

# **A GUIDEBOOK ON SPATIAL ARRANGEMENT FOR THE MUNICIPALITIES OF GEORGIA**

## **Volume 1: Basic Guide**

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<b>1. Foreword</b> .....	<b>7</b>
<b>2. Structure of the Guidebook</b> .....	<b>9</b>
<b>3. SPATIAL ARRANGEMENT: What is it all about?</b> .....	<b>11</b>
3.1. Spatial planning objects, types and hierarchy.....	11
3.2. Goals, Objectives of the Projecting and Guiding Principles.....	15
3.3. The purpose of the planning task, legal status and content.....	15
3.3.1. The role of the City/Municipality Mayor .....	15
3.3.2. The role of Sakrebulo (City Council) .....	16
<b>4. Spatial Planning: What is the national plan?</b> .....	<b>17</b>
4.1. "Freedom, Rapid Development, Prosperity - 2016-2020" .....	17
4.2 SP: What is the Regional Policy?.....	17
4.3. Decentralization Strategy 2019-2015.....	20
<b>5. Spatial Planning: A note on legislation</b> .....	<b>21</b>
5.1. Differences in terminology .....	22
5.2. Differences in content and adoption procedures of the .....	22
Planning documentation .....	22
<b>6. Organizing of Participatory Planning Process</b> .....	<b>25</b>
6.1. Stakeholders of the Spatial Planning Process .....	26
6.2. Responsible Body of projecting phase, publicity of planning .....	28
6.2.1. Who is authorized of projecting?.....	28
6.2.2. Publicity and public involvement .....	29
6.2.3. Interested state agencies: .....	30
6.3. Understanding the Need Of “Planning” And Participation .....	30
<b>7. Spatial Planning Processes for Municipalities</b> .....	<b>35</b>
7.1. Pre-Projecting Stage in Spatial Planning – Strategy Development .....	36
7.2. Planning Strategy .....	39
7.3. Primary Assessment (Municipal Profile).....	40
7.4. Elaboration of Vision and formulation of planning goals .....	41
7.5. SWOT-Analysis .....	42
7.6. Identification of Strategic Goals and Setting Priorities .....	44
7.7. Objectives .....	46
7.8. Action Plans .....	46
7.9. Establishment of Indicators for the Strategy Development .....	46
<b>8. Projecting phases</b> .....	<b>49</b>
8.1. I phase — the phase of determining the organizational framework of the .....	50
planning process .....	50
8.2. II phase — familiarization with current situation and interpretation.....	50

8.3.	III phase — collection and compilation of projecting data - outline .....	51
8.4.	IV phase — The final outline of projecting and the content of the documents.....	51
<b>9.</b>	<b>Implementation stage.....</b>	<b>55</b>
9.1.	Approval of spatial planning documentation.....	56
9.2.	Ordinance and development regulation for settlement territories.....	56
9.3.	SP Guidance over Spatial Planning Documentation in an Interactive mode	57
<b>10.</b>	<b>Updating stage - Assessment of Proposals about Changes and Adoption .....</b>	<b>59</b>
10.1.	Elaboration of New Spatial Planning Documentation .....	63
10.2.	Monitoring of Spatial Planning Documentation with Using System of Indicators .....	65
<b>11.</b>	<b>Basic Literature .....</b>	<b>69</b>
<b>Annex .....</b>		<b>71</b>
<b>Annex A - Terminology Used in Spatial Arrangement and Abbreviations</b>		<b>72</b>
<b>Annex B - Data collection for Spatial Planning documentation .....</b>		<b>83</b>

Figure 1: Spatial-territorial planning hierarchy and correlation in Georgia; after June 3, 2019 names of documents will change (Source: Jokhadze V., 2017).....	13
Figure 2: Spatial Arrangement Plan of Georgia. Existing and Potential Focuses of Attraction.....	17
Figure 3: Program structure – priorities and measures.....	19
Figure 4: Differences in Legal Terminology.....	22
Figure 5: Differences in planning procedures.....	23
Figure 6: Stakeholders of municipal SP. ....	26
Figure 7: “Participatory Ladder”.....	32
Figure 8: Planning Process Stages.....	35
Figure 9: Planning Process - 1 Stage.....	36
Figure 10: The synergy between strategy, sectoral priorities and SP.....	38
Figure 11: Generalized scheme of the “planning” process of the strategy.....	40
Figure 12: Inner and outside factors of SWOT Analysis composition. ....	43
Figure 13: Planning Process – Stage 2.....	49
Figure 14: Planning Process – Stage 3.....	55
Figure 15: Planning Process – Stage 4.....	59
Figure 16: Circle of planning documentation updating.....	60



## 1. Foreword

The Spatial Arrangement Guidebook is prepared within the Second Regional and Municipal Infrastructure Development Project (SRMIDP). In 2016-2019, as part of SRMIDP, technical assistance was provided to municipalities in spatial planning, asset management and capital investment planning. The implementing consortium was led by ECORYS Nederland B.V. in conjunction with PMCG LLM (Georgia) and GIS & RS Consulting Center GeoGraphic (Georgia).

Particularly important is the fact that the work on the textbook was carried out since 2017 when the Law of Georgia on Spatial Arrangement and Urban Construction Basics was effected. Therefore, all the municipal exercises, as well as the textbook, were based on the legislative-normative basis at the time - both the law and the subordinate acts. The new version of the law was adopted in the format of the Code on July 20, 2018, with the assumption that it would enter into force on June 3, 2019. Accordingly, prior to this date, the previous edition of the law was acted in Georgia, which was also reflected in both the training process and the Guidebook.

Spatial-territorial planning conditions change on June 3. Therefore, it is essential that changes in the Code should be taken into account in the use of the textbook.

The above provisions shall apply to the parts of the textbook that are practical.

The three components: SP, CIP and AM, are very much integrated at the local level. Decisions on the conditions of construction and site development, the decisions on construction permits and the choices of property for planned investment should be based on an adopted Local Level Spatial Planning documents (further SP). Those municipalities which carry out public investments and that wish to shape and protect spatial order, should be able to organize preparation, implementation and updating of these plans.

The SA Guidebook contains a compendium of knowledge in spatial planning, urban planning, and urban management. It presents the theoretical foundations of SP supported by numerous examples of planning practice, originating in Georgia and abroad, as well as in municipalities that have implemented projects. The examples presented are discussed against the background processes typical for the formation of settlement systems in Georgia and the spatial structures of municipalities and regions. The SA Guidebook is well illustrated. The maps reflect the zoning methods used, the process of SP development of Georgian Municipalities.

With the majority of the world's population shifting to urban centres, urban planning—the practice of land-use and infrastructure planning to strengthen municipalities structurally, economically, and socially - has become an increasingly vital professional activity. In the SP Guidebook, readers will learn a practical overview of this fascinating process, including the following: conceptual part -review of settlement system, legislative base, methodology, GIS tools, and practical part - Pre Projecting Stage (building data base, studying Municipality Profile, setting up Strategy including Vision, SWOT, Goals and Indicators), Projecting Stage (determining the best uses for land, planning economic and infrastructure development), Implementation Stage (approved documents, technical documents, procedures) and Updating Stage (monitoring SP approved plan and assessing tools).

Written by certified practicing urban planners, with an extensive practical and community-outreach experience, the Guidebook helps readers to understand the essentials of this complex field.

With new studies conclusively demonstrating the impact of SP on public psychological and physical health, the impact of the urban planner on a municipality is immense. This SA Guidebook provides a useful introduction and lays the groundwork for further study to anyone involved in or even considering entry into this field. This makes the Guidebook key reading for any municipal decision makers, designated employees or others involved in regional, urban or rural development.

It is also hoped that the Guidebook will contribute to a Georgian unified approach to spatial territorial planning, mitigating the risks of fragmented results from different national and international initiatives.

The SRMIDP project intends the development of an SP model, that applies to the unique characteristics of Georgian Municipalities and Regions which can be utilized for all Georgian Local Self-Governments (LSGs) and based on close cooperation with Municipalities of different size and economical potential.



## 2. Structure of the Guidebook

The Guidebook is arranged in three volumes:

1. Basic Guide (4 stages of SP documents preparation)
2. Illustration of Concepts
3. Background Essays

The Basic Guide provides municipal officials with a basic understanding of spatial planning. It also covers the essential steps that need to be taken in preparation of the local level spatial planning documents. In the event that municipalities (or the Ministry of Regional Development and Infrastructure on their behalf) decide to ‘outsource’ the preparation of a plan there are still important tasks that have to be done by the municipality. Such tasks range from data collection (list of necessary data provided in Annex B to volume 1) through to ensuring that the outsourcing contractor delivers their task according to the expectations of the municipality.

Spatial planning is a complex subject and there is no ‘mechanical’ or ‘automatic’ method to arrive at a good plan. The Illustration of Concepts volume explores in more detail the conceptual issues that arise during planning and provides useful illustrations based on national and international examples. This is important material to deepen the municipal knowledge about spatial-territorial planning.

Finally, volume 3, Background Essays, presents further analysis describing the context of planning in Georgia with special attention to the history, legislation and the challenge of urbanisation.

All three volumes of the Guidebook make use of specialist terminology. A glossary of terms is provided as Annex A to volume 1.



### 3. SPATIAL ARRANGEMENT: What is it all about?

Spatial arrangement covers spatial planning, land use planning, monitoring and updating processes and generally refers to the methods and approaches used by the public sector to influence the distribution of people and activities within territory of various scales. SP can be defined as the coordination of practices and policies affecting spatial arrangement (development), which means ‘anything planned today becomes tomorrow’s geography’. Without planning there is no foreseeable picture of a municipality’s future environment which affects (people) deeply. Moreover, SP is a process of integration of different sectors of human activities and land use (which does not necessarily mean to consume but to protect or enhance some valuable objects of the environment), as well as agreement of interests within society, thus making SP a crucial instrument in achieving public wealth, better life space and healthy environment in the country / region / community.

The Guidebook refers mainly to local level spatial planning documents (SP).

#### 3.1. Spatial planning objects, types and hierarchy

The Guidebook has been written in the transition period of SP legislation. "Planning" in Georgia is carried out on the basis of LAW (2005), from June 3, 2019 on the basis of CODE (adopted 2018) and field-specific legislation and by-laws. The Chapter 5 explains main changes in the terminology and differences in content and adoption procedures of the planning documentation. The readers may find confusing in the text the difference between LAW and CODE.

**Where Guidebook says LAW, this is a reference to the current legal base of SP - Law of Georgia on “Spatial Arrangement and the Basics of Urban Construction” (2005), which will be replaced by CODE.**

**Where Guidebook says CODE, this is a reference to new legal base of SP - Law of Georgia “Georgian space planning, architectural and construction activities Code” (2018), which comes into force since June 3, 2019.**

However, it is always important to check the legal position as laws will be amended and updated after the publication of this Guidebook.

The "Planning" objects are considered to be the following:

- a) **Spatial arrangement**<sup>1</sup> **planning** — development arrangement;
- b) **Land use**<sup>2</sup> **planning** — development management.

