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### **DECISION No 671, dated 29.7.2015**

#### **ON THE APPROVAL OF THE TERRITORY PLANNING REGULATION**

In reliance on Article 100 of the Constitution and Articles 6, par 2, letter 'b' of 60, of the Law no 107/2014, dated 31.7.2014, "On territory planning and development", upon the proposal of the Minister of Urban Development, the Council of Ministers

#### **DECIDED:**

Adoption of the territorial planning regulation under Annex 1, which is attached to this decision and is an integral part thereof.

The planning authorities are tasked, as defined in law no 107/2014, dated 31.07.2014, "On territorial planning and development", for the implementation of this decision.

This Decisions shall enter into effect following its publication in the Official Journal.

**PREMIER  
Edi Rama**

**ANNEX 1**  
**TERRITORY PLANNING REGULATION**

**CHAPTER I**  
**GENERAL PROVISIONS**

**Article 1**  
**Purpose**

The Territorial Planning Regulation defines unified rules for the structure, content and procedure for designing, implementing, detailing and monitoring the implementation of the plans in order to achieve uniformity of the form and structure of the planning documents set out in Law no 107/2014, "On territorial planning and development", as amended.

**Article 2**  
**Definitions**

I. The terms used in this regulation have the same meaning as those set out in Article 3 of Law no 107/2014, "On territorial planning and development", as amended.

II. In addition to these, the following terms have these meanings in this Regulation:

1. "Agency" is the term used in this regulation, which has the same meaning as the definition "National Territorial Planning Agency (NTPA)", as defined by the law.

2. "Conformity act" is the official document issued by the authority entrusted by law or sub-legal act for the conformity control of the procedure followed for the drafting of an act or draft code with the regulation or the law, detailing the procedure to be followed as the case may be.

3. "Compliance act" is the official document issued by the authority empowered by law or sub-legal act to control the compliance of the act or draft act with other acts in force.

4. "Activity" is the human activity that is performed or proposed to be performed on land, on and under the ground as well as in construction.

5. "Coordination" means the interaction between national planning authorities, between them and local authorities or between local planning authorities, during the planning process at the national or local level, with the aim of harmonizing the handling of issues of national and local importance, of fields and sectors different in the planning of the territory. Horizontal coordination between national planning authorities and vertical coordination between national and local planning authorities are the functional responsibility of the national agency responsible for planning, in accordance with Article 9 of the law.

6. "Tacit declaration of conformity" is the official document where the requesting authority declares at the end of the official deadline set by law or regulation about the lack of an official response by the authority responsible for the expression on the conformity of the draft act or draft act, consequently, obtaining conformity certification tacitly.

7. "Tacit statement of compliance" is the official document where the requesting authority declares at the end of the official deadline set out in the law or regulation about the lack of an official response by the authority responsible for the expression on the compliance of the act or draft act and, consequently, obtaining compatibility certification silently.

8. "Density increasing" is the process of increasing the density of construction in a given territory.

9. "Planning Fund" is a public deposit created to support planning processes at the local and central level. Deposited with this fund shall also be all the fines imposed by law that will be collected by the responsible authority of the inspection of the registry, on the basis of a monitoring chart through the register or traditional means and related to administrative contraventions of the publications in the register, terms of approval, expression of conformity, conformity and everything else that is interlinked with the planning process.

10. "Planning Coordination Forum" is a mechanism to promote strategic discussions of the representatives of the authority responsible for drafting the planning document, the local government, the central government and the experts; to achieve coordination of planning issues for an area, local unit, region or territory in general. The forum is not a decision-making, approving or resolving entity.

11. "Local Advisory Forum" is a voluntary union of community representatives who express their commitment to consultation on local decision-making and the prioritization process. The forum is organized in support of the municipality to consult on key issues and developments, such as urban planning, strategic planning for economic development, budget, fiscal package and service delivery. The forum can also be institutionalized through an agreement with the mayor of the local unit.

12. "Function" is the purpose which is served or should be served by the land and / or construction of it and can be realized by one or more activities.

13. "Public Space" as defined in Law no 107/2014, "On Territorial Planning", as amended, is the external space, such as sidewalk, street, square, garden, park and the like, serving the community where management can be public and / or private. The public space includes public passageways and environments that are open to the public or to public service, regardless of the legal regime of land and beyond the definition of public property, according to law no. 8743, dated 22.2.2001, "On State-Owned Immovable Property".

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14. "Land use categories" are the basic categories and sub-categories that indicate the use of land, as defined in this regulation.

15. "Public consultation" is a public consultation act aimed at attracting stakeholders' opinions and suggestions for the content and improvement of the draft act from the moment of publication of the draft act until its final approval.

16. "Conservation" is the process of conservation and protection of a certain territory or building, in its existing / original form.

17. "Consolidation" is the process of territorial development, which aims to improve and strengthen the existing infrastructure and urban structure by promoting the construction within urban areas.

18. "Law" is the law no 107/2014, dated 31.07.2014, "On territorial planning and development", as amended.

19. "Metabolism of the Territory" is a model used to identify and analyze material and energy flows within certain territories. This model provides researchers with a framework to study the interactions of natural and human systems in certain regions. The urban metabolism is a multidisciplinary research location, prone to providing significant knowledge about the behavior of the territory in order to obtain proposals for a more humane and ecologically responsible future.

The metabolic approach reconsiders how we deal with spatial challenges in our urban era by analyzing the relationship between society and nature and between city and landscape. Today, life is in in large urban landscapes, in complex and active systems that have become our natural environment. These systems work continuously to ensure the needs of their users, which we can describe in organic terms. Just as the human body breathes, drinks, eats, uses its senses and processes the waste, while the same vital material flows can be identified in the urban landscape; streams such as: energy, water, food, waste, biomass, commodities, money, information, sediments and people. If these flows are analyzed and studied coherently, spatial interventions that proactively and productive use metabolism are possible, thus creating more sustainable patterns of spatial development that create a territory.

The results of previous research have confirmed that the metabolic approach provides a framework that allows the necessary transition from linear and cause-effect planning (analysis leading to strategy, then to planning and later into action) into a cleaner approach planning, a continuous job that allows much more complexity. This method helps reveal the overlapping that creates strategic intervention points and interfere with challenges with development opportunities. As a framework for development, this method generates the emergence of a multi-level and highly needed relationship between experiencing, refining and visioning.

20. "Unit" is the term used in this Regulation, which has the same meaning as the definition of "Structural Unit of Territory", as defined by the law.
21. "Planning as a Continuous Work Process" is a cycle where planning at national or local level is treated as a continuous development work, where planning becomes a strategic information tool that creates plans and projects that are applicable, which they also inform the planning process again.
22. "DLP" is the detailed local plan.
23. "DPANI" is the detailed plan for the area of national importance.
24. "NSP" is the National Sectoral Plan.
25. "NGP" is the National General Plan.
26. "LGP" is the Local General Plan.
27. "SPRL" is the sectoral plan at the regional level.
28. "MLSP" is the municipal level sectoral plan.
29. "Regeneration / Renewal" is the process of improving the economic, physical, social and environmental conditions of a territory or building.
30. "Redevelopment" is the process of development and reconstruction of an area that is built but degraded and largely lacking main functions.
31. "Graphic Symbol" is a graphic language element, used to unify and facilitate reading and understanding of planning documents.
32. "Territorial system / al" is the union of a set of territorial, interdependent, and interacting constituents, which form a whole.
33. "Planning Standards" are the optimal levels of quality, used as the reference rate during the planning process, which enable a sustainable development of the territory.
34. "Urban territory" is a continuous geographic area built by human activity.
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35. "Plan Indicators" include demographic, social, economic, environmental, physical, etc. data, which show the characteristics and features of the system and its constituent parts and are given according to the hierarchy of the system.
36. "Planning Indicators" are norms that dictate forecasts during the planning process and indicate the minimum limit that can be predicted.
37. "Urbanization" is a change of the population and territories from rural to urban, the gradual increase of the percentage of population living in urban areas and the ways in which every society adjusts itself to this change.
38. "Blue line" is the boundary of the protection zones of all water resources, determined on the basis of sector legislation in force.
39. The "green line" or the boundary of urban territory is the perimeter that determines / limits the territorial extent of constructions in function of the urban system. This restriction does not include constructions that are in function of the natural or agricultural system.
40. "Red line" or road construction line is the permitted limit for the installation of a building on the side of the roadway referred to or the restrictive line of all protective belts, such as the defensive bands designated by the Road Code of the protected areas of environmental legislation, culture, energy, etc., as well as the protection generations defined by the planning documents.
41. "Intensive Development" is the rapid development process of the territory, during which the territory changes the density of construction from low to high, for different functions.
42. "Area" is an integral part of the territory system, distinguished for the same characteristics of the basic categories of land use.

## **CHAPTER II**

### **PLANNING DOCUMENTS: CONTENTS DRAFTING PROCESS**

#### **SECTION 1**

#### **GENERAL RULES**

##### **Article 3**

##### **Initiative for drafting the planning document**

1. Any interested party may ask the planning authority to take the initiative for drafting planning documents, through a request addressed to the responsible authority, in accordance with the provisions
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of the law and this regulation. Also, the planning authority itself carries the legal obligation to undertake planning initiatives for the implementation of the top plans in the hierarchy, as defined by the law or when it deems it necessary to review existing planning documents.

2. The request and the accompanying documentation for taking the initiative are published in the register by the responsible planning authority.

3. The authority responsible for approving the initiative decides to approve it within the 15-day deadline from the submission of the initiative, unless otherwise provided in the law and this regulation.

4. The responsible planning authority may decide to suspend development under the law before taking the initiative.

5. The authority responsible for the adoption of the initiative may postpone the examination of the request for taking the initiative for a 60-day period, in cases when it considers that the facts are insufficient, inaccurate or inadequate to initiate the process for drafting the document.

6. The decision on taking the initiative is published in the register by the planning authority within 10 days of its approval.

7. Within 30 days from the date of publication in the register, according to the relevant cases in this Regulation, the Agency shall send to the Responsible Authority the possible recommendations for improving the action plan for drafting the planning document.

8. The stakeholders of the public and private sector may express their observations and suggestions in writing on the initiative before its approval by the responsible authority. These remarks and suggestions are immediately published in the register.

9. The authority responsible for the adoption of the initiative may organize at least one public meeting within this period. The date, time and place of the public meeting are announced through the registry and through one or more traditional means of information at least 30 days prior to the public meeting.

10. Summary of remarks and suggestions during the public meeting is published in the register the next day of the public meeting date.

#### **Article 4**

##### **Drafting the planning document**

1. The territorial planning documents are drafted under the responsibility of the respective planning authority, in accordance with the provisions of the law and this regulation.

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2. The authority responsible for drafting the planning document provides for a process of dialogue, cooperation and coordination with each planning authority and stakeholders prior to the beginning and during the drafting of the planning document.
3. The authority responsible for drafting the planning document is advised by the Agency and / or interested parties, which regularly inform the progress of the process, through the publications in the register.

## **Article 5**

### **Forum for Planning Coordination**

1. The Planning Coordination Forum is developed at two levels for planning documents at central and local level:
    - The Central Level Planning Coordination Forum (CLPCF);
    - Local Level Planning Coordination Forum (LLPCF):
      - The Forum for Coordination of Detailed Local Plans (FCDLP).
  2. The forum is not a decision-making, approving or resolving entity. The forum is a mechanism that aims to promote strategic discussions among its members, who represent the policies of some institutions at the central (and local) level, to achieve the coordination of planning issues.
  3. The Planning Coordination Forum, at the central level, is regulated as follows:
    - a) PCFC is constituted after undertaking the initiative for drafting the planning document, upon the order of the Minister responsible for territorial planning;
    - b) The PCFC is run by the Director of the Agency and consists of representatives of ministries that deal with issues directly affecting the planning of the territory, such as the environment, agriculture, natural resources, transport, infrastructure, etc. As appropriate, the PCFC may also include representatives of municipalities or interest groups;
    - c) The duties and responsibilities of the forum are defined in the constitution order. In response to the constitution order, the PCFC leader compiles the work program and notifies the minister as well as the members. The representative of the authority responsible for drafting the planning document carries out the role of the forum secretary and realizes the report of each meeting. The PCFC's work program and meeting reports are published in the register, while respecting the basic deadlines for the publication of the documents specified in the law.
  4. The Planning Coordination Forum at the local level is regulated as follows:
    - a) PCFL is constituted after undertaking the initiative for drafting the local planning document, upon the order of the director of the Agency;
    - b) PCFL is headed by the head of the Agency and consists of the head of the local planning responsible body, the planning representative of the adjacent municipalities and the regional
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planning representative. As appropriate, PCFL may also have representatives of interest groups in its composition;

- c) In the order of constitution, there are defined the duties, the responsibilities of the forum and the work program. The PCFL leader compiles the work program and notifies the other members. The representative of the authority responsible for drafting the planning document carries out the role of the forum secretary and realizes the report of each meeting. The PCFL's work program and meeting reports are published in the register, while respecting the basic terms of publication of the documents in it.

5. The forum for coordinating the detailed domestic plans is regulated as follows:

- a) FCDDP is constituted after launching the initiative for drafting the detailed local plan document, by order of the head of the local unit, responsible for planning;
- b) FCDDP is headed by the head of the local planning responsible body that has undertaken the initiative and is comprised of local unit planning representative, representative of the Agency if the territory of the DLP is intertwined with national interests, representatives of other planning authorities, which may have a direct impact on territorial planning, subject to DLP. As appropriate, FCDDP may also have representatives of interest groups in its composition;
- c) In the order of constitution, there are defined the duties, the responsibilities of the forum and the work program. The FCDDP leader compiles the work program and notifies the other members. The representative of the authority responsible for drafting the planning document also carries out the role of the forum secretary and realizes the report of each meeting. The FCDDP work program and meeting reports are published in the register, while respecting the basic deadlines for the publication of documents in it.

## **Article 6**

### **Local Advisory Forum**

1. The Local Advisory Forum (LAF) is a voluntary union of community representatives and as such is only introduced in this regulation, but it is not regulated by it. The definition of LAF is provided in Article 2 of this Regulation.

2. Authorities responsible for local planning should stimulate the establishment of voluntary unions in general to establish local advisory forums. Within this regulation, local planning authorities should stimulate local advisory forums for territorial planning and development.

## **Article 7**

### **Coordinating planning document**

1. Coordination of the planning document is a continuous and coordinated process that accompanies the process of drafting the document step by step to enable the coordination of cross-cutting issues in

planning. Coordination is developed through a mechanism for coordinating planning, at the local or central level (PCFC / V).

2. Unless otherwise provided in the law and in the relevant sections of any planning document, this regulation provides for:

- a) PCFC / V coordinates the planning document according to a predefined work program in the constitution order of the forum and, in each case, according to the phases of drafting the specific parts of the planning document.
- b) The work program for coordination is published in the integrated register of territory, according to the deadlines set out in the law for publication.
- c) The parts of the planning document, subject to the co-ordination, or the complete planning document, are published in the integrated territorial register 7 days before the PCFC / V meeting.
- ç) The pieces of the document, subject to the co-ordination, are public and can be consulted by the interested public as well as by other planning authorities that are not part of the PCFC / V. The latter have the opportunity to address their remarks and / or suggestions to the authority, who runs the PCFC / V, within 7 days of the publication of the parts of the document in the register. The Steering Authority will present remarks and / or suggestions received at the PCFC / V meeting.
- d) The authority responsible for drafting the planning document prepares the reports of the coordination meetings. Each report should clearly indicate the remarks and / or proposals of other planning authorities, part of the PCFC / V, as well as the positions of the authority responsible for drafting the document for each of the remarks and / or proposals.
- dh) The reports of workshops are published in the Integrated Territorial Register, according to the deadlines set out in the law for publication and are attached to the parts of the planning document, subject to the coordination.

## **Article 8**

### **Public consultation and meeting**

1. Advisory meetings are held with stakeholders and experts in the field, as well as, if they are established within local units, with the local advisory forums (LAF). Advisory meetings focus on attracting thoughts and suggestions from specialized groups being directly affected by the planning document.

2. The public meeting is held with a broad public, representing all the layers and profiles of the society that live or work within the territory for which the planning document is drafted.

3. Unless otherwise provided in the law and in the relevant sections of any planning document, this regulation provides for:

- a) the authority responsible for drafting the planning document shall organize at least one advisory meeting and an informational meeting with the public for launching the initiative for the adoption of the document prior to any planning decision and repeat them as necessary for fully informing

the interested parties and resolution of conflicts or even when required by the Local Advisory Forum (LAF);

- b) the responsible planning authority notifies the place, date and time of the advisory and public meeting at least 30 days prior to each meeting, as well as making the Initiative or Planning Document available at least 20 days prior to the meeting. The notification is made through publication in the register and one or more traditional means of public information;
- c) Summaries of remarks and / or proposals expressed during the advisory and information meetings with the public are attached to the planning document submitted for approval and are notified together with it through the publication in the register and one or more traditional means of information;
- ç) in support of remarks and / or proposals received, the authority responsible for drafting the planning document alters the draft act or gives the substantiated reasons for not making such a change;
- d) The draft act, together with the changes or arguments for the non-compliance of the change, is forwarded for approval to the relevant authority / body.

4. Consulting LAF and the public meeting can be organized separately or co-ordinated, depending on the calendar of the authority responsible for drafting the document. However, summaries of remarks and / or proposals of each meeting should be drafted separately.

