of spatial development of the city differentiated into zones according to a function plan for the city scale. The spatial organization is categorized and subcategorized into three main groups:

CITY SPINE which is located along the two main roads of the city center starting from the core of the old town with an expansion heading south with a 90° turn into east direction reaching the artificial lake of Badoc. It fosters the central functions such as office, recreation, cultural, educational and a dislocation of the central administration along the new expansion of the center.

RESIDENTIAL AREAS which are subcategorized into three main types :

High density urban residential areas which covers the residential districts along the city spine and the neighboring areas developed as mixed used districts with residential, office and commercial activities.

Urban residential areas which cover the districts of collective and individual residential settlement spread on the urban area.

Rural residential areas which cover the residential areas located in the rural areas which according to the plan should maintain the rural character and develop as such.

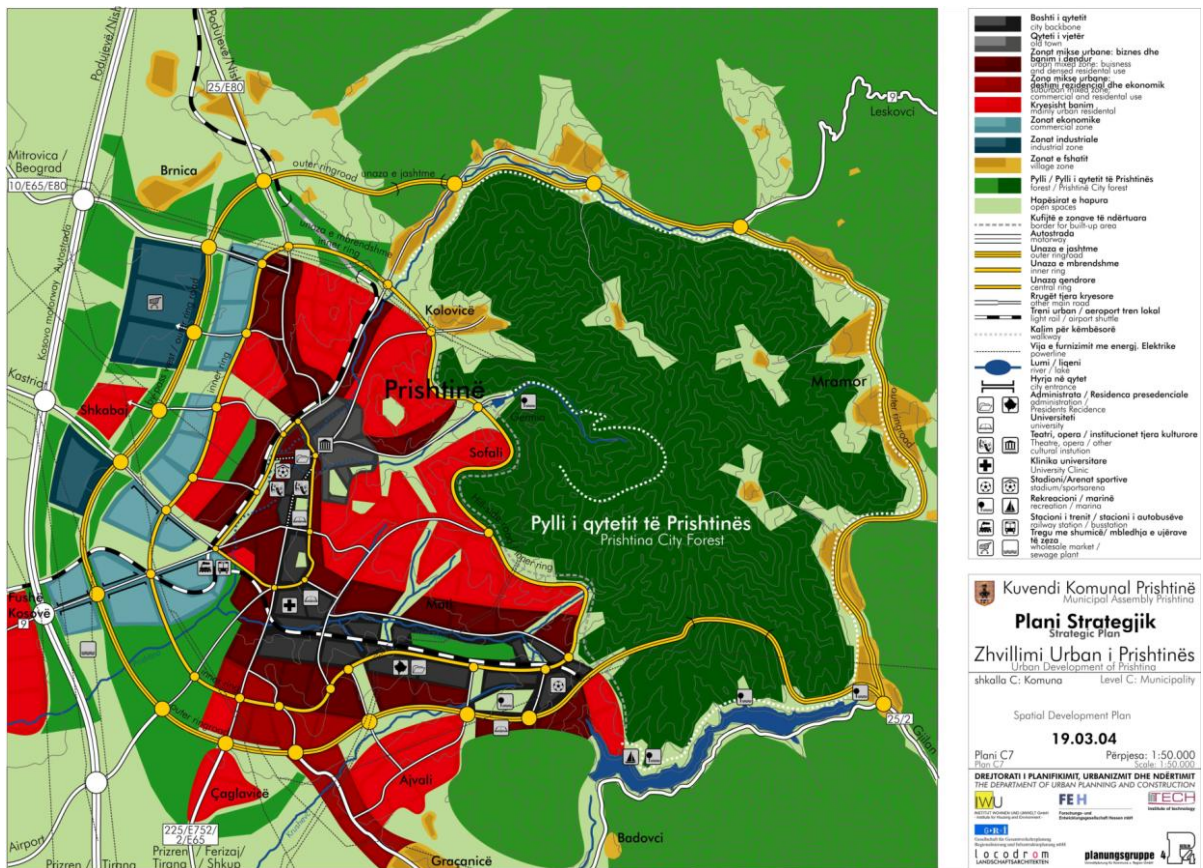
COMMERCIAL AND ECONOMIC ZONES which are spatially divided into three main categories: such as Industrial, Commercial and Mixed zones which are located on the west side of the city.

CITY EXPANSION PLAN AND PROJECTIONS OF BUILDING REQUIRED SURFACE identifying the most feasible directions of expansion and defining the physical resources in terms of land availability for specific functions.