The CODE defines the system of planning and hierarchy of documents in Article 5.

In the above two types of planning the essential (purpose) difference:<sup>3</sup> development (spatial arrangement) planning is carried out at the top level: in the whole borders of the state, autonomous republic, planning region and municipality, and the development management (land use) of the territories is carried out at the lower level: within the boundaries of the settlements (towns, boroughs, villages) and / or their parts.

The purpose of spatial arrangement planning is to determine the basic conditions for spatial-territorial development, based on the main directions of the state and local policy on spatial arrangement.

In most cases planning of the spatial arrangement (development) is based on mutual correlation of settlement groups (communities) and uninhabited areas connected with them and understating functional, socio-economic and other important linkages. For this reason its place in the planning hierarchy goes beyond the settlement level<sup>4</sup>; this is mostly caused by the open and dynamic nature of the settlements that virtually excludes the possibility of self-sustained development of the settlement and accordingly planning.

Spatial arrangement (development) of the country and its constituent autonomous republics, or planning regions and municipalities, is carried out by three-level spatial planning system (included in both LAW and CODE):

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<sup>1</sup> Conditions and processes defined by the legislation, the state and local policy of this field [SP], by the SP documents, by the joint activities of natural and legal persons for the formation of the physical environment and infrastructure of the territories (LAW, Art.2);

<sup>2</sup> Land use - use of the territory in the settlement, which relies on the type of land use zone, in accordance with local self-government strategies and planned development (LAW, Art.2, Art. 27, Art. 29. Sec. 4);

<sup>3</sup> which is not well known and well thought out in today's spatial-territorial planning practice (see volume two)

<sup>4</sup> Conditions and processes defined by the legislation, the state and local policy of this field, the spatial-territorial planning documents, joint efforts of the work of physical and legal for the formation of physical environment and infrastructure of the territories; Use of the settlement area (land use) based on the type of land use zone, in accordance with the strategy of local self-government and planned development; the exception is the self-governing city — one settlement = one municipality, but it should be noted that the formation of self-governing cities in Georgia as one, organic settlement is not completed. According to the German model, in such case development planning– special arrangement issues – are dealt within land use planning (such as Berlin Land Use Plan, Bremen Land Use Plan). Georgian legislation does not recognize such case as part of spatial arrangement planning. This approach is used only in the land use part when it is permitted to include the land use master plan issues in development regulation plan (Law, Article 23, P. 4).

1. Spatial arrangement of the territory of the country
2. Spatial arrangement of autonomous republics/planning regions (if applicable)
3. Spatial arrangement of the municipalities, including Multimunicipal/Municipal Plan of Space and Urban Constructions Plans <sup>5</sup>

On the basis of the law, the compatibility of spatial planning documents between different hierarchical levels of planning should be ensured, as well as compatibility of plans of different territories. The same principle regulates the compatibility of spatial planning documents and field-specific planning documents.

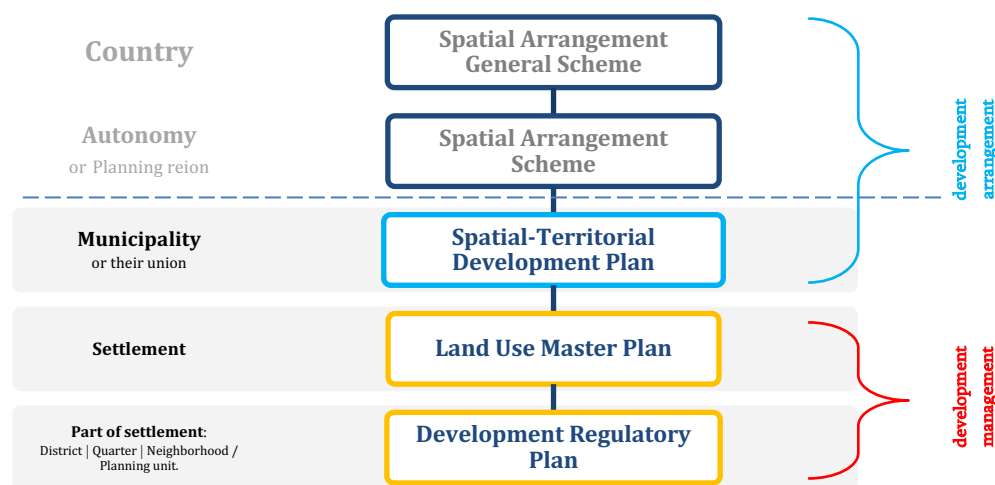


Figure 1: Spatial-territorial planning hierarchy and correlation in Georgia; after June 3, 2019 names of documents will change <sup>6</sup> (Source: Jokhadze V., 2017)

Therefore, the *spatial arrangement planning* has the principle of vertical and horizontal harmonization, and the state or local authorities responsible for planning must ensure the compatibility of planning documents. The relevant local self-government bodies should specify the requirements of the higher level planning documents in accordance with local conditions and collate them with local planning goals.

In turn the essence of the *land use planning* is to establish parameters of immovable property use and development regulation, its division into land-use zones (sub-zones) <sup>7</sup> with homogenous characteristics and allowable indicators, which is based on local development policies and planned development (at the municipal level). Hence, land use planning is a tool for managing spatial development at the local level, which is implemented by two-step system

<sup>5</sup> CODE, Chapter V and VI

<sup>6</sup> LAW, Art. 10

<sup>7</sup> Legal zoning.

of using settlement territories and development regulation rules and land use planning documentation compiled based on the principle of legal zones.

Preparation of the local spatial planning documents for the settlement is carried out in accordance with the planning tasks (LAW) or concept (CODE) elaborated on the basis of the data obtained in the pre-projecting studies.

The above mentioned clearly elucidates that the direct task of spatial planning of the various settlements in the municipality can not be the planning of the development of a specific settlement; this should be implemented within the framework of spatial development planning of the entire municipality and must be reflected in the relevant documentation (SP). Of course this does not exclude the occurrence of the individual development opinions about the development of the settlement. It is in such case that the principle and procedures of compatibility are used,<sup>8</sup> in order to initiate and integrate the changes in the upper hierarchical planning documentation.

As for the urban construction activities of the settlements or their parts, which may arise after the *Spatial-Territorial Development Plan of Municipality (LAW)* or *Municipal Plan of Space design (CODE)* enters into force, first of all they must be processed and/or integrated in the form of a *Development Regulation Plan (LAW)* or *Development Plan (CODE)*; the necessity of integration in the upper level documentation will arise only if they substantially go beyond the principles, directions and general land use strategy established in the upper level documentation.

For the settlements where the *Spatial-Territorial Development Plan of Municipality* does not exist, it is necessary to solve the above mentioned complex issue (planning of spatial-development of the entire municipality) before land use planning or/and do this in a parallel mode.<sup>9</sup>

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<sup>8</sup> The compatibility of the planning documents should be ensured during formation of the planning goals and elaboration of planning task, as well as during the development, review, agreement and approval of plans.

<sup>9</sup> This should not be considered as an activity related to a large volume of budgetary resources, as the difficulty of planning depends on its necessity.

## 3.2.Goals, Objectives of the Projecting and Guiding Principles

The Georgian legislation clearly defines the **goals, objectives/tasks and guiding principles** of SP; they are implicitly entered in the contents of the relevant documentation (Articles 4 to 5 of the LAW and Article 4, chapter 5 and 6 of the CODE).

## 3.3.The purpose of the planning task, legal status and content

The elaboration of a planning task is defined by the LAW <sup>10</sup>.Planning task, according to the law, is the combination of the requirements established by the relevant agency of the executive branch, which has the planning authority, and local self-government bodies, which determine the planning goals, parameters and territorial boundaries, as well as the environmental, technical, organizational and other conditions of planning and implementation.

The planning task is also detailed by the following:

- The list and conditions of other additional data needed for pre-projecting of the planning tasks;
- Graphic scale of planning documents;
- Types of land use zone different from law;
- Division of zones into subzones.

The planning task should include at least the following topics:

- Planning goals, parameters and territorial boundaries;
- Technical, organizational and other conditions of planning and its implementation;
- Composition and content of planning documents;Methodology, terms and conditions for elaborating, reviewing, agreeing and approving planning documents.

According to the CODE planning task is replaced by a concept of Master Plan and concept of Development Plan.

### 3.3.1. The role of the City/Municipality Mayor

The executive body of the municipality - the mayor - according to the LAW and CODE, is obliged to conduct administrative proceedings concerning the approval of the projecting task (LAW) or Concept (CODE) and prepare the appropriate documentation for the submission of the draft documents in Sakrebulo. The mayor conducts proceedings according to the requirements of "Local Self-Government Code" and "General Administrative Code", through

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<sup>10</sup> "Basics of spatial arrangement and urban construction"

assistance of the City Hall. Term of administrative proceedings, including the period of issuance of the act must not exceed 20 days.

The mayor is not authorized to issue an administrative-legal act that rejects or approves the projecting task. However, the Mayor is authorized to present a projecting task to Sakrebulo for approval. The reason for this may be the unsatisfactory result of document preparation and/or administrative proceedings.

### **3.3.2. The role of Sakrebulo (City Council)**

The representative body of the municipality – Sakrebulo – is, according to the current law, obliged to examine the projecting tasks submitted for approval by the Mayor and is authorized to make a decision on its approval or rejection. The Sakrebulo must issue an administrative-legal act in both cases within a period not exceeding 20 days, including the period of administrative proceedings used by the Mayor.



## 4. Spatial Planning: What is the national plan?

### 4.1. "Freedom, Rapid Development, Prosperity - 2016-2020"

The four-point Program of the Government of Georgia - "Freedom, Rapid Development, Prosperity - 2016-2020", is of historic importance with respect to development of the National Settlement System of Georgia, as in this document the spatial arrangement represents one of the topics <sup>11</sup>.