#### **Article 9**

##### **Information on the progress of planning process**

1. The authority responsible for drafting the planning document, based on paragraph 2 of Article 23 of the law, shall inform the Agency and the interested parties of the progress of the process each month or according to a calendar defined in the initiative document and agreed with the Agency, which relates to the design of the integral parts of the planning document.

2. Information, which should be a periodic progress report of the process, is provided through the registry and one or more traditional means of public information.

#### **Article 10**

##### **Approval of planning document**

1. Unless otherwise provided in the law and in the relevant sections of any planning document, this regulation provides for:

- a) the authority responsible for approving the planning document at each level approves the draft act for the relevant document or returns it for review to the proposing authority, together with the reasons for the disapproval in cases when it estimates that:

- i. no coordination, counselling and public meeting have been conducted or other mandatory planning procedures have been respected, as defined by the law and regulations in its implementation;
  - ii. the draft document is inconsistent with the planning documents, approved or with the legislation in force.
- b) In these cases, the proposing authority, in cooperation with the Agency for the documents approved by the CCT, performs the proper process of reviewing the draft act.
  - c) At the end of the review, the planning document's draft is submitted for approval to the approval authority.
  - ç) The authority responsible for the final approval, no later than 15 days after its approval, publishes in the register the planning document, approved together with the decision of its approval.

2. The authority responsible for the final approval sends a copy of the approved planning document to the Central Technical Building Archives and planning authority together with the decision of its approval. Exceptions to this rule include detailed domestic plans, which are stored in the archive of the responsible planning authority.

3. In the case of the LGP document, the council of the local government unit and the CCT initially approve the territorial strategy, which precedes the development of the territorial development plan, according to this regulation.

#### **Article 11**

##### **Publication of Territory Integrated Register**

All documents and decisions provided for in this regulation should be published in the Integrated Territorial Registry in accordance with the law definition and be notified through one or more traditional means of information.

#### **Article 12**

##### **Monitoring the implementation of the planning document**

1. Monitoring the implementation of the planning document is done by the authority responsible for its design, according to the respective action plan, approved as part of the planning document.

2. The process of implementing planning documents is also monitored by the Agency in coordination with the authorities responsible for planning.

#### **Article 13**

##### **Revising the planning document**

The review of the plan document is carried out in accordance with points 1 and 2 of Article 26 of the law.

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The process of revision and approval of the plan shall be implemented in accordance with the provisions of the simplified procedure in accordance with Article 14 of this Regulation.

**Article 14**  
**Simplified procedure**

1. The simplified procedure is the procedure which aims to shorten the time-lines of the review process of planning documents under point 3 of Article 26 of the law. Exceptions to this rule are the detailed local plans.

2. The simplified procedure under this Article applies when:

- a) planning documents are modified for issues that do not affect the goals of their content and do not infringe natural values, environmental quality, protected areas, agricultural lands, biodiversity and natural and cultural heritage;
- b) the revision of planning regulations is not accompanied by changes to the territorial strategy and forecasts of the respective plan;
- c) the revision of documents under point 1 of this article is accompanied by more detailed criteria or conditions than the applicable document;
- ç) is envisaged under the special sectoral legislation.

3. The use of the simplified procedure has the following effect:

excluding the adoption of the initiative, according to the law and this regulation;

halving the deadlines set for coordinating counselling and public meeting in articles 7 and 8 of this regulation.

**Article 15**  
**Professional liability declaration**

1. Designers of a planning document must sign a statement of responsibility stating that the document submitted to the responsible planning authority is in accordance with the applicable legislation in the field of planning and development as well as other legislation affecting the planning of the territory. The drafters of the planning document are not responsible for the interventions, changes and revisions that the planning authority makes to the planning document, but only for the documentation drafted and signed them, formally submitted to the responsible authority.

2. If during the process of approving the planning document or during its implementation there is a violation of the legal provisions in force, the authority finding the violation or the subject has the obligation to inform the ministry responsible for issuing licenses in the planning area, which should take the necessary measures to the entity(s), drafter(s) of the document, as well as the entire chain of control institutions, depending on the level of damage caused by the lack of professional responsibility.

3. Regarding the above, the Agency has to be informed, which, after conducting its assessment of the case, will require the TAC to do the complete or partial revision of the planning document concerned, following the steps of simplified procedure.

**Article 16**  
**Planning fund**

The planning fund is foreseen and approved by the planning authorities in accordance with the applicable legal and sub legal framework.

**SECTION 2**  
**TYPE OF PLANNING DOCUMENTS**

**Article 17**  
**Central level planning**

1. One of the two levels of territorial planning in the Republic of Albania is the central level planning, which is carried out through the planning documents, as follows:

- a) National General Plan for the entire territory of the Republic of Albania;
- b) Sectoral national plans for all or part of the territory;
- c) Detailed plans for areas of national importance.

**Article 18**  
**Local level planning**

1. The second level of territorial planning in the Republic of Albania is the local level planning, which is carried out through planning documents, as follows:

- a) Sectoral plans at the regional level;
- b) General Local Plan;
- c) Detailed local plans.

**SECTION 3**  
**GENERAL NATIONAL PLAN (GNP)**

**Article 19**  
**Scope of the GNP**

1. The National General Plan defines the mandatory reference framework for all plans drafted in the Republic of Albania.
2. The objectives of the National General Plan are set out in point 2 of Article 16 of the law.
3. The National General Plan, as it is drafted and implemented, must follow the planning principles as an ongoing process of work.

## **Article 20**

### **Authority responsible for drafting NGP**

1. The NGP drafting process is coordinated by the minister covering the field, which is also the authority responsible for drafting the plan in accordance with point 1, letter "c", of Article 8 of the law.
2. The action plan for drafting NGP is implemented by the Agency.
3. The General National Plan (NGP) is drafted by working groups with specialists of public institutions, with experts from different local or foreign areas, as provided by the law on the organization and functioning of the Council of Ministers.
4. The plan is regularly consulted with the inter-ministerial committee established by the Council of Ministers on a special order of the Prime Minister.

## **Article 21**

### **Contents of GNP document**

1. The NGP document contains, at least:
  - a) the document of the metabolic and deep analysis of the territory;
  - b) strategic vision and development objectives;
  - c) proposal with territorial definitions;
  - ç) the plan of actions, projects and strategic investments for the implementation of PPP;
  - d) maps accompanying and reflecting the content of each of the points above, ranging from 1: 100,000 to 1: 250,000;
  - dh) the report of proposals for strategic investment proposals and pilot development projects;
  - e) the study of strategic environmental assessment;
  - f) proposals for changing the institutional and legal framework;
  - g) Indicators for monitoring the implementation of NGP.
2. The general directions of the content of each of the documents listed in point 1 of this article from letters "a" to "ç" are:
  - a) The territory Metabolic Analysis Document precedes the territorial strategy and is followed by deep territorial, infrastructural, environmental, macroeconomic, social, demographic, sector study, of European policy impacts (directives) and inequalities;
  - b) strategic vision and development objectives are based on the government program and in-depth analysis;
  - c) The proposal with territorial definitions contains components, some of which are listed below:
    - i. designation of areas with strategic development priorities, including key areas for the development of industry, energy, agriculture and tourism;
    - ii. the definition or revision of issues, areas and structures of national importance;
    - iii. the clear definition of territorial systems (natural, aquatic, agricultural, urban and infrastructural), on the basis of which will be detailed the planning documents of the lower hierarchies;

- iv. Determination in the territory of lines, networks, installations, joints (including structures / facilities / constructions) or territories of national infrastructure;
  - v. designation in the territory and protection measures for natural resources, monuments and facilities of cultural heritage, in accordance with the special legislation;
  - vi. basic strategic and cross-sectoral strategic programs;
  - vii. strategic directions for issues of regional development and territorial development of local government units;
  - viii. Determinations that regulate the impact of other sectors on the territory and, where appropriate, rules on the categories of road system, the preservation of areas and values of cultural heritage, health and environmental resources.
- ç) the action plan for detailing and implementing NGPs and investments will determine the implementation through sectoral, cross-cutting, strategic programs of EU integration processes, medium and long term national financial instruments, strategic investments (not only in infrastructure) and development pilot projects.

## **Article 22**

### **Initiative for drafting GNP**

1. The NGP work process precedes undertaking the initiative for its drafting.
  - a) The authority responsible for undertaking and drafting the initiative is the Minister that covers the field, which submits it to the National Territorial Council for approval.
  - b) The authority responsible for the adoption of the initiative is the National Territorial Council.
2. The document for the NGP drafting initiative contains:
  - a) analysis, which determines the purpose and need for drafting or reviewing the planning document;
  - b) the documents that define the areas of national importance, according to the provisions of point 3 of Article 16 of the law, if any.
  - c) the boundaries of the territory of the Republic of Albania;
  - ç) plan of actions for drafting the document of the National General Plan;
  - d) the list of NGP constituent documents;
  - e) experts (areas of expertise) that will constitute the working group to be drafted by NGP;
  - f) definitions for the process of co-ordination, counselling and public meetings and respective deadlines;
  - ë) Budget for drafting NGP;
  - f) where appropriate, the decision to suspend development for all or part of the territory, in accordance with Article 33 of the Law, accompanied by the relevant map.
3. The initiative should be made public and published in the register by the responsible authority:



- a) The decision of the minister responsible for taking the initiative shall be published in the register, within 10 days from the date of receipt of the initiative, according to points 1 and 4 of Article 56 of the law.
- b) The minister's decision to take the initiative is also published on the official website of the ministry.

4. The initiative should be made public and published by the responsible authority:

- a) The decision of the Minister for the taking of the initiative shall be published in the register within 10 days from the date of receipt of the initiative in accordance with par 1 and 4 of Article 56 of the law.
- b) The Minister's decision to take the initiative is also published on the official website of the Ministry.

### **Article 23**

#### **Approval of GNP**

1. The process of adopting the National General Plan (NGP) is done in accordance with the provisions of Article 25 of the law.

2. The process of approving the plan contains, at least, these steps:

- a) The request of the authority responsible for the approval of the plan;
- b) The decision of the TAC.

3. Materials submitted / published for the approval of the planning document are:

- a) The initiative approved by the CCT;
- b) Full planning document;
- c) The act of approval by the authority responsible for the study of the Strategic Environmental Assessment, referring to the special legislation in force.

4. Upon publication in the NGP full document in the register, the responsible authority makes the request for the approval of the plan in CCT.

5. The General National Plan (NGP) is approved by the TAC in accordance with par 4 of Article 18 of the Law.

### **Article 24**

#### **Entry of GNP into effect**

1. The National General Plan document (NGP) comes into force with its full publication in the register of the TAC decision and its accompanying documents in accordance with paragraph 2 of Article 56 of the law.

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2. The TAC decision shall be published in the register and in any case on the official website of the TAC Secretariat and the responsible planning authority within 10 days of the date of its approval in accordance with paragraph 4 of Article 56 of the law.

3. The KTC Secretariat, in accordance with Law no. 107/2014, no later than 15 days after the approval of NGP, sends to the Central Technical Archives of Construction and the responsible planning authority a copy of the planning document, approved together with the decision of its approval, according to the definitions of point 4, of Article 25 of the law.

#### **Article 25**

##### **Implementing and monitoring GNP implementation**

1. Monitoring of GNP implementation is carried out by the responsible authorities in the process of drafting the plan, in accordance with point 3 of Article 6; point 1, letter "d", of Article 8; point 3, letter "b", Article 9 and point 1, letters "c", "g" of Article 10 of the law.

2. Monitoring of the implementation of the plan is made on the basis of the action plan and the document of the monitoring indicators, approved as an integral part of the plan document.

3. The National General Plan is implemented through national sectoral plans, detailed plans for areas of national importance, general local plans, strategic investments and pilot development projects, according to its action plan.

#### **SECTION 4**

##### **NATIONAL SECTOR PLAN (NSP)**

#### **Article 26**

##### **Scope of NSP**

Sectoral national plans are drawn up by the ministries for the strategic development of one or more sectors according to the areas of competence such as national security, energy, industry, transport, infrastructure, tourism, economic zones, education, sport, cultural and natural heritage, natural resources, health, agriculture, water infrastructure etc.

The National Sectoral Plan, as it is drafted and implemented, must follow the planning principles as an ongoing process of work.

#### **Article 27**

##### **Authority responsible for drafting NSP**

1. The drafting process of the NSP is coordinated by the Minister, covering the sector for which the plan is drafted, which is also the authority responsible for drafting the plan in accordance with point 1, letter "a" of Article 10 of the law.

2. If the plan is designed to integrate several sectors together, then coordination is carried out in cooperation and based on the Prime Minister's order.
3. The action plan for drafting the NSP is implemented by the working group established by order of the Minister covering the sector or the Prime Minister when the plan includes the study of some sectors.
  
4. The National Sectoral Plan (NSP) is drafted by working groups with specialists of public institutions, with experts from different local or foreign areas, as provided for by the law on the organization and functioning of the Council of Ministers.
  
5. The agency is in any case part of the working group.

#### **Article 28**

##### **Contents of NSP document**

1. The NSP document contains at least:
  - a) Analysis document for the sector;
  - b) the strategy and objectives of the sector development;
  - c) proposal with territorial definitions;
  - ç) the NSP regulation;
  - d) maps that accompany and reflect the contents of each of the points above, ranging from 1: 50,000 to 1: 250,000;
  - dh) the report of the plan proposals;
  - e) Study on strategic environmental assessment / impact assessment from the development and impact on the environment;
  - ë) economic and financial assessment of NSP implementation;
  - f) action plan, investments and pilot projects for NSP implementation;
  - g) proposals for changing the institutional and legal framework;
  - gj) Indicators for monitoring the implementation of the NSP.
  
2. The general directions of the content of each of the documents listed in point 1 of this article from letters "a" to "ç" are:
  - a) The sector analysis document precedes the plan's definitions and is based on the in-depth analysis provided by the National General Plan. In any case, the analysis is based on the overall territorial, infrastructural, environmental, macroeconomic, social, demographic study of other sectors, European policy implications (directives), inequalities, influencing the sector in the study.
  - b) The vision and objectives of the sector development, based on the definitions of the National General Plan.
  - c) The proposal with territorial definitions contains many components depending on the sector in the study. All territorial determinations are based on information derived from the National

General Plan. Even in the case of the NSP, the issues, areas and structures of national importance can be defined or reviewed.

- ç) The NSP Regulation contains, at least:
  - i) definitions;
  - ii) rules applicable to other planning levels, such as general local plans or sectoral plans at the regional level, which guarantee the implementation of the NSP and territorial protection, based on sectoral laws in force;
  - iii) Sector Development Conditions to be Implemented by Planning Authorities;
  - iv) other rules, as appropriate.

## **Article 29**

### **Initiative for drafting NSP**

1. The work process for the NSP is preceded by undertaking the initiative for its drafting.
  - a) The authority responsible for undertaking and drafting the initiative is the minister covering the sector, who submits it to the National Territorial Council for approval. If the plan is drafted to analyze some sectors in an integrated form, then the initiative is undertaken by several ministers together.
  - b) The authority responsible for the adoption of the initiative is the National Territorial Council.
2. The initiative for drafting NSP contains:
  - a) analysis, which determines the purpose and need for drafting or reviewing the planning document;
  - b) the boundaries of the territory of the Republic of Albania covering the planning document;
  - c) action plan for drafting the NSP document;
  - ç) the list of composing documents of the NSP;
  - d) experts (areas of expertise) that will constitute the working group that will draft the NSP;
  - f) Definitions for the co-ordination process, counselling and public meetings and respective deadlines;
  - e) budget for drafting the NSP;
  - ë) where appropriate, the decision to suspend development for all or part of the territory, in accordance with Article 33 of the Law, accompanied by the relevant map
3. The initiative should be made public and published in the register by the responsible authority:
  - a) The decision of the minister responsible for taking the initiative shall be published in the register, within 10 days from the date of receipt of the initiative, according to points 1 and 4 of Article 56 of the law.
  - b) The minister's decision to take the initiative is also published on the official website of the ministry.
4. The initiative should be made public and published by the responsible authority:

- a) The TAC's decision to approve the initiative together with the document of the initiative shall be published in the Register within 10 days from the date of approval pursuant to paragraphs 1 and 4 of Article 56 of the law.
- b) The TAC decision and the document of the initiative are also made public on the official website of the CCT Secretariat and the responsible planning authority.

### **Article 30**

#### **Approval of NSP**

1. The process of adopting the National Sectoral Plan (NSP) is done in accordance with the provisions of Article 25 of the Law.
  2. The process of approving the plan contains, at least, these steps:
    - a) The request of the authority responsible for reviewing and approving the plan in the CCT;
    - b) Review / update the plan document by the responsible authority;
    - c) The decision of the CCT.
  3. Materials submitted / published for the approval of the planning document are:
    - a) The initiative approved by the CCT;
    - b) Full planning document;
    - c) The act of approval by the authority responsible for the Strategic Environmental Assessment Study, of impact from development and of impact on the environment, referred to specific legislation in force;
    - ç) The compliance act by the Agency or the Statement of tacit Compliance.
  4. Upon publication in the full NSP document in the register, the Responsible Authority shall make a request for obtaining the act of compliance from the Agency.
  5. The review of the plan document is carried out according to these definitions:
    - a) The Agency shall review the compatibility of the National Sectoral Plan documentation within 30 days from the submission date for compliance review of the full documentation.
    - b) At the end of the 30-day compliance review, the Agency shall draft and publish in the register the technical evaluation report of the NSP and the act of compliance, as appropriate.
    - c) The Agency shall repeat the process of reviewing the compatibility of the plan document and drafting the technical evaluation report, if the plan document is reviewed / improved by the responsible authority until compliance is reached.
    - ç) In case of non-meeting the above deadlines, the requesting authority notifies the Agency of non-compliance with the deadline and issues the tacit compliance statement.
  6. The review / improvement of the document and reflection of the remarks of the Agency is carried out according to these definitions:
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- a) Within 30 days of the publication in the register of the technical evaluation report of the NSP by the Agency, the responsible authority shall revise / improve the plan document to reflect remarks and suggestions, if any.
- b) at the end of the 30-day period, the Responsible Authority republishes the full plan document with the remarks and suggestions reflected, together with the report of the changes.