DENSITY PLAN OF THE URBAN AREA which presents a first draft of the flooring plan as a starting point for the following regulatory projects using zoning as a planning tool.

LANDSCAPE defines three main issues: the inner system, recreation belt and the national park.

TRAFFIC AND TRANSPORTATION which presents a plan of a network of infrastructural lines limited into the street network which consists of three main ring-roads considering the middle one as a closing line of the urban area and the railway network which gives accessibility to the southwest side of the city which in



Map 03. Spatial Development Plan. Source: Strategic Plan of Prishtina, 2005. Combination with a system of buses is considered to be more than satisfying for a successful transportation system.

3.3 Main issues on implementing the Urban Regulatory Plans in Prishtina

With the approval of the Strategic Plan on 2005 the local administration has made a call for 19 Urban regulatory plans in total, 14 of which have been approved and are currently valid. Unfortunately the implementation of these projects has faced enormous difficulties due to both substantive and administrative issues and can be considered as unsuccessful not only failing to upgrade the urban area into assuring average

livability conditions for the inhabitants but has led to a deterioration of the urban quality of the city. This is due to a number of factors which result from:

- A. the absence of the necessary plans such as MDP and UDP as required by the Law of Spatial Planning and the substantive quality of the Strategic Plan which serves as the only reference for the development of the Urban Regulatory Plans.
- B. the absence of accurate administrative ordinances and approved construction regulations enabling the companies to acquire planning systems at their choice, allowing planning to be used as a tool exclusively in function of the increasing demand for residential, commercial and administrative space.

The main issues that this paper addresses as crucial among the difficulties on the implementation of the current Urban Regulatory Projects are:

I. Vision 2005 - 2020+

„By 2020, the city as a metropolis will have a population of 650.000 inhabitants, developed as a capital city of international standards. Prishtina will have a central, role not only due to the location of the central administration.”

The main objectives of the Vision 2020+ are:

- *Development of an active city*
- *Promotion of a sustainable urban economy*
- *Provision of a sustainable urban environment*
- *Mobility – development of a sustainable transportation and trafficsystem. “*

The vision for the city of Prishtina is very generic, and remains at this level throughout the whole content. It does not present a strategy for the development nor define a possible character considering the fragility of the situation in the city. Moreover it can be considered as a lost possibility for Prishtina. Rather than a „Strategic Plan“ it can be considered as a Structural Plan since its main contributions are limited to spatial arrangement of land use in the city. Moreover the plan does not present deep analysis of the present situation failing to indicate the infiltration of such plan into the urban structure of the city, which has led to a very confusing situation enabling different interpretations of the regulations serving best to the maximization of incomes for the private owners/developers.

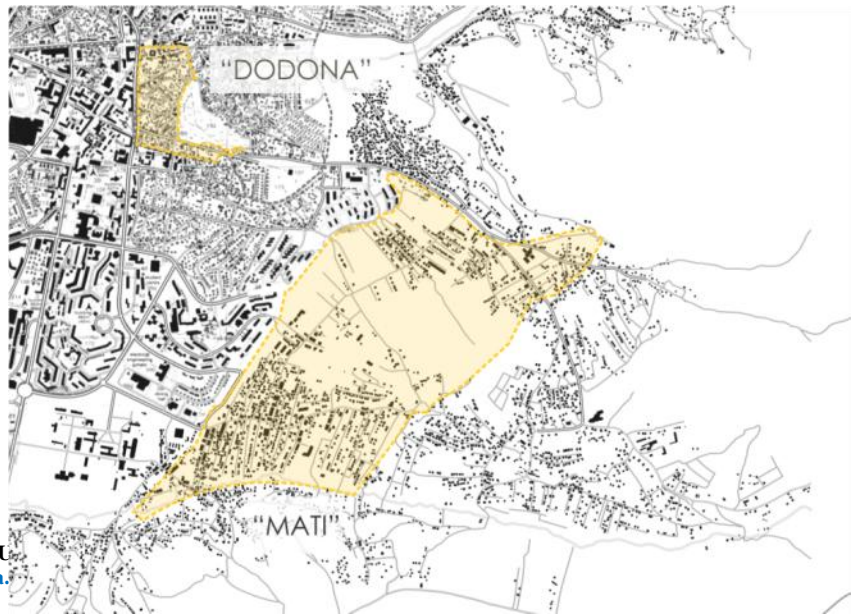
II. **A crucial element on this matter remains the idea of the project for the city itself.** As was explained in the sector 3.2, Map.04 the project presents a new Density Plan which increases tremendously the density in the urban center imposing a significant change on the urban structure of the city.