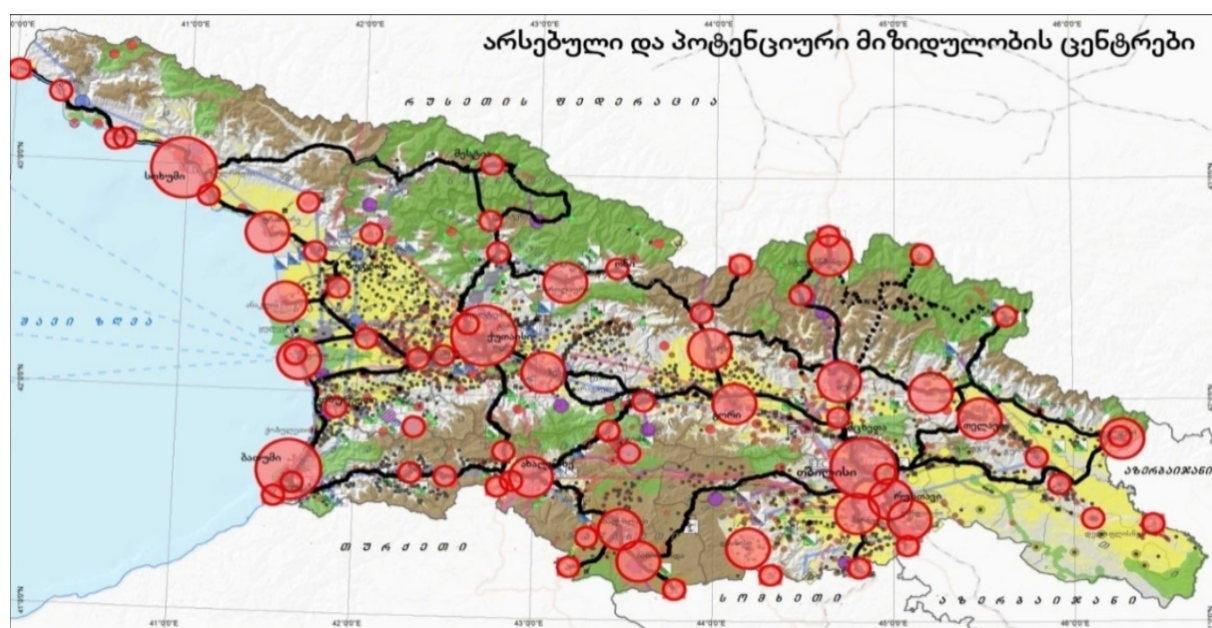


Figure 2: Spatial Arrangement Plan of Georgia. Existing and Potential Focuses of Attraction

Source: Governmental Program, 2016

The program should be analyzed while preparing any SP documentation. More detailed description of the governmental priorities, which will impact regional and local development in next few years, are in Volume 2, chapter 4.

### 4.2 SP: What is the Regional Policy?

Regional Policy is the best tool to reduce the disparities and achieve internal cohesion of the country by using territorial potentials. That's why regional level planning should be considered always within local planning process too.

<sup>11</sup> The Georgian Government's four-point program - "Freedom, Rapid Development, Prosperity - 2016-2020" (2016).

The current regional policy is included in a medium-term document approved by GoG<sup>12</sup>. The program’s vision, goals and measures are related to EU socio-economic cohesion policy. The potential Projecting Team of any ST plans will find there a framework for public and private investments.

The following strategic medium-term objectives of regional development policy of Georgia have been identified (the Programme objectives):

- Contribution to the fast economic development of the country by using potential of all regions according to their specific potentials, with the expected (long-medium term) results being: improvement of productivity level in relation to EU average for all regions, higher contribution of areas outside Tbilisi to the national GDP (GVA), drop in the level of unemployment in all regions, increase in the level of employment rate, increase in the level of private investment in all regions – more investments outside Tbilisi and increase in spending on innovation (% of GDP).
- Increasing social equality and job opportunities for development for all citizens, regardless where they live. The following results are expected to be achieved in long-medium term: decrease in the level of poverty in all regions, increase in the level of childhood care (children aged 0-3 covered by institutional child care, decrease the rate of self-employed, especially in Tbilisi, increase in the level of dropout rate of children from primary schools in all regions and increase in accessibility to essential public services, especially in poorer areas (health, primary and secondary education, social care, vocational services).
- Promoting spatially balanced development of the country, with the following long-medium term results: increase in international, national and regional accessibility (increase in length of motorways), decrease in accessibility of infrastructure disparities between planning regions and functional areas (mountainous and rural areas), coverage of most settlements of the country by broadband internet and increase of economic activity (measured by turnover of companies) in medium size cities and centres of the planning regions.

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<sup>12</sup> “The Regional Development Programme of Georgia, 2018-2021” (2018)

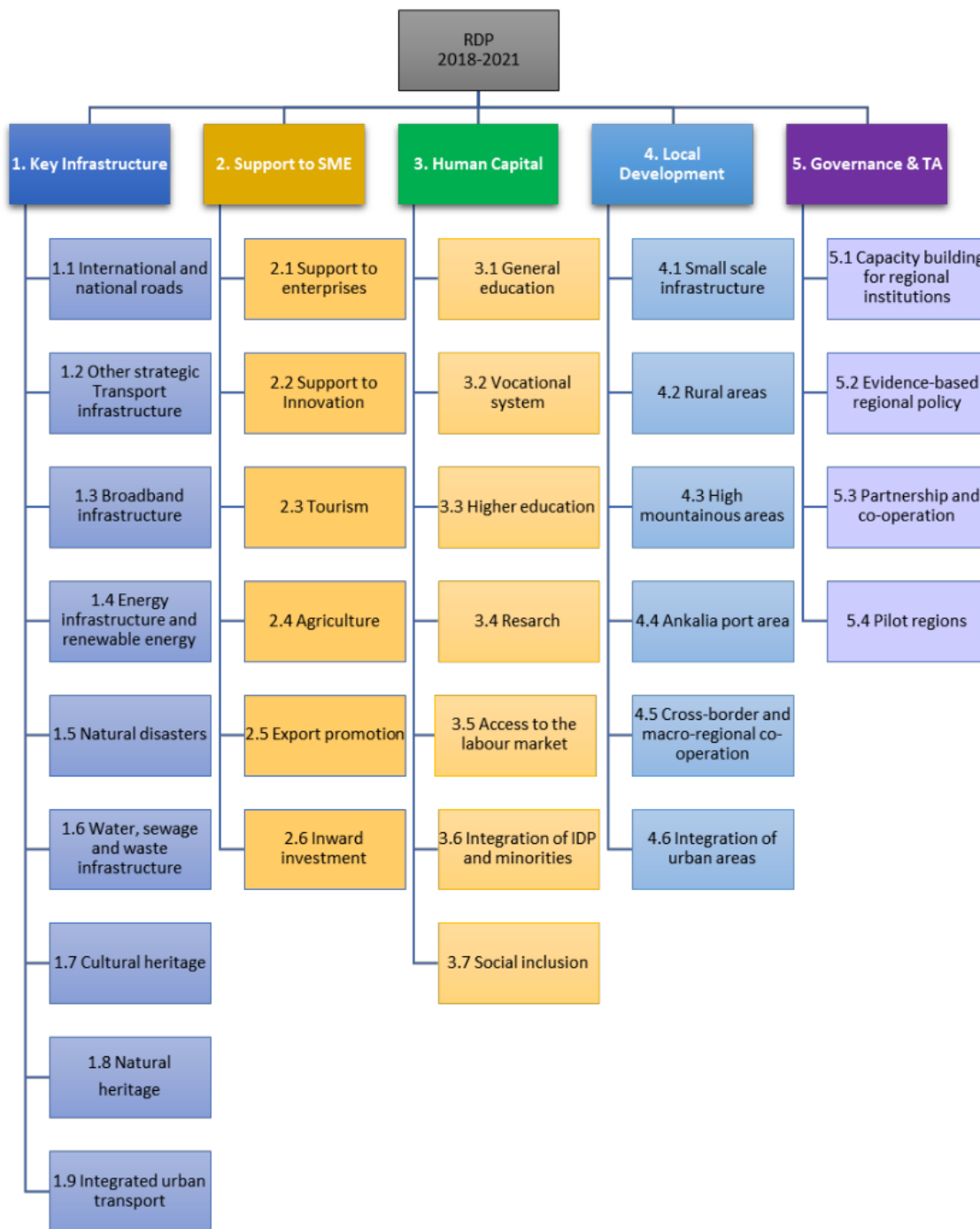


Figure 3: Program structure – priorities and measures

Source: Short version of “The Regional Development Programme of Georgia, 2018-2021” (2018) p. 24

The priority nr 4 is devoted to local development. These very promising measures should give the impetus for spatial arrangement in any LSG, should be analyzed and taken into account by Projecting Team within ST plan preparation process.

The program covers detailed measures, objectives, activities, budgets, output and result indicators, implementing bodies and partners, as well as financial plan and institutional arrangements. More about Regional Policy in Georgia and its background is in Volume 2.

#### **4.3. Decentralization Strategy 2019-2025**

Parallel, the Government of Georgia is working on the Decentralization Strategy for 2019 – 2025.

The Strategy sets the key directions for the period of six years:

- 1) To increase the role of local self-government in resolving a significant part of public affairs
- 2) Providing self-governance with appropriate material and financial resources
- 3) Reliable, accountable, transparent and result-oriented local self-government.

The Strategy says: “Creating a full-fledged local self-government is one of the main tasks for reforming the governance system”. One of the main roles of LSG is planning the development of municipality, so it is crucial to have on the local level ready all tools regarding spatial arrangement.

## 5. Spatial Planning: A note on legislation

In 2018 the Parliament of Georgia passed the CODE which will make some changes in spatial-territorial planning system of the country and will be enacted in 3rd of June, 2019. In accordance of this fact here are given the main differences between LAW (2005) and CODE (2018) to be considered in planning process aftermath.

**One of the main differences is that CODE merges together SP and Construction regulation legislation**, which by now is regulated in separate laws and by laws. Most of the new regulations are provided in construction part, giving more detailed provisions for safety, life protection and construction administration.<sup>13</sup> In SP part there are some differences in terms most of which are differently interpreted and named. Main differences are seen in procedures of elaborating and adopting of SP documentation, e.g. TOR for SP documentation is surpassed by the “concept of the SP document”, after which the main part — “project of the SP document” is done and adopted.

Surely, there are some improvements which are believed to have more efficient outcomes than acting LAW, likewise: deeper integration with sectoral legislation including recent updates, clear definition of construction rights (where are they exist and when) and land, abolishing of selling-practice of bonus parameters and establishing bonus zoning within SP only, protection of environment, safety, public wealth and so on.

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<sup>13</sup> In particular: strict safety requirements, mandatory technical supervision of a construction, mandatory certification of architects and engineers, restriction of use on non-finished buildings and so on.

## 5.1. Differences in terminology

LAW		CODE	
Spatial-territorial planning	სივრცით-ტერიტორიული დაგეგმვა	<b>Designing of Space /</b> Spatial design	სივრცის დაგეგმარება
Land use planning	მიწათსარგებლობის დაგეგმვა	Urban development planning	ქადაქმშენებლობითი დაგეგმვა
Spatial arrangement	სივრცითი მოწყობა	—	—
Urban development	ქადაქმშენებლობა	—	—
—	—	Urban development activities / Urban redevelopment	ქადაქმშენებლობითი ღონისძიება
SA(G)S	სივრცითი მოწყობის (გენერალური) სქემა	<b>Plan of space design /</b> Spatial design plan	სივრცის დაგეგმარების გეგმა
<b>STDP</b> of the municipality / Trans municipal STDP	ტრანსმუნიციპალური / მუნიციპალიტეტის სივრცით-ტერიტორიული განვითარების გეგმა	Multi- / <b>Municipal Plan of space design /</b> Spatial design plan	მუდტიმუნიციპალური / მუნიციპალიტეტის სივრცის დაგეგმარების გეგმა
LUMP	მიწათსარგებლობის გენერალური გეგმა	Master plan	გენერალური გეგმა
DRP	განაშენიანების რეგულირების გეგმა	Development plan	განაშენიანების გეგმა
DRP qualified for issuing a construction permit <sup>14</sup>	ნებართვის გაცემისთვის კარიფიციური განაშენიანების რეგულირების გეგმა	Detailed Development plan <sup>15</sup>	განაშენიანების დეტალური გეგმა

Figure 4: Differences in Legal Terminology

## 5.2. Differences in content and adoption procedures of the Planning documentation

LAW	CODE
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<sup>14</sup> Not included as a separate document in hierarchy by LAW but defined by the construction permits regulations as DRP setting all the necessary parameter for issuing permit.