After the publication of full PSK material in the register according to point 3 of this article, the responsible authority makes the request for review and approval of the planning document in the CCT.

The National Sectoral Plan (NSP) is approved by the TAC in accordance with Article 7, letter "b" of the Law.

- a) The TAC makes a decision regarding the adoption of the national sectoral plan within 30 days from the date of full publication of the material in the register.
- b) The basis for the decision-making on the adoption of the NSP consists of:
  - i) Technical Assessment Report and Compliance Act of the Agency;
  - ii) National General Plan (NGP); iii) Legislation in force.

### **Article 31**

#### **Entry into effect of NSP**

1. The Sectoral National Plan (NSP) document comes into force upon its full publication in the register of TAC decision and its accompanying documents in accordance with paragraph 2 of Article 56 of the law.
2. The TAC decision shall be published in the register and in any case on the official website of the Secretariat of the TAC and the authority responsible for planning, within 10 days from the date of its approval in accordance with paragraph 4 of Article 56 of the law.
3. The TAC Secretariat, in accordance with Law no. 107/2014, no later than 15 days after the approval of the CSP, sends to the Central Technical Archives of Construction and the responsible planning authority a copy of the planning document, approved together with the decision of its approval, according to the definitions of point 4, of Article 25 of the law.

### **Article 32**

#### **Implementation and monitoring the NSP implementation**

1. Monitoring of the implementation of the NSP is done by the authority responsible for drafting the plan, in accordance with point 1, letters "c" and "g" of Article 10 of the law.
2. Monitoring of the implementation of the plan is made on the basis of the action plan and the document of the monitoring indicators, approved as an integral part of the plan document.

3. The national sectoral plan is implemented through sectoral plans at the regional level, local and local sectoral plans, as well as pilot projects of capital / strategic investments according to its action plan and regulation.

**SECTION 5**  
**DETAILED PLAN FOR NATIONAL RELEVANCE ZONES (DPANI)**

**Article 33**

**Issues, areas and facilities of national importance**

1. Issues, areas and facilities of national importance are subject to national planning.
2. Issues, areas and facilities of national importance include:
  - a) special cultural, historical, economic, social or environmental characteristics of one or more structures, installations, networks or areas aimed directly at the realization of national interests in parts of the territory, such as: the areas having priority for the development of tourism, culture, historic centers, archaeological parks, forests and protected natural areas, natural monuments, including unique geographic features, areas of natural hazards, ecological networks, endangered ecosystems and biodiversity, mineral and natural resources and networks, industrial complexes and parks , national roads, railway lines and auxiliary infrastructure, energy sector, national infrastructure installations, electronic communications infrastructure, airports, ports and sea routes, developments in military areas, coastal strips, coasts and water resources, lagoons, rivers, lakes, dams and banks, agricultural lands, public hospitals of sports facilities and terrain;
  - b) Educational, health, social, cultural and artistic developments or structures, which, because of their characteristics, are important for carrying out the activity of state institutions, as defined by law;
  - c) minimum requirements for the protection of health, life and public safety, and mobility suitability for persons with disabilities, children, the elderly and other categories with special needs that are necessary for this.
3. The coastal zone, the coastal protected area, is an area of national importance with special natural, cultural and historical values, proclaimed by the TAC decision. For the purpose of protecting and sustainable and efficient use of this area, it is continuously monitored by relevant institutions. Its boundary line changes are made only by the TAC decision and are published in the register by the TMC Secretariat and the planning authority.

**Article 34**

**Determining the issue, area and object of national importance**

1. The Agency, ex officio or at the request of a ministry or other central or local authority, undertakes the initiative and proposes to TAC for approval to determine a matter, area or facility as of national importance in planning.
2. The issues, areas and facilities of national importance are also proposed during the process of drafting the National General Plan or national sectoral plans.
3. TAC approves an issue, area or object as of national importance as part of the National General Plan, national sectoral plans or through a specific process with the Agency's proposal.
4. When the approval according to point 3 of this article is carried out through a special process, the project approval for the initiative contains:
  - a) the type and the particulars of the matter, area or object of national importance;
  - b) boundaries or location in the territory, as appropriate;
  - c) reference to specific legislation and / or planning documents in force where the need to determine national importance is supported;
  - ç) the objectives to be achieved and the reasons and economic and technical circumstances that make this determination necessary;
  - d) proposal for suspension of development, according to law, if necessary;
  - dh) Determining the obligation to draw up a detailed plan for the area of national importance, as appropriate;
  - e) determining the ministry responsible for drafting a detailed plan for the area of national importance, as appropriate.
5. The respective TAC decision is published in the register and is also notified through one or more traditional means of information.
6. When the national plan or the TAC decision defines the obligation to draw up a detailed plan for the area of national importance, the ministry responsible for the matter should take the steps to draft the plan.
7. The structure and form, as well as the process for the initiative, the design and approval of the detailed plan for an area of national importance are defined in this regulation, while the implementation of the DPANI through development instruments and building permits are defined in the development regulation according to the definitions of point 5 of Article 18 of the Law.

**Article 35**  
**Scope of the DPANI**



1. The detailed plans for areas of national importance are drafted by the ministry responsible for the relevant issue in order to protect, maintain and develop sustainable areas of national importance.
2. The scope of the detailed plan for a zone of national importance is:
  - a) Areas and / or issues of national importance in territorial planning, which provide for priority development interventions;
  - b) important and strategic public investments that influence the sustainable development of the territory and have a national impact.
3. The detailed plan for an area of national importance, as drafted and implemented, must follow the planning principles as an ongoing process of continuous work.

#### **Article 36**

##### **Authority responsible for drafting DPANI**

1. The drafting process of DPANI is coordinated by the minister covering the issue for which the plan is drafted, which is also the authority responsible for drafting the plan in accordance with point 1, letter "a" of Article 10 of the law.
2. If the matter for which the plan is drafted involves several sectors, then coordination is carried out in cooperation and based on the Prime Minister's order.
3. The action plan for the drafting of DPANI is implemented by the working group established by order of the minister covering the sector or the Prime Minister when the matter for which the plan is drafted includes several sectors.
4. The detailed plan for an area of national importance (DPANI) is drafted by working groups with specialists of public institutions, with experts from different fields, domestic or foreign, according to the provisions of the law on the organization and functioning of the Council of Ministers.
5. The agency is in any case part of the working group.

#### **Article 37**

##### **Contents of DPANI document**

1. The detailed plan document for an area of national importance (DPANI) is based on national planning documents and legislation in force.
  2. The DPANI document contains, at least:
    - a) area analysis document;
    - b) the development strategy of the area;
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- c) proposal with territorial definitions; ç) the DPANI regulation;
- d) maps accompanying and reflecting the content of each of the points above, ranging from 1: 500 to 1: 2,000, in accordance with the size of the area;
- dh) the report of the plan proposals;
- e) Impact Assessment Study on Development and Impact on Environment;
- ë) economic and financial assessment for the implementation of DPANI;
- f) plan of actions and investments for the implementation of DPANI;
- g) indicators for monitoring the implementation of DPANI.

4. The general directions of the content of each of the documents referred to in paragraph 1 of this Article from letters "a" to "ç" are:

- a) The zone analysis document precedes the plan definitions and is based on the in-depth analysis provided by PPP or CSC. In any case, the analysis of the area contains:
  - i) maps in scale 1: 500 or 1: 2,000, depending on the surface of the respective area, which present the technical survey of topography, spaces, uses, parcels, buildings and infrastructure in the area, denominations, dimensions and boundaries;
  - ii) detailed photographic document of the area;
  - iii) the map accompanied by a list of owners of parcels and facilities and all property records under the real estate register;
  - iv) the relationship to the rules and maps that show protected areas and structures, if any, in accordance with the applicable environmental and cultural heritage legislation;
  - v) a detailed analysis of environmental, landscape and infrastructure problems, in accordance with the definitions of the National General Plan;
  - vi) analysis of the quality of existing facilities and needs for regeneration, conservation or maintenance;
  - vii) the development strategy of the area is based on the definitions of national plans or government programs.
- b) the proposal with territorial definitions with the components, some of which are listed below:
  - i) the report and maps for the proposed land use plan after the reorganization of plots through separation and / or merger. The land use is presented for basic categories, sub-categories and for functions or activities according to their distribution in plots and in each object;
  - ii) the report and maps for the proposed plan of all necessary main and secondary infrastructure in the area, including parking;
  - iii) graphic presentation of proposals to guarantee equal and independent access and use of spaces by all persons;
  - iv) mapping and argumentation of the objects to be demolished and those to be regenerated and / or restored;
  - v) volumetric presentation and trace of the foreseen structures / facilities;

- vi) a detailed presentation in the report and map of the intensity of construction and the land use coefficient for each parcel, as well as the distances and height of the premises in accordance with the development regulation;
  - vii) the manner of implementation of development direction instruments in accordance with the law and the relevant regulations.
- c) The PDRC Regulation contains, at least:
- i) definitions of terms used;
  - ii) the explanation of the codes used for:
    - categories and sub-categories of land use;
    - systems / areas / units;
    - other codes as appropriate;
  - iii) norms, indicators and applicable planning standards, according to this regulation;
  - iv) the rules of conservation of the environment, landscaping, natural resources, cultural heritage sites and facilities, including at least:
    - norms and standards for developments that have an impact on the environment, health, landscape and cultural heritage, according to the special legislation in force.
    - norms, standards and rules for cultural, historical and environmental heritage sites and facilities, if any such elements exist in the area;
    - defining the protective line along the water elements (blue line), if there are such elements in the area.
  - v) the rules for each zone unit containing, at least:
    - development conditions;
    - basic categories and sub-categories of land use;
    - activities and functions in accordance with land use categories;
    - uses that are permitted, prohibited or conditioned, including the relevant conditions;
    - legal, public or private rights and restrictions arising from the use of development indicators;
    - rules of subdivision and aggregation of parcels in each unit:
  - vi) road and transport system rules containing at least:
    - definition and description of the categories of road network in accordance with the special legislation;
    - technical conditions and dimensions;
    - the parameters of the mobility and transport scheme, according to the special legislation;
    - designation of the construction line (red line) along the side of the body of the road;
  - vii) architectural rules, as appropriate;
  - viii) rules on the use of spaces by "persons with disabilities".

**Article 38**  
**Initiative for drafting DPANI**

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1. The work process of DPANI precedes launching the initiative of drafting it.
2. The undertaking of the initiative is carried out according to the definitions:
  - a) The authority responsible for undertaking the initiative, according to point 2, Article 18 of the law, is the minister responsible for the relevant issue of national importance, which submits the request for approval to the National Council of Territory.
  - b) The Minister undertakes the initiative for the drafting of the DPANI on its own initiative or on the basis of the evaluation of the demand from the public or private sector institutions.
  - c) The interested public or private sector institutions may request the minister responsible for taking the initiative for the elaboration of a detailed plan for a zone of national importance (DPANI).
  - ç) The authority responsible for approving the initiative is the National Territorial Council.
3. The document for the drafting of the DPANI contains:
  - a) an analysis that determines the purpose and need for drafting or reviewing the detailed plan;
  - b) the boundaries of the area of national importance, according to the national planning documents or the TAC decision;
  - c) action plan for drafting the PDRSK document;
  - ç) the list of constituent documents of the DPANI;
  - d) experts (areas of expertise) that will constitute the working group to be drafted by the DPANI;
  - dh) definitions for the process of co-ordination, counseling and public meetings and respective deadlines;
  - e) Budget for drafting DPANI;
  - ë) where appropriate, the decision to suspend development for all or part of the territory, in accordance with Article 33 of the Law, accompanied by the relevant map
4. The initiative should be made public and published in the register by the responsible authority:
  - a) The approval of the minister responsible for taking the initiative shall be published in the register, within 10 days from the date of receipt of the initiative, according to points 1 and 4 of Article 56 of the law.
  - b) The minister's approval of the initiative is also made public on the official website of the ministry.
5. The entry into force of the TAC decision to approve the initiative is made after the publication of the decision in the register by the TAC secretariat:
  - a) The TMC's decision to approve the initiative, together with the document of the initiative, is published in the register within 10 days from the date of approval according to points 1 and 4 of Article 56 of the law.
  - b) The TMC's decision and the document of the initiative are also made public on the official website of the Secretariat of the TAC and the responsible planning authority.

### **Article 39**

#### **Adoption of DPANI**

1. The process of approving the detailed plan for a zone of national importance (DPANI) is done in accordance with the provisions of Article 25 of the law.
  2. The process of approving the plan contains, at least, these steps:
    - a) The request from the authority responsible for reviewing and approving the planning document in the NCT;
    - b) TOR decision-making.
  3. Materials submitted / published for the approval of the planning document are:
    - a) The initiative approved by the CCT;
    - b) Full planning document;
    - c) The Act approving the Study on Strategic Environmental Assessment, referring to the special legislation in force;
    - ç) Compliance Act by the Agency or Compliance Statement.
  4. Upon publication in the complete PDRC document in the register, the responsible authority shall make a request for obtaining the document's compliance act from the Agency.
  5. The review of the plan document is carried out according to these definitions:
    - a) The Agency shall examine the compatibility of the detailed plan documentation with the area of national importance within 30 days from the date of submission of the full documentation for review.
    - b) At the end of the 30-day period of compliance review of the documentation, the Agency compiles and publishes in the register the technical evaluation report of the DPANI, as well as the compliance act, as appropriate.
    - c) The Agency shall repeat the process of reviewing the compatibility of the plan document and drafting the technical evaluation report, if the plan document is reviewed / improved by the responsible authority until compliance is reached.
    - ç) In case of non-meeting the above deadlines, the requesting authority notifies the Agency of non-compliance with the deadline and issues the tacit compliance statement.
  6. The review / improvement of the document and reflection of the remarks of the Agency is carried out according to these definitions:
    - a) Within 30 days of the 's publication of the technical evaluation report of the DPANI, the responsible authority shall revise / improve the plan document to reflect remarks and suggestions, if any.
    - b) At the end of the 30-day period, the responsible authority republishes the complete plan document with the remarks and suggestions reflected, together with the report of the changes.
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- c) After the publication of the full PDRC material, according to the definitions of point 3 of this article, the responsible authority makes the request for the review and approval of the planning document in the CCT.

7. The detailed plan for a zone of national importance (PDCS) is approved by the TAC in accordance with paragraph 4 of Article 18 of the law.

- a) The TAC makes a decision regarding the approval of the detailed plan within 30 days of the complete publication of the material in the register.
- b) The basis for the decision-making on the adoption of the DPANI consists of:
  - i) the technical assessment report and the act of compliance of the Agency;
  - ii) the National General Plan (PPP); iii) sectoral national plans (CSPs); iv) legislation in force.

#### **Article 40**

##### **Entry of DPANI into effect**

1. The detailed plan document for an area of national importance (PDRSR) comes into force upon its full publication in the register of the TAC decision and its accompanying documents in accordance with paragraph 2 of Article 56 of the law.

2. The TAC decision shall be published in the register and in any case on the official website of the Secretariat of the TAC and the authority responsible for planning, within 10 days from the date of its approval in accordance with paragraph 4 of Article 56 of the law.

3. The KTC Secretariat, in accordance with Law no. 107/2014, no later than 15 days after the approval of NGP, sends to the Central Technical Archives of Construction and the responsible planning authority a copy of the planning document, together with the decision of its approval, according to the definitions of point 4, of Article 25 of the law.

#### **Article 41**

##### **Implementing and monitoring the application of DPANI**

1. Monitoring the implementation of DPANI is done by the authority responsible for drafting the plan, in accordance with point 1, letter "g" of Article 10 of the law.

2. Monitoring of the implementation of the plan is made on the basis of the action plan and the document of the monitoring indicators, approved as an integral part of the plan document.

3. The detailed plan for an area of national importance is implemented through building permits, according to the plan of operations and the regulation of this plan.

**SECTION 6**  
**SECTORAL PLAN AT REGIONAL LEVEL**

**Article 42**  
**Scope of the SPRL**

1. Sectoral plans at the regional level are designed to implement the National General Plan and / or national sectoral plans.
2. Sectoral plans at the regional level in function of the sector or sectors for which they are drafted may be subject to:
  - a) co-ordination of work at the regional level for the implementation of programs and definitions that come from national plans;
  - b) balancing national and local needs and interests for developments at the county level;
  - c) Determining a platform and mandatory strategic directions of territorial development for the relevant governance unit and the overall local plans of the basic level of the local government;
  - ç) the strategic design for the regulation of land uses according to territorial systems;
  - d) planning programs and measures to ensure environmental protection, sustainable development of natural resources, cultivable land, landscapes and green spaces;
  - dh) regulation of location and programs for public infrastructure and public servitudes, according to the legislation in force;
  - d) regulating the conservation, use and, where appropriate, handling the protected natural and historic areas, in accordance with the requirements of the legislation in force.
3. The sectoral plan at the regional level, during the design and implementation phases, should follow the planning principles as an ongoing process of work.