This poses a problem for two main reasons:

- According to the preliminary results of the 2011 census Prishtina has approximately 200.000 inhabitants. Considering this as a guiding figure, we find ourselves in front of a plan whose parameters exceed the demand. Moreover the increasing centrality of the capital city, in front of such figures highlights the necessity to develop analysis that shed light to the proportion between different communities that use the city such as *the residents* | *international community* | *daily and weekly commuters* which will most certainly demand a redefinition of the strategies of the local administration for the city.
- As was already anticipated, the plan disregards absolutely the urban morphology leading to a destruction of the original parts of the city. This not only resulted with a very poor urban environment but has turned Prishtina to a city of no identity or character of any sort.

- III. **The ambiguity of the administrative ordinances** has enabled the companies to acquire planning systems at their choice. In most cases the plan was a result of cooperation between a local and an international company which defined the work strategy following the system of the home-country of the latter one.
- IV. Using the Strategic plan as a “free-pas” the Urban Regulatory Plans raised **strong urban design issues**. In most cases, although there is an attempt to preserve the urban tissue (street structure) the design or construction parameters allow a significant disfiguration of the composing districts. In most cases the areas targeted were dense residential areas with single family houses, ex-industrial areas or informal expansions of the city.
In all three cases, the planned density for the areas exceeds the capacities of other urban elements such as infrastructure, public space or services.
- V. **Ownership.** It makes an important issue for two main reasons :
- Proposing residential districts on areas of single family houses with the purpose to use the private financial resources to develop the urban area imposed and was relied on an idealistic collaboration between the inhabitants of the area. This issue is layered in every dimension since there is almost no attention put on granting quality common spaces and services, especially when public services are projected to be located on privately owned areas, as is in many cases.
 - The process of privatization and the course of the development that these areas have taken afterwards has imposed a revision/change of the urban regulatory plans due to the change of the land ownership from public to private.
- VI. **Inefficiency or limited capacity of the local administration.** Under this point two main issues are addressed as crucial :
- The poor monitoring mechanisms enables for the irresponsible developers to disobey the construction regulation by either increasing the surface of the unit on foot or the flooring parameter.
 - The duration of the procedure for obtaining a construction permit. While in the other cities the duration is approximately one month, in Prishtina such a procedure is prolonged at more or less one year.
- VII. **Disregard of the importance of public participation.** Up until 1999 the plans were developed, approved and implemented without public participation of any sort therefore the consciousness of the importance, power and advantages of public participation is relatively low. Although this dimension was included starting from 2004, it strictly remains formal and has not shown any kind of a result so far. This point raises issues when decisions are to be implemented and reactions result from the “not in my backyard” syndrome creating huge dissatisfaction and distrust on the administration on the involved parties.

In order to give a better insight and understand how these factors were manifested in the city, on the following pages have been



presented two study cases, which were chosen due to three main criteria's:

- Location
- Property value
- Dynamics of development

“ D O D O N A ”

Judging from the cases analyzed one might come to a conclusion that the strategies of planning were developed upon total disregard of the dynamics and practices in the area.

Although located in the central zone of the city, this area was initially developed as an informal expansion of the old town of Prishtina during the mid-50' therefore lack a proper urban structure.

Followed by a relatively small number of construction parameter which have proved inappropriate due to the disturbance that the latest constructions that have respected the regulations create to each other, the structure plan (see fig. 01) as the only contribution to the spatial arrangement do not regard the relation between the construction.

It strictly answers to the spontaneous trends of development during the post –war period and he demand for administrative and especially commercial space in the city center. (see fig.02)

Fig.03 Map of composing district
EXISTING SITUATION 2010



Fig.04 Current situation
CONSTRUCTION AFTER 2000



On the sketches below has been presented a district of “Dodona” neighborhood.

The fact that the plots are more than 90 % privately owned (Fig.02) not only hampers the implementation of the project to best serve the needs and requirements of the area as a central zone in the city, but instead

degrade the urban quality since there is no attention put on assuring the necessary public services, parking or public space(see Fig.04).

In most cases the constructions not only block the views of each other due to the high proximity but hamper the insulation to each other, failing to fulfill the minimal conditions of the indoor environment.

“ M A T I 1 ”

The second study case addresses the issues of a suburban location which has been populated abruptly during the post-war period.

On the sketches below has been presented a district of “Mati” neighborhood.