<sup>15</sup> Not included as a separate document in hierarchy by CODE

DOCUMENT	TYPE/ CONTENT	PROCEDURES	DOCUMENT	TYPE/ CONTENT	PROCEDURES
SA(G)S of Georgia	Does not differ	Does not differ	Plan of space design	Does not differ	Does not differ
STDP of the municipality	Does not differ	Does not differ	Municipal Plan of space design	Does not differ	Does not differ
LUMP	Does not differ	2 stage procedure: 1) Preparation of <b>planning task</b> by city mayor and adoption by city council; 2) Preparation of <b>LUMP project</b> by city mayor and adoption by city council.	Master plan	Does not differ	2 stage procedure: 1) Preparation of <b>MP concept</b> by city mayor and adoption by city council; 2) Preparation of draft <b>MP project</b> by city mayor and adoption by city council.
DRP	Does not differ	2 stage procedure: 1) Preparation of <b>planning task</b> by city mayor and adoption by city council; 2) Preparation of <b>LUMP project</b> by city mayor and adoption by city council.	Development plan	Does not differ	2 stage procedure: 1) Preparation of <b>DP concept</b> by city mayor and adoption by city council; 2) Preparation of <b>DP</b> a draft plan by city mayor and adoption by city council.
<i>DRP qualified for issuing a construction permit</i> <sup>16</sup>	<i>Is not determined particularly is specified individually</i>		Detailed Development plan <sup>17</sup>	Is determined particularly with minimum set of parameters	

Figure 5: Differences in planning procedures

Despite the fact that the CODE was recently adopted it has gone under criticism as from professionals of both fields (SP and construction), as well as from ministry officials itself and

<sup>16</sup> Not included as a separate document in hierarchy by LAW but defined by the construction permits regulations.

<sup>17</sup> Not included as a separate document in hierarchy by CODE

private sector. The reason behind can be found in non-sufficient consensus and acceptance of work results conducted by MESD between 2016-2018 during which alternative code draft was rivaling to it in the parliament. As result artificial mix<sup>18</sup> of these two versions of CODE was introduced to the parliament to be granted pass.

Taking the situation in account, and the fact that CODE set some new bye-laws have to be established before it being enacted, MRDI commission to GIZ “bye-law elaboration and CODE improvement works” under which full expertise is been made to the current text of the CODE and amendments are suggested.

The article 141.4 of the CODE says:

“All municipalities shall, before 1<sup>st</sup> of January 2028, ensure elaboration of corresponding spatial plans.”

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<sup>18</sup> Simple examples are shown in Figure 5.



## 6. Organizing of Participatory Planning Process

Participatory planning is declared in Georgia by LSG Code, but in general it is one of the main tools of involving stakeholders in decision making process of municipality future development. In this chapter there are presented: who are stakeholders of planning process, who are implementers, what procedures are in use and possible forms of public relations and citizens involvement in planning process.

Despite imperative requirements of the legislation, recently, due to passiveness or incompetence of LSGs or financial and professional restrictions, the cases became more common that the SP initiative is taken by the Government of Georgia or international organizations or institutions of the foreign countries. In light of compliance with the legislation this is an unjustified but widely spread practice of "positive interference" in municipal authorities. Such a situation is often explained by the lack of funds in the Municipality budget.

This reason may be overcome if the Article 98 of the "LSG Code" – the "Special Transfer" enters into force ("Targeted Transfer" is not applicable in this case because it is intended only for the execution of delegated powers in the municipality while the SP is the municipality's own authority).

This Article of the "LSG Code" means that:

- The demand for a special transfer must be substantiated and the amount of financial assistance required by the Municipality must be determined (Paragraph 2.);
- SP by the financial aid issuer, in the context of Paragraph 1, shall be deemed as "another measure";
- The Municipality reserve fund is insufficient for SP.

Because of the shortage of municipal budgets, the central Government is carrying out measures to support them. For example, by the Order # 1401 of the Government of Georgia, dated July 6, 2017, on the "Allocation of Funds to the Municipalities from the Fund of Projects to be Implemented in the Regions of Georgia", a large sum was allocated - GEL 33,618,188. This amount was distributed among 47 municipalities, mainly for improving road infrastructure. It is noteworthy that the SP works were not provided in any municipality - even though some

municipalities received more than one million GEL (e.g. Baghdati - GEL 1,245,322, Bolnisi - GEL 1,616,900, etc.).

According to State Procurement Agency website ([tenders.procurement.gov.ge](http://tenders.procurement.gov.ge)) procurements done by Georgian authorities of various level in the field of Urban planning and landscape architectural services, 19 accumulated GEL 7,510,000 during year of 2018.

Average cost of SP preparation was GEL 625,875 (mostly including LUMP and GRG).

### 6.1. Stakeholders of the Spatial Planning Process

Regardless of the source of funding, upon initiation of the SP process, all parties directly or indirectly participating in this process should be clearly defined, especially local self-governments.

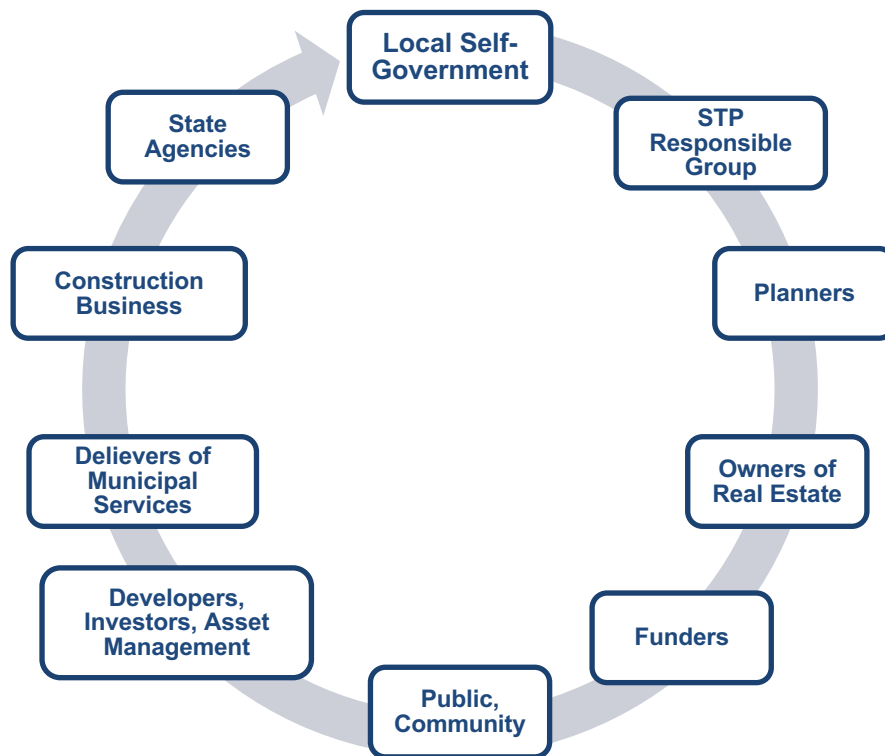


Figure 6: Stakeholders of municipal SP.

Source: P.Dzidziguri, 2019

The Projecting Team identifies and invites stakeholders of entire municipality to take part in the planning process.

<sup>19</sup> According to [Common Procurement Vocabulary](#), it is under code 714.

The SP process should start with the normative act of local self-government issued on the basis of the analysis of the situation in the Municipality. The act should nominate the person responsible for the planning process or the structural subdivision of the Mayor's office, if necessary - external expert or advisory services and so on; source(s) of funding; technical / logistical support and other specific conditions.

Interest of municipal Councils and Mayors is decisive for the initiation of the SP process. Creation of a target (projecting/implementing/monitoring) group headed by mayors with participation of various stakeholders could yield good results. Generally, similar recommendations are provided by the legislation of Georgia in the format of the advisory body - "Board on use of settlement areas and development regulation" - under the executive branch of the Municipality. But the group working on SP issues should work in various directions and its composition must be different. The composition of this advisory body depends on many factors - Municipality type (urban or rural community), profile (agrarian, industrial, seafont, resort), size, population, historic traditions of community self-governance (especially in mountainous municipalities) etc. In the best case, if there is a possibility, stakeholders may be:

- NGOs/community organizations;
- Academia and professional circles;
- Business society;
- Trade union's organizations (especially in monofunctional industrial cities);
- Administration of the Governor of the Region (for the coordination between Municipalities);
- Specific of a given municipality (e.g. in case of Mtskheta Municipality - Georgian Orthodox Church, in Akhmeta municipality - Pankisi Gorge Kists population etc.).

It is desirable that such representation covers a large range of interests of the municipal population and legal entities; in addition, the composition of the Board should be a local decision, depending on the size and type of LSG. A recommendation might be to keep the board at a manageable size. It is also important to appoint a Secretary to this Board who will be the representative of the executive municipal body responsible for SP, who completed the full course of SP training, received the relevant certificate and in the future, by Mayor's order, may be directly cooperating with the team working on SP documentation.

## 6.2. Responsible Body of projecting phase, publicity of planning documentation

According to legislation responsible body of projecting phase is public authority which on the country level is Government of Georgia with the designated ministry or department (nowadays it is hold by MRDI), whilst on local level it is Mayor of a municipality with designated department or municipal service.<sup>20</sup>

Above-mentioned body shall carry out spatial planning or do it by the hired individuals or private and/or public law legal entities through state procurement. As a result, the designer and the implementer may be different entity.

### 6.2.1. Who is authorized of projecting?

#### Authorized bodies

According to the current legislation the agencies authorized on planning are the local self-government bodies in a form of the authorized services. But CODE says:

“Based on municipal initiative and task given by the GoG, the Ministry, before 1st of January 2025, is authorized to elaborate drafts of Spatial Plans and/or urban development plans. These plans shall be accepted by the administrative-legal act of the Minister of Economy and Sustainable Development of Georgia, after which draft Municipality Spatial Planning or/and urban development plans shall be approved by the Sakrebulo of the corresponding municipality.”

<sup>21</sup>

The municipal body authorized on planning is - **the City Hall of the municipality**. The city Hall, according to the provision, may have the structural unit responsible for planning - *as a service/ department authorized on spatial-territorial planning*. The leading role in the process should be given to this unit. In the absence of such unit, it is desirable to establish a group in the City Hall that will supervise the planning process. It is desirable for the members of the group to have the knowledge of the planning, projecting and participatory methodology and social-economic issues.

#### Physical and legal entities

<sup>20</sup> e.g. Tbilisi City Municipality has special service for STP activities called Urban Development Municipal Service of Tbilisi City Hall.