**Article 43**  
**Authority responsible for drafting SPRL**

1. The sectoral plans at the regional level are drafted by the District Council in accordance with paragraph 1 of Article 11 of the law.
  2. The SPRL drafting process is coordinated by the Chairman of the Regional Council, which in this case is the authority responsible for drafting the plan.
  3. The SPRL drafting process is coordinated with the ministry covering the sector.
  4. The action plan for drafting the SPRL is implemented by the working group set up as appropriate by order of the President of the District Council.
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5. The sectoral plan at the regional level is drafted by working groups with specialists of public institutions, with experts from different fields, native or foreign.
6. The Regional Council and the ministries covering the sectors for which the plan is drafted are part of the working group.
7. The agency is in any case part of the working group.

#### **Article 44**

##### **Contents of the document SPRL**

1. The SPRL document contains at least:
  - a) the analysis document for the sector within the regional administrative territory;
  - b) the strategy and objectives of the sector development;
  - c) proposal with territorial definitions;
  - ç) SPRL regulation;
  - d) maps accompanying and reflecting the content of each of the points above, ranging from 1: 5,000 to 1: 50,000;
  - dh) the report of the plan proposals;
  - e) study of impact assessment from development and impact on the environment;
  - ë) economic and financial assessment of SPRL implementation;
  - f) the plan of actions and investments for the implementation of the SPRL;
  - g) Indicators for monitoring the implementation of the SPRL.
2. The general directions of the content of each of the documents referred to in paragraph 1 of this Article from letters "a" to "ç" are:
  - a) The analysis document for the sector within the district administrative area precedes the design definitions and is based on the in-depth analysis provided by the National General Plan and the respective national sectoral plan. In any case, the analysis is based on the overall territorial, infrastructural, environmental, macroeconomic, social, demographic, study of other sectors, European policy impacts (directives), inequalities, impact on the study sector and the administrative territory of region.
  - b) Sector development strategies and objectives, based on the definitions of the National General Plan and the respective sectoral national plan.
  - c) The proposal with territorial definitions contains many components, depending on the sector in the study. All territorial determinations are based on the information derived from the National General Plan and the relevant sectoral national plan.
  - ç) SPRL regulation contains at least:
    - i) definitions;



- ii) rules applicable to other planning levels, such as the overall local plans, which guarantee PSQN implementation and territorial protection, based on sectoral laws in force;
- iii) conditions for the development of the sector in the regional administrative territory, which will be implemented by planning authorities.
- iv) other rules, as appropriate.

#### **Article 45**

##### **Initiative for drafting SPRL**

1. The work process for the PSRC is preceded by undertaking the initiative for its drafting.
  2. The undertaking of the initiative is carried out according to the definitions:
    - a) The authority responsible for undertaking and drafting the initiative is the chairman of the Regional Council.
    - b) The authority responsible for approving the initiative is the Regional Council.
    - c) The initiative approved by the Regional Council should be confirmed by the National Territorial Council, if it determines the suspension of development for all or part of the regional administrative territory.
  3. Initiative for drafting SPRL contains:
    - a) analysis, which defines the purpose and need for drafting or reviewing the planning document;
    - b) the boundaries of the administrative territory covered by the planning document;
    - c) action plan for drafting the SPRL document;
    - ç) the list of SPRL constituent documents;
    - d) experts (areas of expertise) that will form the working group to draw up the PSNC;
    - dh) definitions for the process of co-ordination, counseling and public meetings and respective deadlines;
    - e) budget for drafting SPRL
    - ë) where appropriate, the decision to suspend development for all or part of the territory, in accordance with Article 33 of the Law, accompanied by the relevant map
  4. The initiative should be made public and published in the register by the responsible authority:  
The decision of the President of the Regional Council to take the initiative is published in the register, within 10 days from the date of launching the initiative, according to paragraphs 1 and 4 of Article 56 of the law.  
The decision of the President of the Regional Council to take the initiative is made public through one or several other means of information.
-

5. In cases where the initiative has to be confirmed by the TAC (when the initiative determines the suspension of development), the entry into force of the TCT decision for the adoption of the initiative is made after the publication of the decision in the register by the TAC secretariat:

- a) The TMC's decision to approve the initiative, together with the document of the initiative, is published in the register within 10 days from the date of approval according to points 1 and 4 of Article 56 of the law.
- b) The TMC's decision and the initiative document are made public on the official website of the Secretariat of the TMC and the authority responsible for the planning.

#### **Article 46** **Approval of SPRL**

1. The process of approving the regional level sector plan (SPRL) is done in accordance with the provisions of Article 25 of the law.

2. The process of approving the plan contains, at least, these steps:

- a) approval of the plan document in the Regional Council;
- b) the request of the authority responsible for reviewing and approving the plan in the NCT;
- c) the decision of the TAC.

3. The materials submitted for the approval of the planning document are:

- a) the initiative adopted;
- b) complete planning document;
- c) strategic environmental assessment referred to specific legislation in force;
- c) the act of compliance by the Agency or the statement of compliance in silence.

4. Upon publication in the full SPRL document in the register and following the publication of the decision of the Regional Council, the responsible authority shall make a request for obtaining the act of compliance of the document with the Agency.

5. The review of the plan document is carried out according to these definitions:

- a) The Agency shall review the compliance of the sectoral plan documentation at the regional level within 30 days from the date of submission for review of the complete documentation.
- b) At the end of the 30-day period of review of the compatibility of the documentation, the Agency shall draft and publish in the register the PSNC technical assessment report and the compliance act, as appropriate.
- c) The Agency shall repeat the process of reviewing the compatibility of the plan document and drafting the technical evaluation report, if the plan document is reviewed / improved by the responsible authority until compliance is reached.

- c) In case of non-meeting the above deadlines, the requesting authority notifies the Agency of non-compliance with the deadline and issues the tacit compliance statement.

6. The review / improvement of the document and reflection of the remarks of the Agency is carried out according to these definitions:

- a) Within 30 days of the publication by the Agency of the PSNC Technical Assessment Report, the responsible authority shall revise / improve the plan document to reflect remarks and suggestions, if any.
- b) At the end of the 30-day period, the responsible authority shall republish the full plan document with the remarks and suggestions reflected, together with the report of the changes.

7. After the publication of SPRL comprehensive materials in the register, according to point 3 of this article, the responsible authority makes the request for review and approval of the planning document in the CCT.

8. The regional sector plan (SPRL) is approved by the TAC in accordance with point 4 of Article 18 of the law:

- a) The TAC makes a decision regarding the approval of the sectoral plan at the regional level within 30 days from the date of full publication of the documentation in the register.
- b) The basis for the decision-making on the adoption of the SPRL is as follows:
  - i) the technical assessment report and the act of compliance of the Agency;
  - ii) General National Plan (GNP)
  - iii) sector national plans (SNP);
  - iv) legislation in effect.

#### **Article 47**

##### **Entry of PSQN into effect**

1. The Regional Level Sectoral Plan document (SPRL) comes into force with the full publication in the register of the TAC decision and its accompanying documents in accordance with paragraph 2 of Article 56 of the law.

2. The TAC decision shall be published in the register and in any case on the official website of the Secretariat of the TAC and the authority responsible for planning, within 10 days from the date of its approval in accordance with paragraph 4 of Article 56 of the law.

3. The CCT Secretariat shall, in accordance with point 2 of Article 7 of the Law, not later than 15 days after its approval, send to the Central Technical Construction Archives and to the planning authority a copy of the approved planning document together with the decision of its approval, according to the provisions of paragraph 4 of Article 25 of the law.

#### **Article 48**

##### **Implementing and monitoring SPRL implementation**

1. The monitoring of the implementation of the SPRL is done by the authority responsible for drafting the plan in accordance with paragraph 1 of Article 11 of the law.
2. Monitoring of the implementation of the plan is made on the basis of the action plan and the document of the monitoring indicators, approved as an integral part of the plan document.
3. The regional plan is implemented through capital investments and detailed local plans, according to the plan of action and regulation of this plan.

#### **SECTION 7 GENERAL LOCAL PLAN**

#### **Article 49**

##### **Scope of the LGP**

1. The Local Government Plan defines the mandatory reference framework for all developments within the administrative territory of the local unit (municipality).
2. The objectives of the LGP are the objectives set out in Article 20 of the law.
3. The Local General Plan, as it is drafted and implemented, should follow the planning principles as an ongoing process of continuous work.

#### **Article 50**

##### **Authority responsible for drafting LGP**

1. The authority responsible for drafting the LGP is the chairman of the local government unit.
2. The action plan for the drafting of the LGP is implemented by the working group for the drafting of the plan, established by the order of the head of the unit.
3. The General Local Plan (LGP) is drawn up by the working group consisting of local unit specialists, local government subordinate institutions, with experts from different fields who may be native or foreign.
4. A representative of the Agency assists in implementing the procedures for drafting the LGP, in accordance with the provisions of the law and this regulation.

5. The plan is regularly consulted with the Plan Advisory Forum, which, if it does not exist at the local government unit, should be formed with the special engagement of the unit's chairman and non-profit organizations operating within the entity.
6. The Plan Advisory Forum consists of representatives of academy, civil society and interest groups.

#### **Article 51**

##### **Contents of LGP document**

The LGP document, depending on the territory for which it is drafted, the timeframe and the initiative for drafting the plan, is based on this content:

1. Integrated territory database in the GIS platform, according to the standards of the integrated territorial register;
2. The territorial strategy of the local unit, which includes:
  - a) the metabolic analysis document of the territory that precedes the territorial strategic vision and development objectives;
  - b) plan of strategic / priority actions, capital investments and pilot development projects;
  - c) maps that illustrate the development strategy of the territory at a scale ranging from 1: 5,000 to 1: 25,000.
3. Local unit territory development plan, including:
  - a) a document of in-depth analysis of the territory that precedes the development plan;
  - b) proposal with territorial definitions based on 5 systems: urban, natural, agricultural, aquatic and infrastructural;
  - c) maps that accompany and reflect the content of each of the above systems, ranging from 1: 5,000 to 1: 25,000;
  - ç) the report on the proposals;
  - d) economic and financial assessment of the implementation of the LGP;
  - dh) plan of actions, investments and projects for the implementation of LGP;
  - e) Indicators for monitoring the implementation of LGP.
4. Regulation for implementing LGP.
5. Impact assessment study due to the development and impact on the environment.

#### **Article 52**

##### **Drafting the territorial strategy of the local unit**

The territorial strategy contains at least:

1. Mandatory Provisions deriving from PPP, NSP, SPRL, in effect or in drafting process, which affect the local territory;

2. Metabolic analysis and overall assessment of the territory of the local unit;
3. Determining the basic territory based on 5 systems: urban, natural, agricultural, aquatic and infrastructural;
4. Identifying problems arising from the above analysis;
5. Vision of local unit territory development plan.
6. Strategic objectives for the development of the territory of the local unit;
7. Directions for the development of the territory of the local unit based on system indicators;
  - a) the main development programs and projects, which reflect the priorities and main directions of planning and development of the territory of the local unit and enable the achievement of strategic objectives;
  - b) the plan of actions for the realization of programs and projects, including necessary institutional and legal changes, human resources and the budget necessary for the implementation of the action plan;
  - c) maps that present the strategic vision of the development of the territory of the local unit, the main directions of planning and development of the territory, the objectives and the timeframes of the implementation of the programs and projects;
8. The map of the existing systems together with the table and relevant indicators for each system.

#### **Article 53**

##### **Analysis and assessment of PPP territory Metabolic analysis of flows and in-depth analysis of territory.**

1. The analysis and assessment of the territory are developed at two depth levels and they serve two main components of the local planning document in an integrated manner. The difference between them comes as a result of the speed with which each of the typologies of analysis is carried out, as well as the document that is fed with basic information:  
metabolic flow analysis and existing condition;  
in-depth analysis of the territory.

2. The analysis and assessment of the territory associated with relevant maps, integrated at both levels, contain at least:
- a) a general analysis of the existing state of the local unit territory and the metabolic one of the main streams, which contains the following elements:
    - i) topographic and climatic;
    - ii) geological-engineering;

- iii) hydro-geological and hydro-graphic;
  - iv) macro-zoning and, where appropriate, seismic micro-zoning;
  - v) land productivity, based on the certification issued by the relevant authority;
  - vi) natural resources, such as forests, pastures, water surfaces, reserves, mines and other of such nature, if any, in the respective territory;
  - vii) protected natural and cultural and historical sites, if any, in the respective territory.
- b) the analysis of previously drafted planning documents for the territory at all levels, including their applicability and issues to be assessed during the drafting of the new plan;
  - c) environmental analysis;
  - ç) analysis and evaluation of the strategic positioning of the local government unit in relation to the region where it extends, including the historical, urban and economic identity of the territory;
  - d) economic analysis and assessment, including local opportunities and constraints on economic development, economic or regional competitiveness, positioning and concentration of local economic poles, quality of capital and human resources, strengths or weaknesses for the future development of the territory;
  - dh) analysis and evaluation of social problems, including education, criminality, marginalized communities, unemployment, etc.;
  - e) analysis of social development, employment, education, health etc.;
  - ë) demographic analysis and evaluation, population distribution and concentration in the territory, mechanical and natural movements over the years;
  - f) an analysis of the existing state of the road infrastructure, transport and movement of vehicles (units / hours);
  - g) analysis of the manner of use of public property, including location, functions and ownership relationships;
  - gj) the analysis of land ownership relationships, including conflicts and situations of informality;
  - h) issues, areas and / or facilities of national importance located in the territory of the local government unit and the constraints stemming from them;
  - i) analysis of environmental issues, pollution sources and data on their effect on territory and human health;
  - j) analysis of existing land use, based on the basic categories and sub-categories of land use, functions and activities, and the linkage of local territory to national infrastructure networks;
  - k) general analysis of the conditions and physical quality of structures and territories as a basis for the design of regeneration, renewal and / or redevelopment plans;
- the analysis of the existing spatial typology, based on the uniformity of the type and volume of structures, the way of their placement in the (structural) units, road network and public space scheme as well as the height of the structures;
- periphery analysis, for the effect of which territory is defined according to the following criteria:
- i) distance from the center(s) of the urban territory;
  - ii) distance from economic zones (employment centers);
-

- iii) connection to the road network according to the categories defined in the Road Code;
  - iv) supply with infrastructure networks and social services;
  - v) the approximate level of income of social strata that exercise their activity in certain areas;
  - vi) filling with functions according to the basic categories of land uses;
  - vii) level of criminality and security of life;
  - viii) various social problems, including social exclusion;
- m) analysis of important territorial, natural or artificial elements that have influenced or impacted the continuous formation of the territory in the study;
- n) housing needs analysis for all social groups, by type and quality of existing dwellings, their distribution in territory, residential area per person and access to services;
- nj) the analysis of the exclusion elements and their graphic presentation on the map.

#### **Article 54**

##### **LGP Projections - Contents of the Territorial Development Plan**

1. The LGP proposals or the territory development plan contain, at least:

- a) plan of territorial proposals;
- b) environmental protection plan;
- c) the plan of public services and infrastructures;
- ç) action plan for implementing the LGP;
- d) Annexes I-II-III to the LGP as per format at the end of this Regulation.

2. The Territorial Proposal Plan contains, at least:

- a) division of territory according to five systems;
- b) zoning by base categories and sub-categories of proposed land use;
- c) division of territory into units;
- ç) the location of the main infrastructure services and networks, including public spaces and the definition of the main technical conditions for the realization of the infrastructure;
- d) protected areas of national importance, cultural heritage and monuments;
- dh) determining the main areas of economic and urban development;
- e) Proposed spatial typologies;
- ë) Determining the units that will be subject to drafting of the DLP;
- f) population distribution in the territory according to demographic and economic forecasting indicators, specified at urban territorial level;
- g) Housing plan, based on established, and already projected needs, defining areas / units for density, regeneration, redevelopment, conservation, urbanization, if new areas and territories for social housing programs;
- gj) the definition of zones / units where the instruments for running the development according to the law will be applied, if so provided.



3. The Environmental Protection Plan, which contains:

- a) landscape protection projections;
- b) Provisions for the protection of water elements;
- c) Projections for the addition and / or expansion of green spaces;
- ç) Submission of two variants for solving the identified problems with regard to hotspots;
- d) Forecasts for improving the air quality.

4. Public Services and Infrastructure Plan, which contains:

- a) proposed public infrastructure according to point 11 of Article 3 of the law;
- b) consideration from plans of other levels, according to impact on the local territory;
- c) typology, quality, distribution in the territory and coverage of social services (education, health, etc.) proposed.

5. The Action Plan for the implementation of the LGP, which contains:

- a) stages of development implementation, divided into time periods within the scope of the plan, for priority development areas, DLP, main infrastructure networks and pilot projects;
- b) the overall cost of implementation and the main funded activities associated with the capital investment plan;
- c) necessary changes in the legal and administrative framework at the local level.

6. Indicators for monitoring the implementation of LGP.

7. LGP Annexes, which contain all the documents referred to for this purpose, ancillary studies undertaken by institutions responsible for certain sectors, as well as studies for specific purposes undertaken by the local authority itself.

### **Article 55**

#### **Units and / or areas for which DLP is compiled**

1. The Local Government Plan (LGP) contains the definition of units and / or areas that will be subject to DLP drafting, according to Article 22 of the law.

2. During the drafting of the Local Government Plan, the working group sets the condition for the design of the DLP in those units and / or areas, which are foreseen to have:

- a) Development and / or redevelopment, according to LGP projections;
- b) Change of land use and development conditions, according to the LGP projections and directions of this regulation;
- c) public investments that impact on the change or redistribution of development indicators, according to LGP projections;

- ç) programs for transferring rights for development and the intensity on conditions under the terms of the LGP projections and the directions of Articles 30 and 31 of the law.