Fig.06 Map of the area under discussion
EXISTING SITUATION 2010



Fig.07 Current situation
CONSTRUCTION AFTER 2005



Fig.08 Formal Constructions since 2005
RESIDENTIAL BUILDINGS

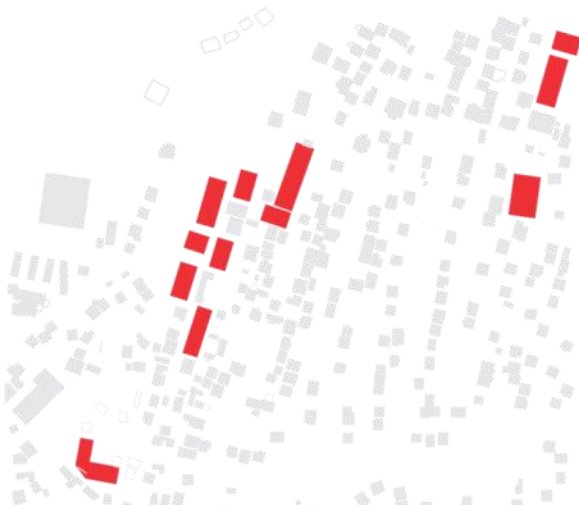


Fig.09 Informal Construction since 2005
SINGLE FAMILY HOUSES



The inefficiency of the monitoring mechanisms of the local administration has enabled a parallelism within the dynamics of development.

As the sketches below show the area is simultaneously being developed by both formal and informal construction which target different territorial locations.

While the planned residential buildings are being developed around the main streets of the area, the informal private houses are flourishing the inner parts of the undefined districts.

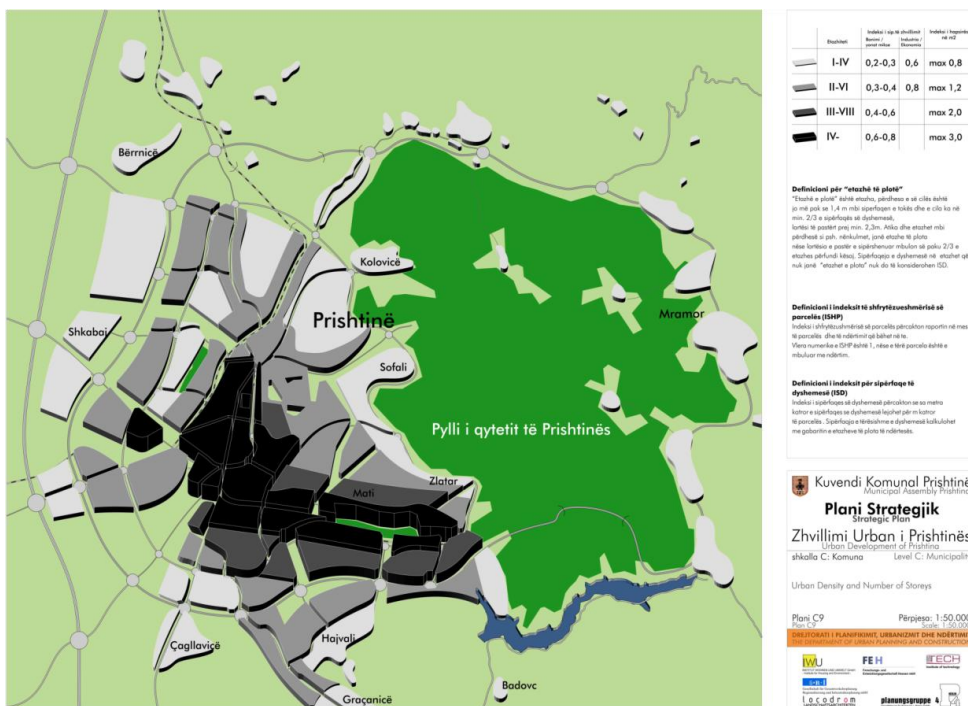
Although this particular example presents one of the best practices (design and quality of the residential buildings) there is an absolute disregard to the public space and other required services.

4. CONCLUSION

The paper presents a first draft of an ongoing research on the performance of the urban regulatory plans and their implementation, which aims to identify the key elements that impact this process.

Eventhough there haven't been conducted an official revision by the local administration, these plans have not been successful and as was shown in the former paragraphs it deteriorates the urban quality further more. Unfortunately the local administration continues to practice the same trends in terms of project assignment and selection .

This paper aims to develop a list of guidelines for the local administration on how to avoid the repetition of the same problematic in the future and on the other side search for innovative ways on how the current issues could be addresses.



Map 04. Urban Density and Number of Storeys
 source: Strategic Plan of Prishtina, 2005