<sup>21</sup> LAW, article 9; CODE article 144.3.

The City Hall of the municipality may conduct planning by issuing state order to physical, private or legal entities of public law based on the tender rules. The bidder can be the physical and/or legal entity (ies). Depending on the complex nature of projecting, taking into consideration international best practices,<sup>22</sup> it is better to give the priority to joint activities (partnership/association). In particular, two or more suppliers (physical and/or legal entities) have the right to jointly participate in the tender with the partnership agreement. In case of joint participation in the tender, the bidder is obliged to take into account the conditions set forth in the article 24 of the "Rule of conducting Electronic Bidding", approved by the order No. 12, dated 14 June 2017, of the Chairman of the State Procurement Agency.

The projecting team should consist of the spatial-territorial planning specialists and architects, as well as invited field specialists, local and/or international experts. The members of the projecting team should work directly under the supervision of the manager of the planning team (urban planner and/or architect). In addition to these two leading figures, it is required to have: *urbanist; cultural heritage architect; sociologist economist/economist-geographer; land (property) and cadastre specialist; urban infrastructural engineer; urban transport engineer; ecological engineer; landscape architect; GIS (IT) engineer; and a lawyer in the team.*

### 6.2.2. Publicity and public involvement

After the establishment of information dissemination and exchange system, all stakeholders should be invited. As a result of organized meetings, a broad group of stakeholders should be analyzed and interdependencies defined, which will reveal the main interested parties, which will actively participate in the projecting process. Their functions and interconnections will be determined.

The publicity of the spatial-territorial planning and coordination with the concerned state agencies should be ensured by the municipal service, for this it has to proactively publish information on the official web site throughout the planning period, in compliance with the requirements established by the LAW and CODE.<sup>23</sup> In addition, the projecting team **should ensure** periodic collection of ideas and public reporting of the work through various social networks throughout the planning period.

Each meeting and interviews with the stakeholders must be documented by minutes and photos. Separately, the results of the social survey should be collected and documented.

<sup>22</sup> E.g. experience of the Work Bank.

<sup>23</sup> LAW article 7; CODE article 13.

### 6.2.3. Interested state agencies:

From GoG:

- Ministry of Infrastructure and Regional Development – as an agency authorized on SP.
- Ministry of Economy and Sustainable Development - in the form of an agency authorized on planning of construction policy;

From Autonomous Republic of Adjara - Spatial Arrangement and Technical Supervision Department of the Ministry of Finance and Economy.

## 6.3. Understanding the Need Of “Planning” And Participation

In Georgia, most of the Municipalities do not have SP documentation – Spatial Territorial Development Plan of Municipalities (for community Municipalities) or Land Use Master Plans for settlements, including urban Municipalities. However, there are certain factors that place SP among the urgent tasks for municipal development. This may be a higher-level SP decision (for example, the Government's Four-Point Program Freedom, Rapid Development, Prosperity 2016- 2020), development of field-specific sectoral plans (e.g. development of a system of protected areas), large-scale economic programs (for example, the development of the Anaklia deep sea port), national or regional scale infrastructural projects (e.g. highway E-60 of international importance), responding to the ongoing projects in the neighboring municipalities; other projects, programs or plans. All of these need a response in terms of SP on the municipal level.

It is noteworthy that in the Western methodological recommendations understanding the concept of "central planning", in a consistent system of SP stages and participation, formally occupies one of the last positions. In Georgian reality, this direction, due to the lack of awareness of local self-government and the population or limited financial resources, has to be addressed. From this point of view, among new tools of SP like “participatory planning” is becoming more and more valuable.

Participation of community organizations or NGOs, the population of different types of settlements and the general public in the SP process - is an irrefutable indicator of the country's democracy and civil society formation. In this direction, one century ago, the first initiative was made by a Scottish biologist, sociologist and urbanist Patrick Geddes. Multidimensional

education and the diversity of professional interests led him to the conclusion that successful SP is unachievable without consideration of all significant factors that form a settlement. He specifically stressed SP tools such as the participation of the population in the decision-making process (regarding SP). Patrick Geddes elaborated 2 principles of "social planning":

(1) The principle of bilateral/mutual informing - when specialists provide information to the public regarding the goals of SP and the citizens, in turn, inform the designers about their living conditions and needs;

(2) The principle of cooperation/collaboration - when specialists work on baseline versions of the SP documentation and the population assesses their proposals and offers alternative solutions.

In modern times, we have three forms of participation in the SP process:

- Informing the population and other stakeholders about SP goals and objectives - “unilateral, passive participation”;
- Interactive communication between the population and the institutions responsible for SP, including designers – “bilateral, consultative participation”;
- Direct involvement of the population in the decision-making process regarding SP – “comprehensive, active participation”.

Here one important factor needs to be considered: the world experience confirms the correlation between the SP level and the commitment of the population - the lower the hierarchical level of the SP document is, the greater is the interest and competence of the population and vice versa. In this regard, most of the population in Georgia is characterized by the syndrome of NIMBY (Not in My Back Yard). To understand what is the degree of citizens' participation, a metaphorical, so-called "participatory ladder" is used below.

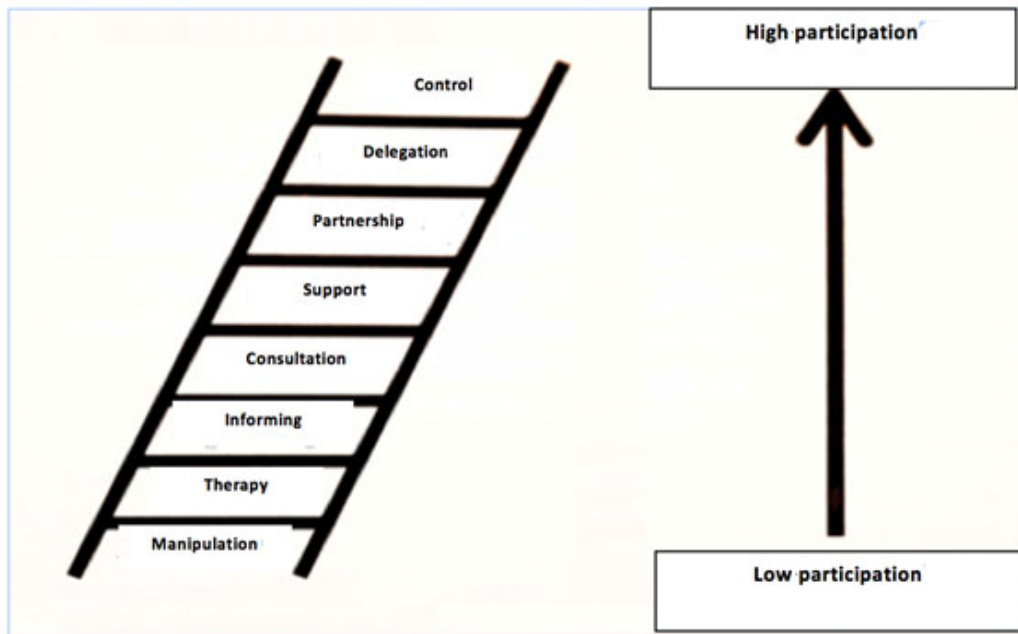


Figure 7: "Participatory Ladder".

Source: Arnstein Sherry R. (1969). *A ladder of citizen participation*. In: "Journal of the American Planning Association", 35:4, p.217.

From this point of view, it should be noted that in the Georgian reality, informing the population about SP was a "forgotten novelty" until recently. In this regard, it should be remembered that back in 1934, the brochure published about the review of the first General Plan of Tiflis stated that: „The brochure aims at delivering the main provisions of the Tiflis planning Project in a short and popular form to allow the readers to study the problems and make it easier for them to figure out the graphic materials that are exhibited in the office of the Georgian Trade Union <...>Large masses of factory and industrial workers should take an active part in the Project review and criticism. The Tiflis Council calls on the masses of the city workers to take an active part in the Project review. All comments will be recorded and taken into consideration during the final processing of the Project”<sup>24</sup>.

In the last period of the "perestroika"<sup>25</sup> during the Soviet Union, the participatory SP was considered as one of the methodological tools - proper instructions were published in 1989<sup>26</sup>.

<sup>24</sup> For socialist reconstruction of Tiflis. Regarding the review of the City Planning Project. City Council of Tiflis, 1934 (in Georgian).

<sup>25</sup> *Perestroika* (Russian: перестройка) was a political movement for reformation within the society of the Soviet Union during the 1980s until 1991 widely associated with Soviet leader Mikhail Gorbachev and his *glasnost* (meaning "openness") policy reform. The literal meaning of perestroika is "**restructuring/rebuilding**", referring to the restructuring of the Soviet political and economic system. Source - Wikipedia

<sup>26</sup> Основы учёта общественного мнения при обсуждении градостроительных проектов. М., ЦНИИП градостроительства, 1989.



The instructions, aside from the review of foreign practices, established the methods for informing the public about the SP, dialogue between the public and specialists, public/expert opinion polls and methods for agreeing on positions of the Specialists and the public.

Participatory SP in a large part of developed countries is regulated by special laws. These laws establish legal norms such as:

- Citizens' right to receive timely and reliable information about their living environment; the SP documentation is subject to publication before the approval by the authorized party/entity;
- Timetable for the public to review the SP documents - from 30 days to several months;
- Quotas of the population representation in the design and implementation of the SP documentation; these may be the authorized representatives of the citizens (as a rule, professionals are selected), community or non-governmental organizations and others;
- Functions of the population in the SP process - getting information about the problems that arise in a specific area, the introduction of project proposals, evaluation of the project and so on;
- Regulating the legal relationship in the traditional triangle - "Authority-Developer/Owner-Population"; for example, monetary compensation and sanctions in favour of people whose rights were violated; in the Netherlands (for reconstruction projects) the population has the right to veto a specific project, and so on.

Although similar special law does not exist in Georgia, in terms of SP, the rights of citizens are protected by the international treaties and conventions signed by Georgia, as well as the relevant legal norms of the Law. Article 5 of the Law states the following among the guiding principles of SP: "Publicity should be ensured in the spatial-territorial planning process." Article 7 of the Law is dedicated to the implementation of this norm - "Provision of Publicity in Spatial Arrangement and Urban Planning Process".

The mechanisms for ensuring publicity of the formation, elaboration and review of the goals of the SP documents are specified by the main provisions and regulations for the use and maintenance of settlement areas.

The relevant provisions of the Technical Regulation "Basic Provisions for Settlement Territories Use and Regulation of Development" are required to fulfill/enforce the above-mentioned requirements. The publicity is among the objectives of these "provisions". Article 16, Paragraph 1. gives right to create a consultative body within the executive body of the Municipality –“Commission for Regulation of the Settlement Territory Use and Development” <...>. The field of competence may be as follows: <...>Organizing public awareness works and discussions with the relevant department of municipality in order to publicise the development, review and approve urban construction documents." Article 24 is dedicated to the types of informing and gathering public opinion<sup>27</sup> .