#### **Article 56**

#### **Contents of LGP regulation**

1. SPRL regulation contains at least:
    - a) Definitions of terms being used;
      - i) explanation of codes used for:
        - categories and sub-categories of land use;
        - systems;
        - zones;
        - units;
    - b) other codes as appropriate.
  2. Rules of land use, which contain at least:
    - a) basic categories and sub-categories of land use;
    - b) activities and functions in accordance with land use categories, as appropriate;
    - c) uses being permitted, prohibited or conditioned, including the relevant conditions.
  3. The rules for each zone and unit that contain, at least:
    - a) conditions of development according to the regulation of development approved by decision of the Council of Ministers;
    - b) activities and functions being permitted, conditional and prohibited, by categories and sub-categories of land use;
    - c) norms, indicators and implementation standards of planning, according to this regulation;
    - ç) legal, public or private rights and restrictions arising from the use of development indicators;
    - d) a list of instruments that may be used to guide development according to the law, including legal rights and constraints stemming from them.
  5. Subdivision and aggregation rules for parcels in each unit containing, at least:
    - a) the conditions for the process of division and merging;
    - b) access to infrastructure;
    - c) subdivision and development deadlines, as appropriate.
  6. The rules of the road and transport system that contain, at least:
    - a) definition and description of the categories of road network in accordance with the special legislation;
    - b) technical conditions and dimensions;
-

- c) the parameters of the mobility scheme and public transport, in accordance with the special legislation;
- ç) Determining the construction line (red line) along the two sides of the road.

7. The rules for the preservation of the environment, landscaping, natural resources, areas and cultural heritage sites that include, at least:

- a) norms and standards for developments that have an impact on the environment, health, landscape and
- b) cultural heritage, according to the special legislation in force;
- c) norms, standards and rules for cultural, historic and environmental heritage sites and facilities;
- ç) defining the protective line along the water elements (blue line);
- d) architectural and aesthetic rules, as appropriate;
- dh) rules for the use of spaces by "Persons with Disabilities", in accordance with the special legislation.

8. The local planning authorities during the drafting of the General Local Plan and its implementing regulation should not violate the minimum criteria of development indicators set out in the (national) development regulation but in any case, their local regulations may set development indicators that reflects the needs of the administration territory, such as: sun light, geographic position, climatic conditions, etc.

#### **Article 57**

##### **Cartographic material of LGP**

1. The LGP mapping material accompanies and reflects all the component parts of the LGP document set forth in this regulation.
2. The mapping rate ranges from 1: 5,000 to 1: 25,000, with the exception of region-level analysis or public infrastructure maps when these represent elements outside the administrative territory for which the plan is drafted.
3. The maps are prepared according to the specifications for the databases, defined in the registry regulation, in accordance with the law.
4. An integral part of the maps are graphical planning symbols, as defined in Section 2 of this Regulation.

#### **Article 58**

##### **Initiative for drafting SPRL**

1. The work process for the LGP precedes by undertaking the initiative for its drafting.

- a) The authority responsible for undertaking and drafting the initiative is the head of the local unit, who submits it to the Municipal Council for approval.
- b) The authority responsible for approving the LGP drafting initiative is the Municipal Council of the local unit, in accordance with point 2, letter "a", of Article 12 of the law.
- c) The Municipal Council approves the initiative within 15 days from the receipt of the request for approval by the mayor of the local unit.

2. The document of the initiative for drafting SPRL contains:

- a) analysis, which determines the purpose and need for drafting or reviewing the planning document;
- b) the documents defining the areas of national importance, according to the provisions of point 3 of Article 16 of the law, if any;
- c) the territorial boundaries of the local unit;
- ç) plan of actions for drafting the document of the General Local Plan;
- d) the strategy of its adoption: in one or two meetings;
- ç) the list of LGP constituent documents;
- d) experts (areas of expertise) that will form the working group to draw up the LGP;
- ë) definitions for the Advisory Plan forum;  
definitions for the process of co-ordination, counselling and public meetings and respective deadlines;
- e) budget for drafting LGP
- j) where appropriate, the decision to suspend development for all or part of the territory of the local unit, in accordance with Article 33 of the Law, accompanied by the relevant map.

3. The initiative should be made public and published in the register by the responsible authority:

- a) The decision of the head of the local unit responsible to take the initiative is published in the register, within 10 days from the date of launching the initiative, according to paragraphs 1 and 4 of Article 56 of the law.
- b) The Mayor's decision to take the initiative is also made public on the official website of the local government unit.

4. The decision on the adoption of the initiative by the Municipal Council shall enter into force after the publication of the decision in the register by the responsible authority:

- a) The decision of the Municipal Council to take the initiative is published in the register, within 10 days from the date of launching the initiative, according to paragraphs 1 and 4 of Article 56 of the law.
- b) The decision of the Municipal Council and the document of the initiative shall also be made public on the official website of the local unit.

**Article 59**  
**Approval of LGP**

1. The process of approving the general local plan (LGP) is done in accordance with the provisions of Article 25 of the law.
  
  2. Approval of the plan can be made through one or two stops, depending on the policy chosen by the local unit. The adoption strategy should be presented in the initiative document. One-stop approval implies complete drafting of the local planning document and subsequent approval. While two-stop approval implies:
    - a) initially approving the territorial development strategy of the unit;
    - b) Subsequently, the approval of the unit development plan accompanied by the regulation of its implementation.
  
  3. The process of adopting a one-stop plan contains at least these steps:
    - a) the request of the authority responsible for reviewing and approving the full plan document in the Municipal Council;
    - b) the decision of the Municipal Council;
    - c) the request of the authority responsible for approving the full plan document in CCT;
    - ç) the decision of the TAC.
  
  4. The process of adopting a two-stop plan contains at least these steps:
    - a) the request of the authority responsible for reviewing and approving the Territory Strategy of the local unit in the Municipal Council;
    - b) the decision-making of the Municipal Council;
    - c) the request of the authority responsible for approving the Territorial Strategy of the CCT;
    - c) the decision making of the CCT.
    - d) the request of the authority responsible for reviewing and approving the Unit Development Plan and its Implementing Regulation in the Municipal Council;
    - dh) the decision of the Municipal Council;
    - e) the request of the authority responsible for reviewing and approving the plan in the CCT;
    - c) the decision-making of the CCT.
  
  5. The materials to be submitted / published in the register prior to the approval of the planning document or its component parts (phase-related approval) in the Municipal Council are:
    - a) the approved initiative and the decision of approval by the Municipal Council;
    - b) the components of the plan for which approval is sought, according to the approval strategy (with one or two stops);
    - c) the act of compliance by the Agency or the statement of compliance in silence.
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- ç) environmental statement for the study of impact assessment from development and impact on the environment, referred to specific legislation in force, separately for the sectoral strategy and the full planning document, if adopted in separate phases.

6. The materials to be submitted / published in the register prior to the approval of the planning document or its component parts in the CCT are:

- a) the approved initiative and the decision of approval by the Municipal Council;
- b) the component documents of the plan for which approval is required, according to the approval strategy (one or two steps) and the decision of approval by the Municipal Council;
- c) the act of compliance by the Agency or the statement of compliance in silence.
- ç) environmental statement for the study of impact assessment from development and impact on environment, referred to specific legislation in force.

7. The head of the local unit, as the authority responsible for drafting the plan, submits for approval the plan or its constituent parts to the Municipal Council in accordance with point 2, article 12 and article 13 of the law.

8. The review of the plan document or its component parts is carried out according to these definitions:

- a) The conducts the review of the compatibility of the documentation within 15 days from the date of publication and submission for review of the complete documentation.
- b) At the end of the 15-day period of review of the documentation, the Agency shall draft and publish in the register the LGP technical assessment report and the compliance act, as appropriate.
- c) The Agency shall repeat the process of reviewing the compatibility of the plan document or its component parts and drafting the technical evaluation report, if the documentation is reviewed / improved by the responsible authority.

ç) In case of non-meeting the above deadlines, the requesting authority notifies the Agency of non-compliance with the deadline and issues the tacit compliance statement.

9. Reviewing / improving the documentation and reflecting the remarks of the Agency is carried out according to these definitions:

- a) Within 15 days of the publication by the Agency of the PSNC Technical Assessment Report, the responsible authority shall revise / improve the documentation to reflect remarks and suggestions, if any.
- b) At the end of the 15-day period, the responsible authority shall republish the documentation with the remarks and suggestions reflected, together with the report of the changes.

10. The documentation, subject to approval, is reviewed by the Municipal Council within 15 days from the date of submission for review of the complete documentation, subject of approval, according to the list in point 5 of this article.

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11. The decision on the approval of the plan or its constituent parts by the Municipal Council shall be published in the register and, in any case, on the official website of the responsible authority, within 15 days from the date of approval in accordance with paragraph 4 of Article 56 of the law.

Upon publication in the documentation register, being subject to approval, the act of compliance of the Agency or the statement of tacit compliance, and after the publication of the decision of approval of the Municipal Council, the responsible authority shall make the request for review and approval of documentation in the CCT.

12. The documentation, subject to approval, is approved by the CCT in accordance with letter "a" of article 7 of the law:

- a) The CCT makes a decision regarding the approval of the General Local Plan within 30 days from the date of submission for review of the complete documentation, subject to approval, according to the list in point 6 of this article.
- b) The basis of consideration for the decision-making on the adoption of the SPRL is as follows:
  - i) the technical assessment report and the act of compliance of the Agency;
  - ii) General National Plan (GNP)
  - iii) Detailed plans for areas of national importance (DPANI);
  - iv) sector national plans (NSP);
  - v) Sectoral plans at the regional level (SPNQ);
  - vi) legislation in effect.

#### **Article 60**

##### **Entry of LGP into effect**

1. The Local General Plan Document (LGPD) or its constituent parts, come into force with the full publication in the register of the TAC decision and its accompanying documents in accordance with paragraph 2 of Article 56 of the law.

2. The CCT's decision shall be published in the register and in any case on the official website of the Secretariat of the CCT and the authority responsible for planning, within 10 days from the date of its approval in accordance with paragraph 4 of Article 56 of the law.

3. The CCT Secretariat shall, in accordance with point 2 of Article 7 of the Law, not later than 15 days after its approval, send to the Central Technical Construction Archives and to the planning authority a copy of the approved planning document together with the decision of its approval, according to the provisions of paragraph 4 of Article 25 of the law.

#### **Article 61**

##### **Implementing and monitoring LGP implementation**

1. The monitoring of the implementation of the LGP is done by the authority responsible for drafting the plan in accordance with paragraph 2, letters 'c' and 'dh' of Article 13 of the law.
2. Monitoring of the implementation of the plan is made on the basis of the action plan and the document of the monitoring indicators, approved as an integral part of the plan document.
3. The General Local Plan is implemented through local sector plans, detailed local plans, strategic / capital investment, pilot development projects and building permits, according to the action plans of this plan.

## **SECTION 8**

### **DETAILED LOCAL PLAN**

#### **Article 62**

##### **Scope of the DLP**

1. Areas / units for which detailed domestic plans are drafted are provided in the Local Government Plan document on the definitions of this regulation.
2. In this context, the object of the detailed local plan is:
  - a) one or more units together, defined by the authority responsible for drafting the General Local Plan, as a unit or area, which should be subject to the drafting of the detailed local plan;
  - b) any units or zones with priority for development, as defined in the General Local Plan.
3. The detailed domestic plans are designed for:  
development and / or redevelopment of a zone / unit;  
regeneration / renewal of a predominantly urban area / unit;  
building public infrastructure.
4. Detailed local plans have the purpose of subdivision and / or merging of plots for development purposes.
5. The detailed local plan, during the design and implementation phases, should follow the planning principles as an ongoing process of work.

#### **Article 63**

##### **Authority responsible for drafting DLP**

1. The private parties interested in drafting the DLP shall submit the request for taking the initiative to the LGU chairman for approval. After obtaining the approval, the process of drafting the DLP may begin, according to the provisions of the law and this regulation.



2. The process of drafting the DLP is coordinated by the head of the local unit, which is also the authority responsible for drafting the plan in accordance with point 1, letter "c", of Article 13 of the law.
3. The detailed domestic plan (DLP) with public initiative is drafted by the working group on the basis of the approved action plan. The working group is made up of local unit specialists, public institutions depending on the local unit and experts from different fields, local or foreign.
4. The working group for the drafting of the DLP, upon public initiative, is established by decision of the head of the local unit, according to the provisions of the legislation in force.
5. Even in cases where DLP is compiled upon private initiative, the selection process of experts, part of the working group, should be done through open and transparent competition, in order to select the best consultancy. The selection / competition procedure is drafted by the local government unit, if it is not regulated in another act.
6. Drafting of the plan is regularly consulted with the DLP Advisory Forum, set up at the local unit, voluntarily or at the request of the head of the unit.
7. The DLP Advisory Forum consists of stakeholder representatives from the area / unit, representatives of the academy and civil society.

#### **Article 64**

##### **Contents of LGP document**

1. The Detailed Local Plan (DLP) document is based on the local planning document, the sectoral sector planning documents and the legislation in force.
2. The DLP document contains, at least:
  - a) the analysis document for the zone / unit;
  - b) the area / unit development strategy;
  - c) proposal with territorial definitions;
  - ç) the DLP regulation;
  - d) economic and financial assessment of the implementation of the LGP (feasibility study);
  - dh) maps accompanying and reflecting the content of each of the points above, ranging from 1: 500 to 1: 2,000, in accordance with the size of the area;
  - e) the report of the plan proposals;
  - ë) Impact assessment study due to the development and impact on the environment.
  - f) plan of actions and investments for the implementation of LGP;
  - g) Indicators for monitoring the implementation of LGP.

- gj) in the cases of DLP upon private-initiative, the DLP document also contains a contract of cooperation between the private party interested in drafting the DLP and the authority responsible for the drafting of the DLP.

3. The general directions of the content of each of the documents referred to in paragraph 2 of this Article from letters "a" to "d" are:

a) The analysis document for the area precedes the plan's definitions and is based on the in-depth analysis provided by the LGP or the PVS. In each case, the area / unit analysis contains:

- i) Maps on a scale of 1: 500 or 1: 2,000 depending on the area of the respective area / unit that present the technical survey of topography, spaces, uses, parcels, buildings and infrastructure in the area, denominations, dimensions and its boundaries;
- ii) detailed photographic documentation of the area / unit;
- iii) the map accompanied by a list of parcels and facilities owners and all records for each property under the immovable property register;
- iv) the relationship to the rules and maps that show protected areas and structures, if any, in accordance with the applicable environmental and cultural heritage legislation;
- v) Detailed analysis of environmental, landscape and infrastructure problems, in accordance with the definitions of the Local General Plan or local sector plans;
- vi) analysis of the quality of existing facilities and needs for regeneration, conservation or maintenance.

b) The development strategy of the area based on the definitions of the Local Government Plan.

c) The proposal with territorial definitions with the components, some of which are listed below:

- i) the report and maps for the proposed land use plan after the reorganization of plots through separation and / or merger. The land use is presented for basic categories, sub-categories and for functions or activities according to their distribution in plots and in each object;
- ii) the report and maps for the proposed plan of all necessary main and secondary infrastructure in the area, including parking;
- iii) graphic presentation of proposals to guarantee equal and independent access and use of spaces by all persons;
- iv) mapping and argumentation of the objects to be demolished and those to be regenerated and / or restored;
- v) volumetric presentation and trace of the foreseen structures / facilities;
- vi) a detailed layout in the report and map of the intensity of construction and the land use coefficient for each parcel, as well as the distances and heights of the premises in accordance with the development regulation;
- vii) the manner of implementation of development direction instruments in accordance with the law and the relevant regulations.

ç) The DLP Regulation contains, at least:

- i) definitions of terms used;

- ii) explanation of the codes used for:
    - categories and sub-categories of land use;
    - systems / areas / units;
    - other codes as appropriate.
  - iii) norms, indicators and implementation standards of planning, according to this regulation;
  - iv) The rules for the preservation of the environment, landscaping, natural resources, areas and cultural heritage sites that include, at least:
    - norms and standards for developments that have an impact on the environment, health, landscape and cultural heritage, according to the special legislation in force;]
    - norms, standards and rules for cultural, historical and environmental heritage sites and facilities, if any such elements exist in the area;
  - v) defining the protective line along the water elements (blue line), if there are such elements in the area.
  - vi) the rules for the development of the unit / area containing, at least:
    - development conditions;
    - basic categories and sub-categories of land use;
    - activities and functions in accordance with land use categories;
    - uses being permitted, prohibited or conditioned, including the relevant conditions.
  - vii) legal, public or private rights and restrictions arising from the use of development indicators;
  - viii) subdivision and aggregation rules of parcels in each unit;
  - ix) the rules of the road and transport system that contain, at least:
    - definition and description of the categories of road network in accordance with the special legislation;
    - technical conditions and dimensions;
    - the parameters of the mobility and transport scheme, according to the special legislation;
    - designation of the construction line (red line) along the side of the body of the road;
  - x) architectural rules, as appropriate; xi) rules on the use of spaces by "persons with disabilities".
- d) In accordance with point 14 of Article 22 of the law, the process of drafting the DLP is accompanied by the preparation of a feasibility study, which calculates the rates of development benefits, in a fair and proportionate manner with the costs and contribution to development. Benefits, contributions and costs are financial or material assets that include development rights and increased land value as a result of planning or public investment.