Participatory planning is supported by the “Tools to Support Participatory Urban Decision Making”, elaborated within the framework of the UN Habitat Program.<sup>28</sup> This practical document describes the stages and forms of participatory planning in details. In addition to this Guidebook, the participatory planning process is described in Georgian publications.<sup>29 30</sup> Public Participation in planning has a long history in Georgia. This methodology was also used in USAID and ECMI projects implemented 2004-2008 (City/regions development plans of Poti, Borjomi, Adjara AR, Samtskhe – Javakheti, Kvemo Kartli region etc...).

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<sup>27</sup> Technical Regulations - " Basic Provisions for Settlement Territories Use and Regulation of Development "; Resolution - approved by the Government of Georgia by Resolution No.59, dated January 15, 2014.

<sup>28</sup> Tools to Support Participatory Urban Decision Making. UN-HABITAT, Nairobi, 2003.  
<http://www.chs.ubc.ca/archives/files/Tools%20to%20support%20participatory%20%20urban%20decision%20making.pdf>

<sup>29</sup> F. Fisher. Participation for development. Improve mutual understanding between citizens and local authorities through participatory planning. Part 1: Theoretical material; Part 2: Practical exercises. United Nations Centre for Human Settlements- UNCHS, 2001. (Translation from English, ed. - G. Meskhidze).

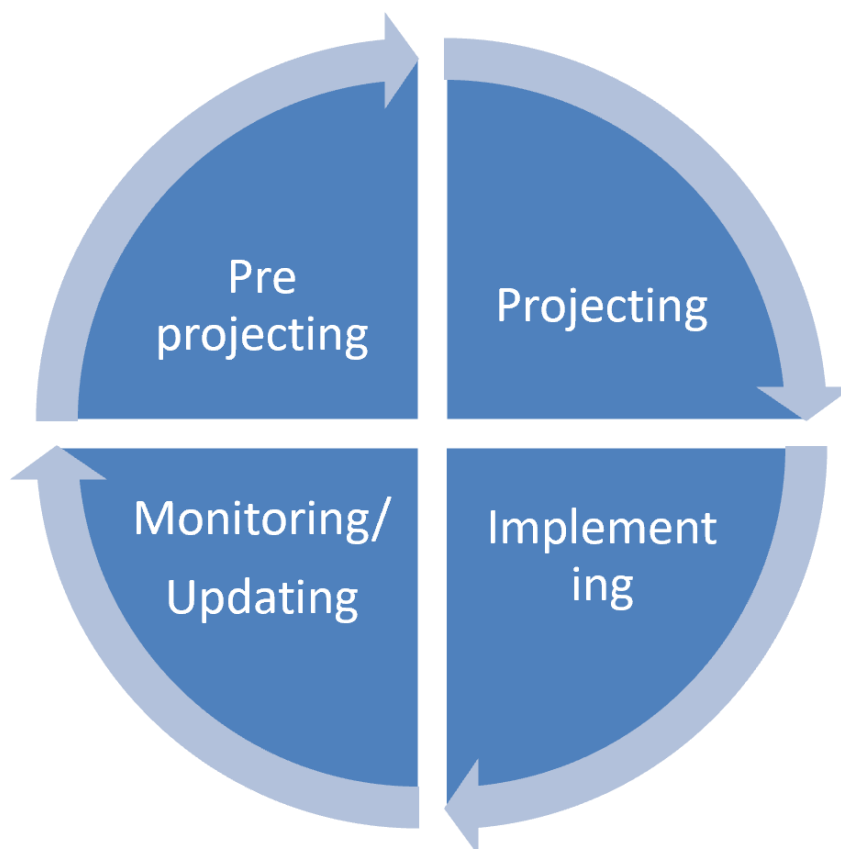
<sup>30</sup> Guidance for Citizens Involvement in Local Self-Government. Tbilisi, USAID - Program "Democratic Governance in Georgia" (G3). [http://csb.gov.ge/uploads/25-11-03\\_.pdf](http://csb.gov.ge/uploads/25-11-03_.pdf)

## 7. Spatial Planning Processes for Municipalities

For the purposes of the Guidebook, the concept of "**Strategy**" is generally defined as an **integrated approach/model of actions aimed at achieving sustainable development goals of the Municipality**. With such a disclaimer, municipal SP, is a means of achieving this goal, which is formed as four interdependent stages process:

- **Pre-projecting stage; preparatory tasks**
- **Projecting stage; SP documentation elaboration;**
- **Implementation stage; after approval of projecting documentation;**
- **Updating stage; monitoring and correction/amendments to documentation.**

### the four stages of spatial planning in municipalities



*Figure 8: Planning Process Stages*

*Source: A. Czyżewska, 2019*

## 7.1. Pre-Projecting Stage in Spatial Planning – Strategy Development

In this Chapter it is discussed the pre-projecting stage. In the next chapter 4 projecting phases are discussed. Where the planning starts? With data collection, which is described in Annex B.

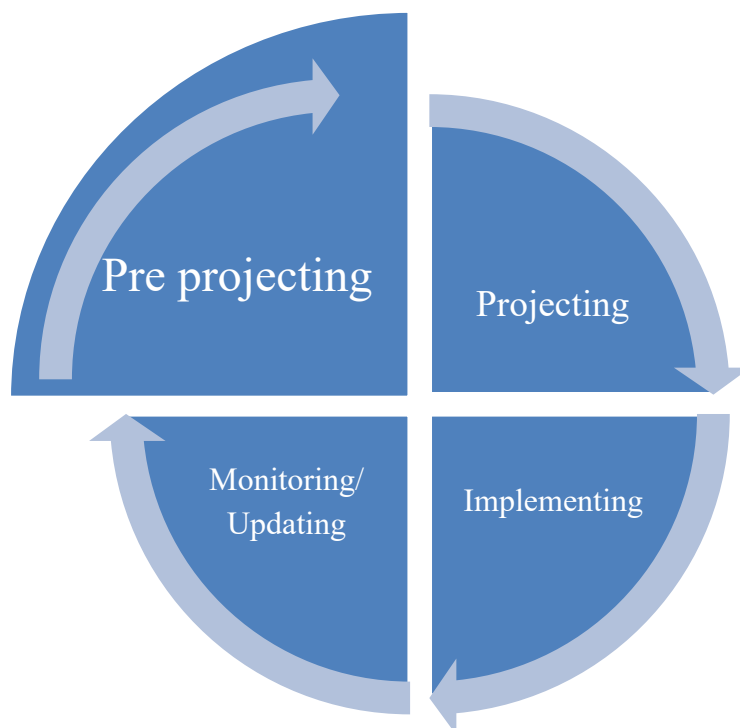


Figure 9: Planning Process - 1 Stage

Source: A. Czyżewska, 2019

Municipal development management is impossible without careful spatial planning. The spatial layout of the municipality determines the possibilities of rational development of its area, creating the basis for conducting ordered investment processes and rational assets management. Work on a municipal development strategy should be closely related to the local level spatial planning documents (SP) defined in current legislation. The assumptions of the spatial development policy of the municipality should correspond and stay in synergy to the vision of its development, sectoral priorities and enable achieving the main and indirect strategic goals in different sectors. Ensuring the links between strategic development planning and works on defining spatial policy finds its justification in the need to establish optimal conditions for the implementation of approved plans. It is possible to start work on the SP with a certain delay in relation to the work on the development strategy of the municipality, as well as develop the strategy at the moment when the SP already is adopted by the municipal council. However, difficulties in the free shaping of strategic plans for the development of a

municipality, when its development is already partly determined by the content of the SP, leads to the consideration of another solution, or future changes in the documentation affected by municipal strategy adoption. Because the SP is in a sense also a local development strategy for space arrangement, the optimal solution is to carry out work on the development strategy and SP simultaneously. In this way, a comprehensive, integrated system of the long-term development of the municipality is created, covering the issues of sectoral (social, economic.....) and spatial development. On the lower level of spatial planning ( the content of country and sectoral plans (eg. Transport, CIP, AM....) should be analyzed and included.

To a large extent, the relationship between spatial planning and private developers' investments were presented in the Spatial Arrangement Guidebook. However, CIP mainly concerns public investments. Therefore, the CIP and SP relationship should be developed in the following directions:

1. SP is a superior document in relation to any investment plans (Action Plans) - this is depicted in the diagram below. SP is therefore a framework for CIP in the municipality.

2. Investment tasks (needs) may result from SP plans. In this sense, SP is also a source of information (one of several) about potential investment projects. The CIP Guidebook lists the following sources of information on investment needs (in addition to applications directly from residents):

- State / Regional plans
- Development Strategy
- Spatial and urban plans
- State of municipal assets
- Changes in law
- Emergency situations

3. Another important relationship between CIP and SP takes place at the stage of preparing a feasibility study for a given investment project. This document should analyze the project's compliance with the Development Plan. The Feasibility Study recommended in the CIP Guidebook contains a chapter on Spatial Planning which says:

- Review spatial planning issues (regulations) in relation to the project and its location. Summarize the implications for the project of local and national spatial plans.
- Describe the steps proposed to ensure conformity with the plans. Identify the official approvals required to proceed with the project.
- Set out the land acquisition requirements of the project and the procedures and timetable for meeting these requirements. Land acquisition and obtaining approvals must be factored into the project implementation plan.

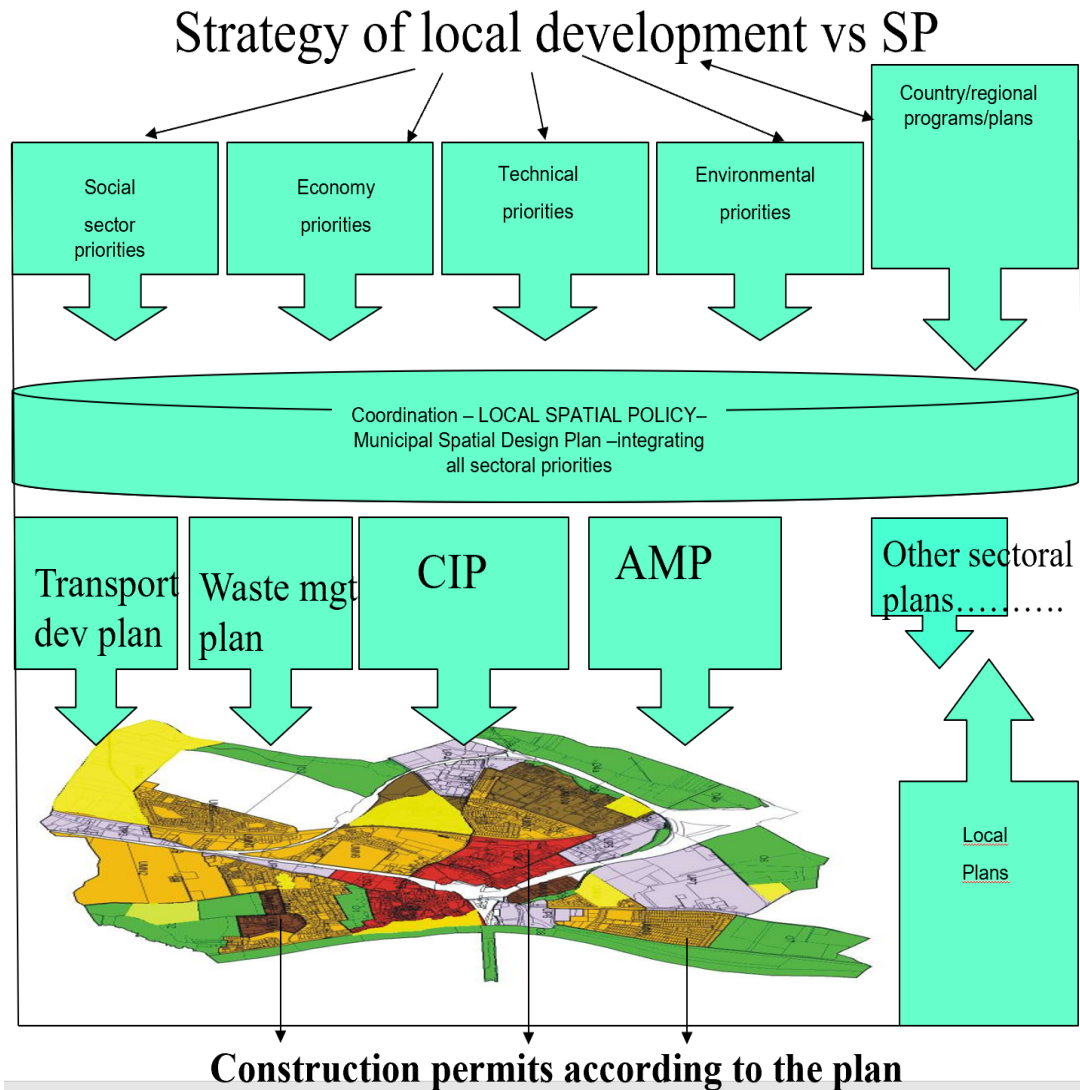
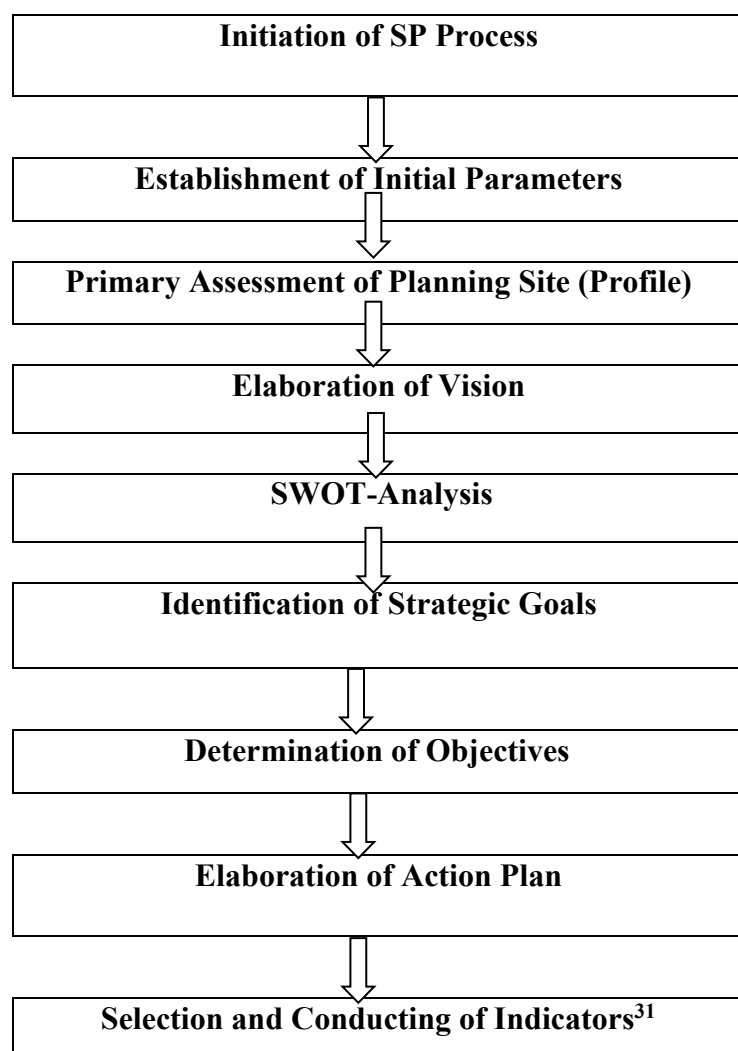


Figure 10: The synergy between strategy, sectoral priorities and SP

## 7.2. Planning Strategy

The "Strategy" of the SP has to be set up and implemented on the basis of the above given requirements. Ideally, "Strategy" should become the subject of consensus for political forces and stakeholders including inhabitants, which will, on the one hand, facilitate its implementation during the local elections and on the other hand provide a real basis for the initiation of medium-term projects and the prospects of implementation - even if the municipal government comes to power with another political force. Generalized scheme of the SP process is presented below related to 3 types of planning: municipal plan; settlement plan; area plan within a settlement.



<sup>31</sup> on the strategy/goals/actions levels

*Figure 11: Generalized scheme of the “planning” process of the strategy*

*Source: Guide to City Development Strategies. Improving Urban Performance. Cities Alliance, 2006.*

Hereby it should be mentioned that in the Georgian reality the Concepts that are commonly recognized as "Strategy ", "Vision " and " SWOT Analysis " are not established at the legislative level in terms of SP; they are not included or defined in any methodological document of SP. Nevertheless, these notions/terms are used in the normative acts of the central authority responsible for SP - for example, when announcing a tender for the design services of the SP documentation. In this regard, the project designing practice is ahead of the necessary revision and development of the legislative normative base.

The lack of understanding of the general picture of SP and the deviation from the sequence of Strategic stages can lead to a not very advantageous condition.

Example: "Land Use Master Plan of Dusheti" was developed in 2013 with local initiative and funding - which, itself, should be considered as a success and best example. In 2015, "Dusheti Development Strategy for Sustainable Development" was elaborated. The Land Use Master Plan was approved in 2016 without taking into account the important provisions of the Strategy, which can be regarded as a deviation from the SP sequencing.

Below the stages of preparation, a universal strategy of SP is discussed consistently.

### **7.3.Primary Assessment (Municipal Profile<sup>32</sup>)**

Today, the primary study and evaluation of the "planning" object in Georgia is carried out on the basis of the following requirements included in the first stage materials of the "Pre-project research (feasibility study) and Strategic Development Vision (Concept) for drawing up local level Spatial Planning document. This document <sup>33</sup> details the required structure of the municipal spatial arrangement plan. More information about data collection the readers find in the Annex B and about approved Planning Documentation, please refer volume 2, Chapter 4.9.

<sup>32</sup> For the English term - “Profile” in Georgian the word “narkvevi” is used which requires normative approval.

<sup>33</sup> For example, Land Use Master Plan of Tbilisi adopted in April, 2019.



Due to this, it is desirable to introduce the format of the Municipal Profile which is largely tested and approved in international practice. This format should multilaterally and maximally demonstrate the position of the municipality before the SP. The purpose of the Municipal Profile is to provide a convincing information base for conducting a SWOT-Analysis. The Municipal Profile must be structured thematically; it should be preceded by the collection of statistical data depicting the situation of the Municipality, expert opinions, documentary, demographic and sociological studies, etc. It should include the information needed for CIP or AM plans/ projects (see more in CIP and AM Guidebooks).

Based on the experience in Georgia the recommended format of the Municipal Profile is presented in this Guidebook, which must reflect both the given positions and, if necessary, additional features/ conditions of the particular Municipality. In the Volume 2. Chapter 9.3 Kaspi Municipal Profile is included as a model, as well as Vision, SWOT-Analysis and Indicators.

#### **7.4. Elaboration of Vision and formulation of planning goals**

At the next stage of the Strategy preparation the Vision describes the desired, imaginary state of the Municipality in the long term - 10-15 years. Pre statement is necessary to conduct SWOT; there could be two different methods used: 1) Vision – SWOT; 2) SWOT – Vision.

The Vision should cover the main characteristics of the Municipality:

- Competitive advantages of different scale, including economic;
- Local values and interests of the citizens;
- History and culture;
- Physical characteristics etc.

The Vision should be intended for local citizens as well as directed at the outside world; it should be characterized by a positive, convincing tone; metaphors, slogans, successful examples from the past and icons that characterize the municipality should be included in it. It should be concentrated; in some cases wording does not exceed 60-70 words; the Vision, grammatically, is written in present tense; it should establish an identity of the Municipality and present it to the outside world; municipal development tactics may change over the course of time, but the Vision - as a lighthouse - is desirable to be unchanged or minimally corrected.

The Vision should be ambitious and realistic at the same time. (Refer to Kaspi example Vol.2 chapter 9.3).

Despite the shortness the Vision it is a powerful unifying tool for the municipal community; it is important because it connects various stakeholders and the efforts of the main "players" in a way that they work in one direction, for the benefit of the Municipality. In spite of covering a relatively long period of time, the Vision should encourage short-term purposeful actions as well.

Technical Regulations (Reglament) - in turn "The Basic Provisions on Regulation and Development of Settlement Territories" determines: for the elaboration of SP SP it is necessary to conduct a pre-projecting study, which includes research of the physical environment, desk-study and feasibility study. The latter includes: planning goals, tasks and expediency.

Based on the above mentioned, in order to elaborate planning goals the collection and analysis of initial parameters and basic data has to be carried out at the pre-projecting stage. The parameters and data should meet the needs of the planning that starts the entire planning process.

### **7.5.SWOT-Analysis**

One of the next tools for SP is a multi-factorial analysis i.e. SWOT-Analysis– which has been used more frequently in Georgia in recent years. This tool implies assessment of the "Strengths" and "Weaknesses" of the Municipality, as well as "Opportunities" and "Threats". SWOT-Analysis is performed by the stakeholders after elaboration of municipal Vision, more rarely - in parallel to developing the Vision.

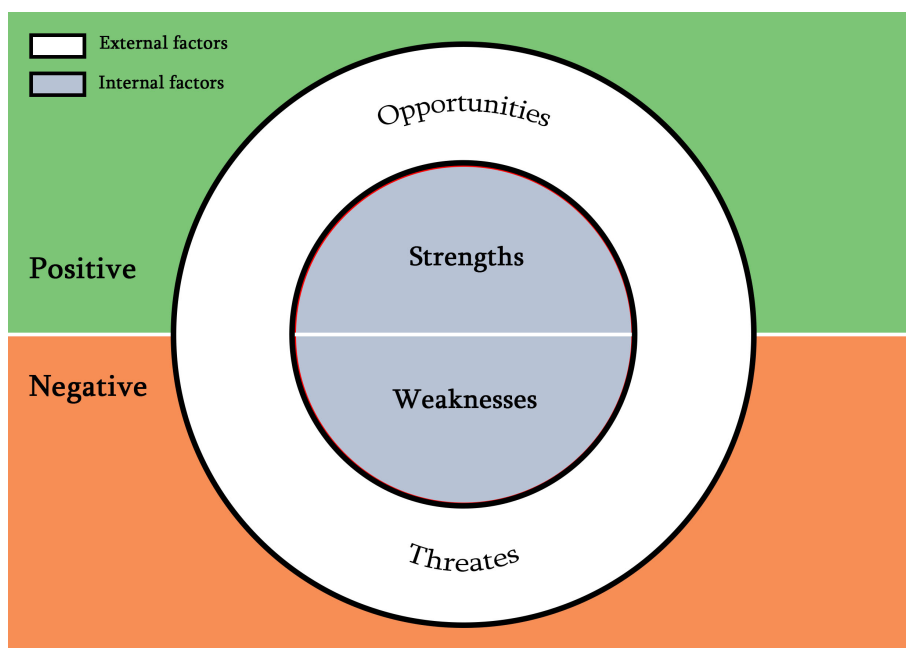


Figure 12: Inner and outside factors of SWOT Analysis composition.