#### **Article 65**

##### **Initiative for drafting DLP**

1. The work process for the LGP is preceded by undertaking the initiative for its drafting.
  2. The undertaking of the initiative is carried out according to the definitions:
    - a) The authority responsible for undertaking and drafting the initiative, according to point 1, letter "b" of b) Article 13 of the law, is the head of the local unit.
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- c) The head of the local unit undertakes the initiative for drafting the DLP upon his own initiative or on the basis of the evaluation of the demand from the public or private sector. Interested public or private sector institutions may ask the mayor of the local government to take the initiative to draft a detailed local plan.
- ç) The authority responsible for approving the initiative is the head of local unit, in accordance with point 1, letter "c", of Article 13 of the law.
- d) The authority responsible for approving the initiative notifies the Council of the Local Unit for undertaking the initiative within 7 days from its approval and makes available to it the documentation of the initiative for taking the conformity act.
- dh) The Local Unit Council shall state the conformity of the initiative within 15 days of receipt of the notification.
- e) If the council fails to express itself within this deadline, the procedure for taking the initiative shall be deemed to be confirmed tacitly. The mayor of the local unit subsequently completes the statement of conformity tacitly.

3. During the process of launching the initiative, the responsible authority takes measures to inform and involve the stakeholders.

4. The document of the initiative for drafting DLP contains:

- a) an analysis that determines the purpose and need for drafting or reviewing the detailed plan, based on the definitions of point 3, article 22 of the law and this regulation;
- b) area / unit boundaries, according to local planning documents;
- c) entity code according to LGP;
- ç) list of parcels and landowners;
- d) action plan for drafting the DLP document;
- dh) the list of LGP constituent documents;
- e) experts (areas of expertise) that will form the working group to draw up the LGP;
- ë) definitions for the process of co-ordination, counselling and public meetings and respective deadlines;
- f) the budget for drafting the DLP when it is a public initiative;
- g) a statement of agreement for not less than 51% of the area surface / unit for the design of the DLP, in the case of a private initiative, in accordance with paragraph 5 of Article 22 of the law.

5. The initiative should be made public and published in the register by the responsible authority:

- a) The notification of the head of the unit on taking the initiative is published in the register, within 10 days from the date of launching the initiative, according to paragraphs 1 and 4 of Article 56 of the law.
- b) The Mayor's decision to take the initiative is also made public on the official website of the local unit.

6. The entry into force of the Mayor's decision to approve the initiative is made after the publication of the decision in the register by the responsible structures of the local unit:

- a) The decision of the head of the unit for the adoption of the initiative, together with the document of the initiative and the council's conformity act (or the tacit declaration of conformity, supplemented by the chairman) shall be published in the register within 15 days from the date of approval according to points 1 and 4, of Article 56 of the Law.

7. The decision of the head of the unit for the adoption of the initiative, together with the document of the initiative and the council's conformity act (or the tacit declaration of conformity, supplemented by the chairman), shall also be made public on the official website of the local unit.

#### **Article 66**

##### **Coordination of DLP**

1. The authority responsible for drafting the DLP provides a process of dialogue, cooperation and horizontal and vertical coordination with all planning authorities whose work is intertwined with the territory subject to study before the beginning and during the drafting of the plan, in accordance with the provisions of Article 23 of the law.

2. Coordination is done through the Forum for Coordination of Detailed Domestic Plans (FCDDP), according to Articles 5 and 7 of this Regulation.

3. The authority responsible for drafting the document examines the remarks or proposals of other planning authorities and alters the project or expresses its grounded stance on non-inclusion in the draft of the remarks or proposals prior to its submission for approval.

#### **Article 67**

##### **Public consultation and meeting in the context of DPV**

1. The authority responsible for drafting the DLP, according to the action plan approved in the initiative document, organizes public and advisory hearings before any decision-making related to the planning and repeats them as needed, with a view to providing full information to interested parties and resolution of conflicts, according to the provisions of Article 24 of the law.

2. Counselling is done through the Local Advisory Forum, which is a voluntary organization, involving intellectuals, academics and representatives of interest groups. If the LAF does not exist, the head of the local government unit should support its establishment.

3. The authority responsible for drafting the DLP has the obligation to conduct at least 2 consultations and public meetings during the drafting process, according to the following phases:

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- a) Completing the analysis of the existing situation;
  - b) upon completion of drafting of the draft DLP Act.
4. The responsible authority through its representatives participates in all public meetings and ensures that the public interest in the area is realized and that the DLP document is finalized with the support of the parties in the process.
5. Stakeholders interested in DLP and parcel owners in the relevant unit or area are notified for public meetings through the register and through one or more traditional means of information.
6. The announcement is made at least 20 days before each public meeting and must contain the documentation that will be discussed during the meeting.
7. Each public meeting is accompanied by a record of comments and suggestions, which are published in the register and attached to the final approval documents of the DLP in the form of annexes.
8. In addition to comments and suggestions in public meetings, interested parties may also submit observations and suggestions in writing to the responsible authority within 15 days from the publication in the consultation notice register, together with the full document to be consulted.
9. Responses or proposals from interested parties, deposited with the responsible authority, are immediately published in the register and through one or more traditional means of information.
10. The entity drafting the DLP reflects the observations, comments and proposals received above and submits the revised project for approval to the responsible authority. The revised project is immediately published in the registry.

#### **Article 68**

##### **Approval of LGP**

1. The process of approving the detailed local plan (LGP) is done in accordance with the provisions of Articles 22 and 25 of the law.
2. The process of approving the plan contains, at least, these steps:
  - a) the request of the working group for review and approval of the plan addressed to the head of the local unit;
    - consultations and public meetings of the chairman with interest groups;
    - reviewing the plan document by the local unit's responsible structure;
  - ç) reviewing / improving the plan's document by the working group;
  - d) the decision of the head of the unit.

- dh) Notification of the council of the unit for the approval of the DLP by the chairman and the request for conformity of the procedure;
- e) the conformity decision of the unit council for the procedure of drafting and approving the DLP;
- ë) A tacit declaration of conformity of the procedure, if the unit council fails to make a statement within 60 days of receiving the announcement of the head of the unit.

3. The working group and the structure responsible for reviewing the plan document should not consist of the same persons to avoid the lack of objectivity in the review.

4. Materials submitted / published for the approval of the planning document are:

- a) the initiative approved by the head of the unit;
- b) the act of conformity of the initiative or the tacit declaration of conformity;
- c) complete planning document;
- ç) FBPDV REPORTS, consultancy reports with the LAF and reports of public meetings;
- d) environmental statement for the study of impact assessment from development and impact on environment, referred to specific legislation in force.

5. Upon publication in the register of the full DLP document and accompanying documentation as above, the working group makes the request for review and approval of the plan by the head of the unit in accordance with points 6 to 9 of Article 20 of the law.

6. The head of the local government takes a decision on the approval of the detailed local plan within 45 days from the date of submission for review of the complete final documentation and if he has deemed it necessary after he / she has informed and conducted counselling and public meeting with other interested parties.

7. The entity head operates through the structure responsible for reviewing planning and development documents in the local unit from the point of view of form and content.

8. For reasons of transparency with the public and interested groups, the review of the plan document is carried out according to these definitions:

- a) The structure responsible for the review of the plan carries out the review of the detailed plan documentation, within 20 days from the submission date for the review of the full documentation.
- b) At the end of the 20-day period of review of the documentation, the Agency shall draft and publish in the register the LGP technical assessment report and the compliance act, as appropriate.
- c) The structure responsible for the review of the plan reiterates the process of reviewing the plan document and drafting the technical evaluation report, if the plan document is reviewed / improved by the working group.
- ç) The basis of consideration for the decision-making on the adoption of the DLP is as follows:

- i) General Local Plan (GLP);
  - ii) Sectoral Sector Plans (SSP);
  - iii) legislation in effect.
  - iv) Any planning document in force that has effects in the area for which a detailed domestic plan has been drafted;
- d) In the event of non-observation of the above deadlines, the requesting authority shall notify the structure responsible for the review of the plan for non-compliance with the deadline and issue the tacit statement of compliance.
9. The review / improvement of the document and the reflection of the observations of the structure responsible for the review are carried out according to these definitions:
- a) Within 15 days of the publication by the Agency of the DLP Technical Assessment Report, the working group shall revise / improve the plan document to reflect remarks and suggestions, if any.
  - b) At the end of the 15-day period, the working group shall republish the full plan document with the remarks and suggestions reflected, together with the report of the changes.
10. The head of unit decides on the approval of the detailed local plan on the basis of the technical report and the compliance act or tacit declaration of compliance, prepared by the responsible local planning structures and published in the territorial planning register and only in case residents owning more than one third of the zone surface have not expressed themselves against, according to the provisions of point 7 of Article 22 of the law.
11. In the event of any objections as above, the head of the local government unit organizes public consultation and meeting with interested parties, examines the respective remarks or proposals and evaluates their reflection in the detailed local plan, based on the definitions of point 8, of Article 22 of the law.
12. At the end of the process, the head decides on the approval of the plan, expressing himself also in relation to the acceptance or rejection of the submitted proposals and observations, pursuant to the provisions of paragraph 9 of Article 22 of the law.
13. Following the publication in the register of the full DPV document, approved by the head of the local unit, the latter officially notifies the local unit council for completing the drafting of the DLP and its approval and makes available to the council of the unit all necessary documentation for reviewing the DLP procedure, including at least the action plan approved by the initiative, the reports of the Local Advisory Forum, the Forum for DLP coordination, the reports of meetings with the interest groups, technical evaluation report of the DLP, compliance act or statement of silent compliance, remarks / objections of the residents of the area, summary document of the DLP.
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14. The procedure followed for drafting and approving the detailed domestic plan (DLP) is reviewed for conformity by the entity council, in accordance with points 10 and 11 of Article 22 of the law.

- a) The council of the local government unit monitors the process of drafting and approving the DLP to ensure compliance with the legal procedures for its approval.
- b) The Council of the unit shall make a decision on the conformity of the procedure for drafting and approving the DLP within 60 days from the date of filing the official request of the head of the unit for review of the procedure, accompanied by full documentation.
- c) If it finds deficiencies or violations, the council returns the DLP for reconsideration by the chairman of the local government unit within 60 days of its approval.
- ç) The decision of the DLP Review Board by the responsible authority for drafting the plan should be clearly substantiated on the basis of the provisions of the law and accompanied by concrete recommendations for the revision of the DLP.
- d) Before deciding on the DLP reconsideration by the authority responsible for drafting the plan, the council may organize one or more public meetings with interested parties.
- f) The secretariat of the unit council is responsible for notifying the members in relation to the request of the head of the unit for making available to them all the material deposited by the head of the unit for reviewing the procedure for drafting and approving the DLP for organizing the meeting for review and decision-making on the procedure, as well as for organizing the public meeting with the interested parties.
- e) If the local government council fails to express themselves within 60 days for the conformity or revision of the DLP, then the DLP procedure is deemed silently confirmed.
- ë) In the case of silent confirmation of the proceedings, the head of the unit officially notifies the council for the completion of the 60-day deadline and finds the absence of the council's statement on the procedure and, consequently, confirming the proceedings tacitly. At the end of the announcement, the chairman completes the declaration of conformity in silence.

#### **Article 69**

##### **Entry of DLP into effect**

1. The local detailed plan document (DLP) comes into force with the full publication in the register of the act of the unit council as well as its accompanying documents in accordance with paragraph 2 of Article 56 of the law.

2. The conformity council of the unit council is published in the register and in any case on the official website of the local unit, within 15 days from the date of confirmation of the procedure, in accordance with point 4 of Article 56 of the law.

3. In the case of silent confirmation of the procedure, the Detailed Local Plan (DLP) document enters into force with its full publication in the official notification register of the head of the local unit for silent confirmation and silent declaration of conformity in accordance with point 2, of Article 56 of the Law.

4. The official announcement of the head of the local unit for the tacit conformity of the procedure and the statement of tacit confirmation is published in the register and in any case on the official website of the local unit within 10 days from the date of the approval of the procedure in accordance with point 4, of Article 56 of the Law.

### **Article 70**

#### **Implementing and monitoring LGP implementation**

1. The monitoring of the implementation of the DLP is done by the authority responsible for drafting the plan in accordance with paragraph 1, letter 'a', of Article 13 of the law.

2. Monitoring of the implementation of the plan is made on the basis of the action plan and the document of the monitoring indicators, approved as an integral part of the plan document.

3. The detailed local plan is implemented through investments, development management instruments and building permits, according to the plan of action and regulation of this plan.

4. Entities benefiting development rights based on approved DLP, upon request, are provided with development permits, within the meaning of Article 38 of the Law.

5. The development license contains the conditions and the development rights that the DLP has determined and is issued shortly after the full approval of the plan document, according to the provisions of Article 69 of this Regulation.

6. After the approval of the detailed local plan (DLP), the responsible authority informs and / or registers in the immovable property register as a basis for conducting property transactions:

- a) the map of new parcels created by subdivision and / or merger of existing parcels;
- b) map of new parcels created by subdivision and / or merger of existing parcels and which are the subject of a transaction only after the expected area / unit infrastructure is registered in the immovable property register owned by the respective public authority. Infrastructure will be registered in the ownership of the public authority, at the conclusion of its construction process, according to the designation of the DLP action plan.

7. Construction permits for the construction within the area for which the DLP is compiled are provided by the head of the local unit on the basis of this plan in accordance with letter "a" of article 29 of the law and the regulations of the development regulation in accordance with the law.

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**SECTION 9**  
**SECTOR LOCAL PLAN**

**Article 71**  
**Scope of the SLP**

1. Sector local plans (PVS) are designed for the implementation of the Local General Plan, the relevant programs for the implementation of its functions and, where appropriate, joint and delegated functions, in accordance with the law on the organization and functioning of local government.
2. The strategy, projections and regulations of the PVS are defined on the basis of the National Sector Strategy, the LGP and the mid and annual budget of the municipality.
3. The local sector plan, as it is drafted and implemented, should follow the planning principles as an ongoing process of continuous work.

**Article 72**  
**Procedures of PVS**

The responsible authority, the contents of the PVS document, the PVS drafting initiatives; the drafting of the SAP, the co-ordination of the PVS, the public consultation and meeting in the context of PVS, the publication in the register of the PVS, the adoption, the entry into force of the PVS are carried out by following the established procedures for LGP and NSP.

**CHAPTER III**  
**MAIN DIRECTIONS IN PLANNING PROCESS**

**SECTION 1**  
**DIVISION OF TERRITORY FOR PLANNING AND DEVELOPMENT PURPOSES USE OF LAND AND DIVISIONS OF TERRITORY**

**Article 73**  
**Territory systems**

1. The local government units, for planning purposes, are divided into territorial systems, as follows:
    - i) Urban system (US);
    - ii) Natural system (N)
    - iii) Agricultural system (A)
    - iv) Water system (W)
    - v) Infrastructure system (IS)
  2. The urban system (US) is formed by the unification of urban territories and is marked by the green line.
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3. The natural system consists of landscapes, untouched nature spaces, ecological corridors and spaces that have a basic category of "nature" use (N) and in accordance with the special legislation.

4. The agricultural system consists of agricultural land, occupied with the plants of fields, orchards, vineyards and olive groves, wherever it is and which has as its essential properties the fertility and utility canals, and reservoirs. The agricultural system is formed by the merging of lands with basic categories of land use "agriculture" (A). This system is the result of timely interaction between human activities for cultivation and construction of agricultural character in the territory. The zoning of the agricultural system is based on soil fertility and on the activities and functions that are developed within this system, according to the special legislation in force.

5. The water system is the totality of groundwater and water resources, containing all water bodies, including the shores according to the provisions of the special legislation. The water system is formed by a network with a basic category of land use "water" (W).

6. The infrastructure system contains the main infrastructure networks at national, regional and local level. The infrastructure system is formed by a network with a basic category of land use "infrastructure" (IN).

#### **Article 74**

##### **Zone**

1. The area is a part of the territorial component of the urban territory, with specific or similar features or uses, existing or planned in it. The area consists of two or more units.

2. Zoning of the territory is the process of defining the categories of land use in the area, during the design of the planning document, for the existing and the foreseen condition in the territory with the purpose of:

- a) Harmonization of land uses, within an area and / or between zones;
- b) preserving and improving the values and character of an area in accordance with the harmonization of public and private interests in its development;
- c) improvement of the system of movement in the territory, regulation of traffic, provision of equal access for all and public parking space;
- ç) sustainable development of the territory.

#### **Article 75**

##### **Unit**

The unit is the smallest division of territory for development purposes, which is defined during the planning process.

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The Planning Authority defines the boundaries of the units in the Local Government Plan, in such a way that a unit:

- a) should not be inconsistent and with negative impacts between them except where additional conditions are foreseen for the accomplishment of a development;
- b) Shall be compact and uniform in terms of spatial typology, as envisaged by the plan;
- c) have indicators and uniform conditions of development according to the development regulation;
- ç) be bordered by the road network, regardless of the category of roads and, as the case may be, the railway line, protection and sanitation stripes, waterways, streams, rivers or other linear and visible elements in the territory.

#### **Article 76**

##### **Defining the basic categories of the land use**

1. The purpose of determining the basic categories of land use is:
  - a) facilitate the zoning process for planning authorities;
  - b) unify the basic methodology, terminology and codes used in zoning under this Regulation, without limiting the planning methodologies and other modes of zoning;
  - c) Establish a comparative basis on land use between planning documents of different authorities and territories.
2. The basic land use categories are defined according to the territory's systems.
3. The planning authority determines in the territory the distribution of the basic categories of land use under this regulation and the sub-categories.
4. If an area or unit contains two or more base categories and / or sub-categories of land use, it is considered as mixed use and is marked with all relevant use codes under this Regulation.

#### **Article 77**

##### **Codes and meaning of basic categories of the land use**

1. The basic land use categories and structures in it are 14 and are placed within each territory system in accordance with this regulation and the legislation in force.
2. The Planning Authority refers to and uses during the zoning process the basic categories of land use and the relevant codes:
  - a) "Housing", code "A", which includes areas and facilities where residential functions and activities are carried out, even if they are classified by the legislation on cultural monuments or such that are in function of residence;
  - b) "Industry and Economy" use, with the "IE" code, which includes all types of industries under special legislation, mining and processing of minerals and building materials, industrial and logistic

- parcs, business and mixed industrial and economic incubators for as long as the main purpose of their function is not the agricultural services and economic activities according to this regulation;
- c) The use of "agriculture", code "B", for agricultural purpose under special legislation, including auxiliary and direct ancillary activities of agriculture, other than dwellings and roads;
  - ç) The use "Services", code "S", territories and structures for commercial services, offices and business centers;
  - d) Special use, code "V", cemeteries and any territory or structure not included in other basic categories;
  - dh) "water" use, code "U", all water bodies, including coasts, as defined by the legislation on waters;
  - e) Use of "natural land", with the code "N", according to the environmental laws, biodiversity, protected areas and nature monuments, forests, pastures and fruitless lands;
  - h) Use of "heritage and cultural and historical monuments", with the code "M", according to the provisions of the special legislation, except those that are inhabited;
  - f) Use "military zones" with the code "ZU", territories and objects classified as such in the territory or in the special legislation;
  - g) The use "institutions" with the "IS" code, administration and state structures, regardless of the level, of the judicial system, banks, media, civil and national defense institutions except those included in other categories of assistance and care services social, civil society, prison system and religious institutions;
  - gj) The use "social and recreational activities", code "AR", social, cultural and recreational activities, including sports, according to special legislation;
  - h) The use "education", with the "AS" code, according to the special legislation;
  - i) The use "education", with the "SH" code, according to the special legislation;
  - J) The use "infrastructure", with the "IN" code, all parts of transport infrastructure, solid and liquid waste, water supply, oil and gas, biofuels, electronic communications, electricity supply, land protection from erosion and slide and fire protection, according to the special legislation.

#### **Article 78**

##### **The use of the basic categories in the Territory Integrated Register**

1. The basic layers of information in the data group of the register, titled as the basic categories of land use, shall be regulated in compliance with article 14, the basic categories pursuant to this regulation.
  
  2. The register presents the subcategories of the land use, in compliance with this regulation for the meaning of each basic category.
  
  3. The register adds the subcategories per each basic category, case after case, upon the request of the planning authority, which needs a new subcategory, for the reflection of the concrete situation of the territory in the register.
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4. All the planning authorities are compelled to use in their planning documents, the information layers of the basic categories and subcategories according to this regulation and register.

#### **Article 79**

##### **The permitted, banned and conditional category of the land use**

1. The planning authority, in the regulation of the planning document, shall stipulate for each zone the permitted, banned and conditional categories of the land use and, accordingly, the land use subcategories.

2. The land use categories, subcategories for a zone are all those ones which contain developments, whose realization is permitted through the fulfillment of the additional conditions established by the planning authority, in compliance with this regulation and the legislation into force. These conditions include the studies of the impact from the conditional use and concrete protective measures for other developments.

3. To classify the categories and accordingly, the permitted subcategories, the activities and the functions in a zone according to this article, the planning authority reviews if the developments are:

- in compliance or are in contradiction to the zoning purpose and to the planning document;
- compatible or not among them and do not create negative economic, social, environmental impacts on the historic and cultural values and accordingly, health impacts on each other and on the users;
- within or not a category or subcategory.

### **CHAPTER IV**

#### **PLANNING STANDARDS AND INDICATORS**

##### **SECTION 1**

#### **PLANNING STANDARDS AND INDICATORS FOR URBAN TERRITORY**

##### **Article 80**

##### **General provisions**

1. The rules, the conditions, the standards and the indicators of the territory planning and urban projection are mandatory to be enforced for each planning and development document drafted in each level in the Republic of Albania.

2. The territory planning rules, conditions, standards and indicators shall change according to the existing and foreseen situation of the zone that is studied with regard to the land use, the types of the structures, the space typology, the functions, the activities and with conditions stipulated by the special legislation.

3. The planning authority stipulates the planning and development indicators at a zone level.

4. The planning and development indicators are distributed at a unit level, according to this regulation.
5. Each initiative for the DLP or a request for a permit is based on the planning indicators and development conditions which are stipulated for the respective zone or unit.

#### **Article 81**

##### **Planning standards and indicators for the structural residential zones and units**

1. The planning standards for the residential zones shall be applied in units and/or zones with development priority, which have a homogenous residential use or the main purpose of land use for residence, according to this regulation.
2. The planning standards shall change according to the population number in urban territories and shall be categorized, accordingly, for three main groups:
  - up to 10,000 inhabitants;
  - over 10,000 inhabitants;
  - over 100,000 inhabitants.
3. The planning standards in the residential zones shall ensure healthy living conditions for the population.
4. The minimal planning standards for the residential zones and units shall be stipulated for the following planning indicators:
  - a) The gross residential area per inhabitant, which is composed of the residential living and relaxation areas, the areas for cooking, sleeping, sanitation junctions, stairs and the lift;
  - b) the green area, according to this regulation;
  - c) the surface for kindergartens, nursery schools, secondary schools, according to this regulation;
  - d) the surface for structures of public use for religious, social, health, sanitation, administrative activities, not at the city level;
  - e) the sports area, pursuant to this regulation;
  - f) the public parking area, pursuant to this regulation;
  - g) the surface for limited trading services and offices, not at the city level. This area may be in special structures or in the residential structure.
5. The minimum standards for the indicators according to paragraph 4 of this article are:



Inhabited area	a) Gross residential area	b) Green area	c) Kindergarten, nursery schools, schools	ç) Structure for public use	d) Sports territory	dh) Public parking	e) Limited trade service	ë) All
	m <sup>2</sup> /inhabitant	m <sup>2</sup> /inhabitant	m <sup>2</sup> /inhabitant	m <sup>2</sup> /inhabitant	m <sup>2</sup> /inhabitant	m <sup>2</sup> /inhabitant	m <sup>2</sup> /inhabitant	m <sup>2</sup> /inhabitant
Up to 10000 inhabitants	25	5	4	2	1.6	6	5	48.6
Over 10000 inhabitants	25	9	4.5	2	1.6	6	5	53.1
Over 100000 inhabitants	25	9	4.5	2	1.6	6	5	53.1

6. In the cases when some of the territories and objects, pursuant to paragraph 5 of this article, serve not only to the structural residential unit, but to the entire residential area, apart from the standards of this article, all the standards and the rules in this chapter are applied.

## **Article 82**

### **Parking lot**

1. Apart from the provision in paragraph 5 article 81 of this regulation, the minimum standard of the parking is:

- a) For the public parking, despite the form how it is solved, it is 6m<sup>2</sup>/inhabitant or 1 parking space of 12 m<sup>2</sup> per 2 inhabitants.
- b) For the parking space dedicated to objects for use not for housing, it is 12 m<sup>2</sup>/user and it is calculated based on the average influx up to a maximum of 24 hours for the users of the object.
- c) For the private parking for residential objects, despite the form how it is solved, it is 15 m<sup>2</sup>/family or flat.
- d) In all the cases, parking spaces shall be planned for the disabled people.

2. The parking space may be private or public and the forms of the solutions are in the streets, in public squares, on the ground or underground, in structures with one or several levels and in parts of the objects of different uses.

### **Article 83**

#### **Public structures for education and health**

1. The minimum planning standards for public structures of education and health, apart from the provision in paragraph 5 article 81 of this regulation and excluding the university and hospital structures, are as follows:

- a) For nursery schools:
  - i) one nursery per 1000 inhabitants and 25-30 children per 1000 inhabitants;
  - ii) in the rural areas, 1000 inhabitants and 13-105 children per 1000 inhabitants;
  - iii) the service radius of the nursery in the air line is 200-300 metres;
  - iv) based on the number of the groups, one nursery is planned according to 25 m<sup>2</sup>-30 m<sup>2</sup>/children;
  - v) based on the number of the groups, the parcel of the nursery is 900 m<sup>2</sup>-1,500 m<sup>2</sup> and contains all the services provided for by the respective ministry and the special legislation.
- b) For kindergartens:
  - i) a kindergarten per 1500 inhabitants;
  - ii) the service radius of the kindergarten in the air line is 250-350 metres in the urban areas and 500-600 metres in the rural areas;
  - iii) based on the number of the groups, a kindergarten is planned according to 18 m<sup>2</sup>-25 m<sup>2</sup>/children;
  - iv) based on the number of the groups, the parcel of the kindergarten is 1000 m<sup>2</sup>-1500m<sup>2</sup> and contains all the services provided for by the respective ministry and the special legislation;
  - v) if one structure contains a kindergarten and nursery, too, the planning, projection and construction is done based on the minimum standards for both structures, using the values that guarantee the best standard.
- c) For elementary and secondary schools:
  - i) one school per 6000 inhabitants;
  - ii) the service radius of the school in the air line is 500-600 metres in the urban zones and 1000-1500 metres in the rural zones;
  - iii) based on the number of the classes, one school is planned according to 20 m<sup>2</sup>-25 m<sup>2</sup>/pupils;
  - iv) based on the number of the classes, the school parcel is 1500 m<sup>2</sup>-7000 m<sup>2</sup> and contains all the services foreseen by the respective ministry and the special legislation.
- ç) For the high schools:
  - i) one school per 9000 inhabitants;

- ii) as a basic rule 1.5 m<sup>2</sup>/inhabitant;
  - iii) the service radius of the school in the air line is 1000 – 1500 metres in the urban zones and 2000 – 4500 metres in the rural zones;
  - iv) based on the number of the classes, one school is planned according to 20 m<sup>2</sup>-30 m<sup>2</sup>/pupil;
  - v) based on the number of the classes, the school parcel is 2000m<sup>2</sup>-7000 m<sup>2</sup> and contains all the services foreseen by the respective ministry and the specific legislation;
  - vi) if the high school has a dormitory with 100-400 beds, the parcel is 4000m<sup>2</sup> – 9000 m<sup>2</sup> and it is planned according to 25-35 m<sup>2</sup>/pupil.
- d) For health, non-hospital structures:

No.	Denomination	Surface (m <sup>2</sup> )	Indicator "1 unit/no. of inhabitants"
	Health centers	300 – 400	One per 250-1,500
	Ambulance – maternity hospital fo	400 – 6,000	
	Ambulance – consultancy service	700 – 1,000	One per 1,500–2,000
	Policlinic	2,000 – 5,000	
	Dispensary	3,000	
	Directorate of Hygiene	2,000 – 3,000	
	Disinfection, deratization centre	2,000	

dh) The standards stipulated in this article are improved in compliance with the need of each local unit to fulfill the request for structure numbers and for space according to the average number of the children, pupils or users every year for a period of at least 5 years and the number of the inhabitants every 5-10 years. All these standards may be changed in compliance with the special legislation for education and health.

#### **Article 84**

##### **Structures and territories for sports**

Apart from the provision of paragraph 5 article 81 of this regulation, the minimum standards per:

- a) Sports activities of the type stadium, sport facility with a gym, pools and other ones of this nature, shall be constructed at city level based on the standards of projection and of the preliminary feasibility studies but not less than 1 m<sup>2</sup>/inhabitant;
- b) The structures and territories at the urban territory level bigger than a city are 2.6 m<sup>2</sup>/inhabitant when the population is equal to or higher than 100000 inhabitants and 3.5 m<sup>2</sup>/inhabitant for the cases with a population under 100000 inhabitants.

#### **Article 85**

##### **Public spaces**

1. The public authorities, ex officio or in partnership with the private sector create public spaces through the construction of public infrastructures stipulated in article 3 and 4/1 of the law, on green areas,

transport, social activities, educative-sports activities, relaxing and/or recreational activities, according to the rules, conditions and specific standards.

2. The territory planning and development activities create and preserve the status of the public space in territories in private ownership through:

- a) Expropriation for public purposes;
- b) The intensity of the construction with conditions, according to article 30 of law and according to the regulation of development;
- c) The transfer of the right for development, according to article 31 of the law and according to the development regulation;
- d) The fair allocation of the costs and profits among the interested parties, including the local authority, realized in a DLP according to article 22 of the law;
- e) The public servitude and the preference right, according to articles 34 and 36 respectively of the development law and regulation.

3. The territory planning and development authorities preserve the public space from the interventions and the constructions of any kind, even from the temporary ones, which are not in compliance with the purpose of its use, according to the planning document through which this space has been created.

4. The public space in urban territories and especially within the inhabited ones, is used even as a general public green space according to article 86 of this regulation and it is accessible by the community.

5. Only activities, which are in compliance with the purpose of the public spaces creation, are permitted to be carried out in them.

6. The territory planning and development local authorities shall undertake programs for the preservation, the maintenance, the creation and the increase of the public spaces in their territories, in compliance with the law and the regulation based on the law.

#### **Article 86**

#### **Public greenery in urban territories**

1. The definitions of this article are not used for territories that use homogenous B-agriculture, N-natural lands and U-waters.

2. Green areas at urban territorial level consist of:

- general public greenery;
- limited public greenery;
- special greenery.

3. The minimum standards for general public greenery by components are:

- a) 2.5 m<sup>2</sup>/inhabitant per unit level greenery, excluding the letters “b” and “c” of this point and including b) playgrounds for children, regardless of the number of the population in the unit;
- b) 1 m<sup>2</sup>/inhabitant in centers up to 10,000 inhabitants and 4 m<sup>2</sup>/inhabitant in centers over 10,000 inhabitants, for massive greenery in parks and flower gardens inside the agglomeration;
- c) 1.5 m<sup>2</sup>/inhabitant in centers up to 10,000 inhabitants and 2.5 m<sup>2</sup>/inhabitant in centers over 10,000 inhabitants, for greenery on the streets, promenades, squares and waterfronts according to the legal provisions in force;
- ç) for letters “a”, “b” and “c” of this point, 5 m<sup>2</sup>/inhabitant in centers up to 10,000 inhabitants and 9 m<sup>2</sup>/inhabitant in centers over 10,000 inhabitants;
- d) 8 m<sup>2</sup>/inhabitant in centers of up to 10,000 inhabitants and 17 m<sup>2</sup>/inhabitant in centers over 10,000 inhabitants for the greenery of the recreational periphery park area. This area may also include public service structures for entertainment, cultural, sporting activities with various playgrounds for children and adults, pedestrian streets, stairs, etc. The asphalted and/or occupied surface constitutes no more than 5% of the total area of the park;
- d) for letters “ç” and “d”, of this point, 13 m<sup>2</sup>/inhabitant in centers up to 10,000 inhabitants and 26 m<sup>2</sup>/inhabitant in centers over 10,000 inhabitants.

4. Each residential structure shall have a radius of 400 meters, at least one green space of the type defined in letter “b” of point 3 of this article.

5. Restricted social greenery includes green areas of public use, and the individual greenery of individual buildings, a villa type, whether or not the flats are attached or detached. The minimum standard is 1 to 2 m<sup>2</sup>/inhabitant and depends on the typology of constructions, the size of the minimum parcel and the territory use coefficient. These areas are only used by construction users, such as: patients using green space in a hospital, clients of an institution, visitors, or residents of the individual building.

6. Special greenery includes structures and function zones, such as: botanical and/or zoological gardens, seed plots and sanitary protection belts. Standards for botanical and zoological gardens are evaluated according to design manuals, number of users and activities expected to be carried out in such an area.

7. Standards for privately owned parks and flower gardens are not subject to this regulation.

## **SECTION 2**

### **STANDARDS AND INDICATORS OF SECTORAL PLANNING**

#### **Article 87**

##### **Sanitary protection belt**

1. In the sanitary protection belts, the minimum standards for planting are:

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- a) not less than one sapling per 1m<sup>2</sup> for bushes and in any case according to the provisions of the special legislation in force;
- b) not less than one sapling per 9 m<sup>2</sup> per tree of medium height and in any case according to the provisions of the special legislation in force;
- c) not less than one sapling in 36 m<sup>2</sup> for tall trees and in any case according to the provisions of the special legislation in force.

2. For the planning and creation of the sanitary protection belt area, the minimum standards are:

- a) Surface with indefinite vegetation: 0.8-2 m<sup>2</sup>/inhabitant;
- b) Surface for wood saplings and decorative bushes: 0.6-1.5 m<sup>2</sup>/inhabitant;
- c) Surface for greenhouses and decorative flowers: 0.2 - 0.5 m<sup>2</sup>/inhabitant.

### **Article 88**

#### **Protection distances and sanitary protection belts**

1. The sanitary protection belt of a development is anticipated on the basis of the function and activities inside the development parcel.

2. The width of the protective belt from a development is measured from the construction line to the development construction line that requires to be protected. Protection distances are determined for developments that are related to improper use of land.

3. For industrial facilities, and facilities for production, transmission and distribution of electricity, unless otherwise specified in the special legislation or for the safe operation of the building being constructed, the minimum width of the sanitary protection zone along its entire boundary is 50 m and the minimum protection distance is 200 m. These values increase according to the type of facility and technology used and the degree of pollution of the industrial zone during its design.

4. For the distances of landfills or other solid waste treatment and processing facilities at regional level, a planning authority refers to specific legislation and planning and development documents for issues of national importance.

5. The minimum protection distance from a crematorium is 150 m.

6. Minimum protection distances from a farm larger than 10 cattle units, for poultry, cattle, horses, pigs, goats and sheep, is 500 m.

7. The minimum protection distances from mechanical/biological plants and aerated lagoons for sewage treatment are 200 m for a capacity of less than 5,000 inhabitants and 1,000 m for a capacity of 1,000 - 50,000 inhabitants.

8. Construction protection distances shall be determined in accordance with the special legislation in cases of:

- a) water resources and bodies, including facilities for potable water supply;
- b) airports, aerodromes and flight areas;
- c) railways and highways;
- ç) structures that create acoustic and electromagnetic waves;
- d) structures and plants for the growth of animals and poultries in the vicinity or within urban areas;
- dh) cultural heritage areas and facilities;
- e) protected natural areas.

9. For eolic/wind power generation parks, unless otherwise specified in the special legislation, the minimum boundary distance of the park from the border of the inhabited area is 500m to 2,000m.

10. Depending on the size, the use of pesticides, insecticides, fungicides, herbicides and fertilizers is prohibited 10-20 m from the shore of lakes and 6 m from the shore of watercourses.

11. The cemetery territory is no more than 300 meters from the built-up areas.

### **SECTION 3**

#### **MANDATORY SECTORIAL CONDITIONS**

#### **Article 89**

##### **Industrial uses**

1. The size of the areas using the IE-based industry category depends on the type of industry, structures and territories it requires, and the rules and conditions set out in the strategic development policies and/or territorial strategy of the local unit or central government authorities.

2. The industrial zone shall:

- a) connect to all roads of heavy external and high-speed traffic;
  - b) comply with the distances from the inhabited centers depending on the type of activity and the environmental indicators, as defined by the special legislation in force;
  - c) be surrounded by sanitary protection belts;
  - d) be positioned in such a way that air emissions do not move with the wind towards the city and shall therefore be based on studies on wind direction;
  - e) have a network of infrastructure, separate from the center and the inhabited area network;
  - f) contain internal solutions for the treatment of all types of waste that are discharged from industrial activity.
-

## **Article 90**

### **Hospital area**

1. The hospital area consists of the whole health facilities with beds, such as: pathological hospital, pediatry, surgery, maternity, etc. according to special legislation.
2. Except as provided in this Article, the responsible authority shall implement the special legislation for the planning and construction of public and private hospitals in accordance with service standards.
3. The territory of the hospital area is occupied with constructions at 15% and the rest of it serves for greenery, roads and economic services. Objects for hospitals and public health comply with the minimum rate of 1 m<sup>2</sup> per inhabitant.
4. The hospital area shall have a good connection with the center and main streets of the city, shall be protected from strong winds and with good sunlight, protected from noise, smoke, dust and all industrial and agricultural pollutants in general.
5. The hospital area shall have no fewer than two entrances. The morgue must have separate entrances and exits.

## **Article 91**

### **Natural Territories**

1. The planning and development process in natural areas and the change of the relevant basic category of land use in other categories is regulated by the special forestry and forestry service legislation on land, tourism, pastures and meadows, management of aquatic and environmental reserves.
2. The proposal for amendment according to point 1 of this Article is made through planning documents and relevant acts mandatory by the specific legislation.
3. The process of preparing the respective act/acts according to point 2 of this article is carried out in parallel with the drafting of the planning document and is approved by the responsible authorities under the special legislation.

## **Article 92**

### **Water and wetlands**

1. The planning and development process in the territories belonging to the basic category of use "Water and Wetland" is regulated according to the special legislation and international conventions to which Albania has adhered.



2. Any development on the water shores and the boundaries of the respective protection zones shall be determined by the special legislation and this regulation. The protection areas consist of:
  - a) Hygiene-sanitary areas for the protection of water resources, designated for the production of potable water;
  - b) A nearby protection zone within which any type of construction and discharge will be prohibited, except constructions for the protection of the water body;
  - c) A remote protection zone within which the activities provided in letter “b” shall be subject to administrative permission before obtaining the construction permit.
  
3. The construction of works and facilities for the use of water reserves and the prevention of harmful water activities are subject to administrative permits or concessions when these are within the framework of public services.
  
4. It is forbidden to store materials and substances that can be rinsed in water and the construction of new facilities in areas threatened by flooding.

#### **Article 93**

##### **Agricultural territories**

1. Development and construction in agricultural areas are carried out according to planning documents and special legislation on agricultural land.
  
2. Any general or sectoral planning document that anticipates a change in the category of land use from agriculture to other uses and vice versa shall be accompanied, as appropriate, by the relevant acts of amendment under the special legislation.
  
3. The process of preparing the relevant act/acts according to point 2 of this article may be conducted in parallel with the drafting of the planning document and approved by the responsible authorities under the special legislation.

#### **Article 94**

##### **Tourist areas and basic principles**

1. Tourist areas consist of areas of natural, landscape, historical, cultural, sports, health and recreational value.
  
  2. Tourist areas are defined according to the special legislation in force.
  
  3. The principles of planning and designing tourist areas are:
    - a) Preservation and protection of natural territories and environment and with values of historical and cultural heritage from urbanization and development;
-

- b) The conservation of areas that are included in the agricultural territories and their use for agrotourism shall be done according to the provisions of this regulation and the special legislation;
- c) Controlled urbanization of inhabited centers in tourist areas is made in harmony with the environment, agricultural land and natural resources, without contaminating water, air and land, without changing the values of local biodiversity and without causing adverse effects on human health;
- d) Use of the marine environment only for purposes that serve its preservation and economic and leisure activities permitted under the special legislation;
- e) dh) Promotion of ecotourism versus mass tourism forms.

### **Article 95**

#### **Development in Coastal Tourism Territories**

1. The construction intensity and the land use coefficient at the level of the inhabited area do not rise above the existing ones in the coastal tourism territories, despite the existing urbanization level.
  2. The size of the belt banned for construction under the specific legislation on integrated water management shall be increased in proportion to the reason for protection if the physical conditions of the coast are such that:
    - a) lands are flooded or threatened by flooding, slipping, erosion and unstable land;
    - b) carry natural, economic, landscape, cultural and environmental values that are protected by sectorial c) legal provisions in force;
    - ç) carry issues of national importance, which are maintained and/or developed under special legislation.
  3. General plans addressing coastal tourism territories provide in each case public and intact natural spaces that:
    - a) lie in the normal direction with the coast line;
    - b) serve as limiting to the extent of urban development on the coast;
    - c) are not constructed, not left fallow and are always wooded, used as pastures or for cultivating agricultural crops in accordance with soil suitability tests.
  4. Existing forest belts and spaces in tourist areas may not be affected by constructions, unless otherwise provided by special legislation.
  5. In the tourist areas on the coast and lake, the new roads for transit traffic, classified according to the Road Code in the “highway” and “interurban road” categories, are constructed remotely from the coastline, determined by the legislation on water resources, not less than 300 meters in real and normal distance to the coastline along its length. The distance is measured from the restrictive line of the new
-

road body. The necessary service roads for these categories are not placed in the space between the road and the coast.

6. Without prejudice to this Article, construction in the territories of the tourist areas on the coast shall be carried out in accordance with the special legislation in force.

7. For constructions near the water coast, the distances specified in the special legislation are respected.

#### **Article 96**

##### **Cultural heritage sites and facilities**

1. Any development, even maintenance and restoration, in cultural sites and facilities, and in their vicinity, shall be carried out in accordance with the special legislation in force.

2. The facilities classified as cultural monuments according to the classifications of the special legislation referred in point 1 of this Article shall define a land surface as a protection zone, in accordance with their architectural values, with their urban, territorial and aesthetic suitability, with ecological and environmental surroundings and circumstances. The size of the defensive area and its development rules and conditions shall be determined in accordance with the special legislation on cultural heritage and the law.

3. If the size according to point 2 of this Article is not determined by law or sub-legal acts and the protection area has not yet been announced by the minister responsible for cultural heritage, its continuous width shall not be less than 100 meters.

#### **Article 97**

##### **Antennas**

1. The location of the towers and poles of the electronic communications antennas shall be in accordance with the special legislation on the respective infrastructure in order to minimize their number and negative visual, acoustic and health impacts to people and to ensure public safety.

2. To reduce the visual impact of towers and antennas, the respective structures are hidden and masked.

3. Telecommunication towers that are high above 25 meters are not allowed to be built and placed within designated areas as residential areas. Their minimum distance from the restriction of the closest built property is 30 meters.

4. The positions of the towers and antennas in the cities must be in accordance with the guidelines and standards of the radio-frequency commission in the respective public authority and guarantee the protection of the health of the inhabitants.

5. Towers and poles installed contrary to this Article shall be removed and the owner of the pole/poles shall pay the removal cost.

6. The construction permit for the towers and poles under this article is preceded by the permit of the commission certifying, according to the standard, towers and poles of electronic communication antennas.

7. The towers and poles of electronic communication antennas are not allowed to be built or placed within the cultural heritage areas and facilities.

**Article 98**  
**Different uses**

1. For the identification of the needs, construction and positioning of wastewater treatment plants, landfills and solid waste treatment and processing plants through combustion, the provisions of the special legislation in force shall apply.

2. The homogeneous area of universities and research and scientific institutions consists of vocational education and higher education facilities and research and scientific institutions of different fields. The size of this area is subject to the number of facilities it covers and the number of students it serves. The standards for these areas are referred to in the special legislation in force.

3. The territory of public cemeteries is calculated according to the special legislation in force.

**ANNEX I**  
**ON THE TEXT FORMAT OF THE GENERAL LOCAL PLAN**  
**REPUBLIC OF ALBANIA**  
**NATIONAL TERRITORIAL COUNCIL OF THE REPUBLIC OF ALBANIA**

**TEXT**  
**OF THE GENERAL LOCAL PLAN OF THE MUNICIPALITY**  
**APPROVED BY**  
**CHAIRPERSON OF THE NATIONAL TERRITORIAL COUNCIL**

CHAIRPERSON OF THE MUNICIPAL COUNCIL

Approved by the decision no ..... dated of the Municipal Council

Drafted by: Municipality

Contracted entity:

Supporting entity:

Funded by:

<b>1. General data about the municipality</b>		
<b>Denomination</b>	<b>Value and unit</b>	<b>Specifications</b>
Local Unit Area	Hectares	Surface of land, agricultural land, etc.
Number of existing population	inhabitants	Population for each local government unit
Areas of national importance and natural and cultural protected areas	hectares	According to the special legislation and law on territorial planning and deveelopment
Approved surface of informal areas	hectares	Areas approved by ALUIZNI
Environmental problems		Facts are briefly mentioned by taking into consideration the location of elements negatively affecting the environment and human health

<b>2. Proposal of the GLP (General Local Plan)</b>		
<b>Denomination</b>	<b>Value and unit</b>	<b>Specifications</b>
Type of expected development in the 15 future years		Briefly given the changes in use of land, new land uses, etc.
Main proposed uses of the land		Based on the main categories and subcategories of land use

Number of expected additional population in the 15 future years	Inhabitants	Evaluation according to demographic anticipations
General area of added construction for housing	hectares	Area expected to be added for housing in the 15 future years
General area of added construction, not for housing	hectares	Specification of business functions, trade, industry, etc.
General area of zones under protection		Protected areas, conservation areas, etc.
General area of buildings for social housing	hectares	
Additional green area	hectares	Parks, forests, etc.
Number of structural units		

<b>3. Financial data</b>		
Denomination	Value and Unit	Specifications
General value of the capital investment plan	ALL	It should be in conformity with the midterm budget program
Phases of development implementation	Every x years or relevant periods	Divided in periods within the time validity of the plan for the relevant structural units
Technical study of the prefeasibility		It is substantiated the proposed solution and approximate costs with the main items

<b>4. LGP document for submission</b>				
No.	Chapter/Document	Drafted/Approved	Legal reference	Check list
	Territorial Strategy	Drafted and approved	Article	
	Analysis and evaluation of the territory	Drafted and approved as part of the plan	Article	
	Provisions of the plan	Drafted and approved as part of the plan	Article	
	Strategic environmental evaluation	Drafted and approved	Article	

Cartographic material	Drafted and approved	Article	
LGP Regulation	Drafted and approved	Articles	

<b>5. Maps attached to the written document of the LGP according to the planning regulation</b>					
<b>No.</b>	<b>Topic of the map</b>	<b>Type of the map</b>	<b>Scale</b>	<b>Code of the map</b>	<b>Check list</b>
1.	Basic Map	Basic vectoral map of the local unit and topography			
2.	Strategic vision of territory development	Main directions of territorial planning and development; objectives; time phases for the execution programs.			
2.	Existing elements of the territory	Topographic; geologic-engineering; Hydrogeological and hydrographic; of microzoning and, as the case may be, seismic microzonation; soil fertility; natural resources such as: forestry facilities, pastures, aquatic surfaces, reserves, mines and others of such nature; protected natural areas and cultural and historical heritage protected areas.			
3.	Strategic positioning in relation to the region	Territorial boundaries in the region; Historic, urban, economic identity			
4.	Economic evaluation	Positioning and concentration of economic and local resources and poles; elements of competitiveness; distribution of sectors and labour force.			
5.	Social Assessment	Social services; schools; health			
	Demographic assessment	Concentration of the population in the territory; movement of population across the years; distribution of population at			

		residence building level and for the typology of residence buildings; residence area per person according to typology of buildings; number of residences in a residential structure according to the typologies in the territory.			
6.	Analysis of previous plans	Land use; infrastructures; construction intensity			
7.	Properties	Use of public properties; problems in ownership relations in the territory; informal areas according to the types and integration progress			
8.	National importance	Areas and structures			
9.	Environmental problems	Location of pollutant elements and with negative impact; Level of negative impact of pollutant resources in the territory			
10.	Existing land use	Basic category; sub-categories; functions and activities			
11.	Infrastructures	Water-supply; sewerage; urban waste; roads; lighting; transport; connection with national infrastructure			
12.	Physical quality of structures	Quality levels; recommendations for repair, regeneration, redevelopment			
13.	Space typologies	Area by uniformity of type and volume of structures, alignment method in the parcel and territory, scheme of roads and public spaces and height of structures.			



14.	Peripherality	Area by: distance from the center of the inhabited area; distance from employment centers; connection with the road system; supply with infrastructure networks and social services; approximate level of income of the social levels; filling with functions according to the basic categories of land use; level of criminality and security of life; various social problems including social			
15.	Special territorial elements	Natural or artificial facilities and structures, with impact to the city and space formation			
16.	Needs for housing	Areas according to the needs and quality			
17.	VSM	Descriptive, analyzing and evaluative maps			
18.	Anticipation of land use	5 systems; basic categories and subcategories; functions and activities; centers, poles, main corridors of economic development; anticipated spatial typologies; areas of national importance; structural units; priority development areas; areas for the detailed local plan; population distribution; housing plan; others			
19.	Proposed services and infrastructure	Networks of infrastructures; Objects of social services and coverage radius			

20.	Instruments of development management	<p>Areas for the transfer of the right to development;            Conditional intensity area;            Compulsory land development area;            Preferred areas;</p> <p>Areas of development suspension;            Areas for public servitude;</p>			
21	Action Plan	<p>Map of development phasing according to structural units and according to infrastructures; Others, as applicable</p>			

**ANNEX II**  
**Template format for LGP maps**

**ANNEX III**  
**Table of systems**

	<b>Territory</b>	<b>Area</b>	<b>Unit</b>
Urban System	1. Urban territory area (General Stu.); 2. Infrastructure area/inhabitant 3. Population (existing and anticipated/pyramid of the population); 4. Private/social housing 4. Administrative services; 5. Social services/ inhabitant, education/residents and health/resident; 6. Public and private transport (no. of vehicles/family) 7. Division into zones; 8. Green areas/resident and Sport areas/resident; 9. Cultural and recreational space/resident; monuments and facilities of cultural heritage; 10. Obligations related to religious requirements; 9. Intensity per hectare; 10. Parking/resident; 11. Economic indicators (GDP / sectors/type of businesses/prices/employment/employment per sector/local taxes/debt/expenses according to sector); 12. Public and private properties; 12. Development trends in the territory	a) public space; b) housing categories; c) Housing subcategories; ç) Gross surface; d) Net surface; dh) Density per hectare; e) Density per hectare = unit/residence (housing) per hectare; f) Infrastructure surface; g) Greenery at zone level; gj) Parking; h) Division into units; i) Land value	Ksht Kshr Kshp I (Intensity) L (in floors and meters) Greenery/inhabitant Parking/inhabitant No. of inhabitants No. of users Services Allowed subcategories Allowed functions/activities

Agricultural System	Surf. Agricultural Territory; Primary Surf. (Bonity I-IV); Surf. Secondary Agricultural Territory (Bonity V-X); Surf. Agricultural T. with irrigation system; Surf. Agricultural T. without irrigation system; Surf. Unused T.	Basic Category Subcategory Division into units	Ksht Kshr Kshp I (Intensity) L (in floors and meters) Allowed subcategories Allowed and prohibited functions/activities
Water	Ground Waters Coastal Waters	Surface - Lakes Rivers, Streams	
Infrastructure	Surface of national roads Surface of interurban roads Surface of primary urban roads Railway Ports Airoports Gasdot Electrodot Ujësjetës-Kanalizime		
Natural	General surface Forest surface Pasture surface Green surfaces (not urban) Protected areas according to the special legislation	Basic Category Subcategory Division into units	Ksht Kshr Kshp I (Intensity) L (in floors and meters) Allowed subcategories Allowed and prohibited functions/activities