Source: V.Jokhadze, 2019

As a rule, Strengths and Weaknesses reflect the internal characteristics of the Municipality, while Opportunities and Threats are often associated with external factors, such as - ecological, economic, and political, as well as social, demographic trends, cycles, shocks etc.

SWOT-Analysis enables the Municipality to:

- Increase the Strengths and put in action the Opportunities;
- Eliminate Weaknesses, avoid Threats or reduce their impacts;
- Establish institutions with high competencies, potential, leadership skills and enthusiasm;
- Identify the factors/institutions that can hinder the implementation of the municipal development Strategy and convince them in the benefits of the Strategy.

The structure of SWOT Analysis should cover both universal characteristics, as well as the peculiarities of specific municipality. Despite the fact that the first outline of the SWOT-Analysis is formally elaborated by the group of experts based on a desk study, its discussion in the focus groups and with the population is the necessary precondition for ultimate success. This is especially important when an external company is performing the SP work. It is desirable that the structure of SWOT-Analysis includes the following:

- External political and economic factors;
- The position of the Municipality in the national settlement system and in the Region;
- Physical-geographical characteristics;

- Natural resources;
- Condition of natural environment;
- Human and social capital;
- History and cultural heritage,
- Sites of nature/landmarks;
- Engineering-technical infrastructure;
- Social-cultural infrastructure;
- Housing;
- Economy, banking, production;
- Agrarian sector, aquaculture, forestry;
- Management, administration and NGOs/community organizations;
- Budget and external financial resources
- Completed, current and planned projects, programs, plans; first of all, the SP documentation, CIP and AMP;
- Other issues that will help to better reflect the condition and perspective of the particular Municipality.

The practice of Georgia shows that this work is to be done in several stages. Initially, the first edition of the SWOT-Analysis results is compiled based on a variety of sources through a desk study performed by a team responsible on SP. This edition goes through the approval of all stakeholders in a format of consultation "brainstorming" and only after this it is adopted in the package of SP documents (see example Vol.2.chapter 9.3). In practice it is done by Projecting Team with the support of municipal service (assigned relevant department of City Hall).

## **7.6. Identification of Strategic Goals and Setting Priorities**

The main stakeholders identify the Strategic Goals during the workshop organized by municipal staff and conducted by Projecting Team. Essentially, Strategic Goals are based on the cause-effect principle. Usually, the interested parties will select several Strategic Goals - a limited number of goals. Otherwise the Strategy will lose focus and financial and expert resources will be scattered. The Strategic Goals determine a set of actions that have to be implemented in a certain period of time; key indicators measure the effectiveness of them.

Strategic Goals are not a list of wishes, projects or sectoral plans. They are desire states of any field to be achieved in long and s mid-term periods.<sup>34</sup>

The Strategic Goal is rarely the concern of only one institution nor is it the subject of their responsibility; on the contrary - it's a cross-linking and interdependent future state of the currently defined problem/need (for example: decreased % or number of unemployment people in the municipality; increased % or number of private investment projects) achieved by set of actions. Strategic Goals almost always attract capital investments from public and private sectors; cause the changes in the framework and regulations of the policies; influence firms and households, are linked to educational programs and awareness raising; encourage public campaigns.

It is important to understand the necessity of ranking Strategic Goals and the establishment of their hierarchy during participatory planning process Totally equal priorities do not exist; the term "priority" itself defines this idea. Sometimes expert knowledge and/or sociological surveys are needed for ranking priorities, sometimes the universally recognized and obvious goal is reflected at the top of the hierarchal ranking.

For example, drinking and irrigation water supply in the community Municipalities of Eastern Georgia is such an immediate priority; whereas the problems of ecological recovery is in the first place in the towns and Municipalities which emerged as a result of mining and manufacturing industries (Tkibuli, Chiatura, Zestafoni, Kaspi, Madneuli). It should be noted that, due to the lag in the sanitary culture of population, the most important component of engineering and technical infrastructure, such as wastewater treatment plants, are not usually considered in the priorities of the population.

In general, prioritization of Strategic Goals requires the development of criteria, as it is impossible to compare different project ideas when you have limited resources. Such criteria may be the urgency of the project, cheapness, technically feasible and rapid implementable, visual, social effect, etc.

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<sup>34</sup> In the international practice of strategic planning the goals are SMART: short, measurable, achievable, realistic, time bounded.

Ranking can be done in two stages. In the first stage, priority is given according to the criteria offered by the local self-government. At this stage projects are dismissed and agreed projects selected. Several methods of ranking are presented in special section of the references<sup>35</sup>.

### **7.7. Objectives**

In order to achieve Strategic Goals, it is necessary to establish targeted Objectives. The implementation of these Objectives is usually not limited to the competence of only one actor and requires the local self-government bodies to fulfill the role of a coordinator. To achieve each Strategic Goal, it is necessary to implement several Objectives - this can be the improvement of legislative-normative base (within the competence), institutional reorganization, staff training, solving logistical problems, financial support, etc.

### **7.8. Action Plans**

Action Plans represent a system of concrete actions aimed at solving the tasks to achieve Strategic Goals. The parameters of the Action Plan are:

- List of the task
- Specific performer;
- Calendar schedule for implementation; allocation into stages (as necessary);
- Cost estimate;
- Provision of guaranteed source(s) of financing;
- Putting control mechanism in action.

### **7.9. Establishment of Indicators for the Strategy Development**

After approval of planning documentation, the implementation stage proceeds. The efficiency and effectiveness of implementation process can be measured only by constant observation and monitoring. The monitoring itself is carried out through the system of indicators which is discussed in Volume 2. chapter 9.3.

Data collection (Annex B), based on the planning types and hierarchy, should be carried out with consideration of upper and lower levels, during which special attention has to be given to indicators of planned development, such as correspondence of planned land use and construction permits (issued based on it) with the development strategy. During this process

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<sup>35</sup> I. Qortua, A. Kalandadze, G. Meskhidze, revealing problems and prioritizing with public involvement. Tbilisi, Civitas Georgica, Open Society Georgia Foundation, 2009 (in Georgian).

the data collection should not be viewed as a self-purpose or the final outcome of the process. Therefore, the importance of separate data fields, for which data collection and measurement of indicators is considered, need to be assessed and the focus drawn to the highest priority. Within the framework of monitoring, effective implementation of planning documentation should be analyzed based on the data entered in the indicator system. During this process following important questions should be answered:

- Are the goals still accurate/valid and effective?
- How far are we from achieving the set goals?
- Is planned urban construction and/or other activities carried out in accordance with planning documentation?
- Are the on-going urban construction activities as efficient as it was assumed in the planning documentation?
- Does the value (of these activities) match the value assumed in the planning documentation?
- Have the assumptions come to pass, which were the basis of the planning documentation?

Monitoring process may also include field visits and observation of development on site, photo shoots and arrangement of meetings, which has to become the part of indicator system.





## 8. Projecting phases

This phase refers to preparation of local level spatial planning documents after accomplishment of preparation of the strategy development. It is called Projecting in this Guidebook. For more information refer to figure 10 Projecting, as well as the entire process of spatial planning, can be interpreted as interrelated phases, which looks like a process of answering on the 3 main questions: where are we? Where do we want to be? And how can we get there?

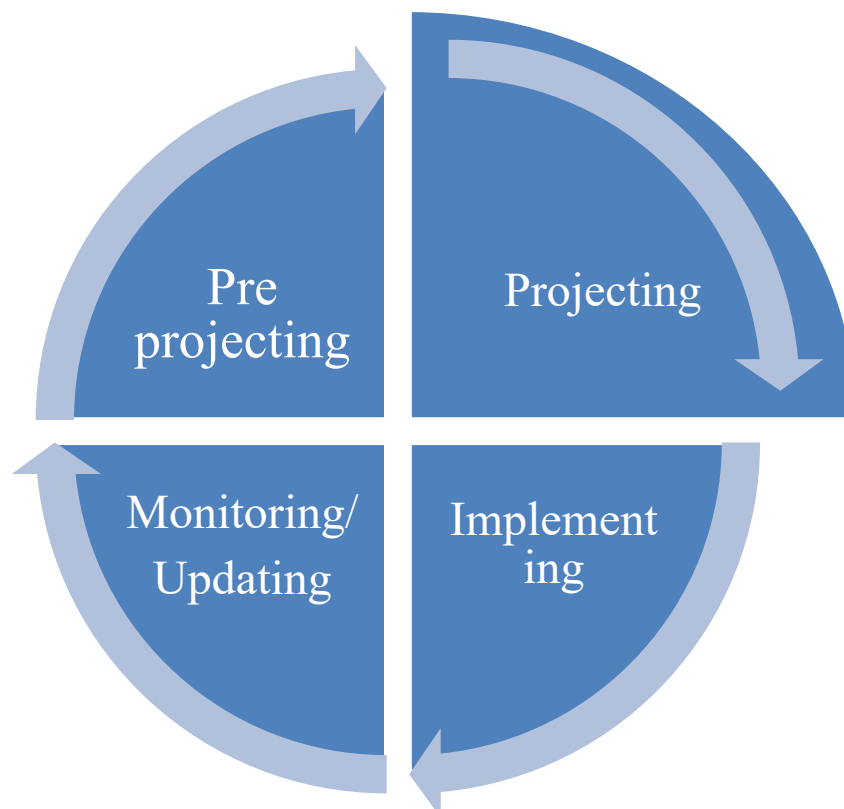


Figure 13: Planning Process – Stage 2

Source: A. Czyżewska, 2019

At the projecting stage, the first question is substantially answered and the discussion can only be held about the actual interpretable data and provided to the stakeholders. The second question will be answered by writing the vision statement in the projecting task (or within a concept of local level spatial documents when the new CODE comes into force), the deviation from which will only be acceptable in special circumstances. The third question represents the main routine work in projecting, which has to “translate” development strategy and objectives into the projecting language – what should be developed and where. As a rule, several alternative options are being discussed at this phase in order to maximally approximate public and private interests.

## **8.1. I phase — the phase of determining the organizational framework of the planning process**

At the initial stage, the overall organizational framework of the whole planning process should be created. In the course of planning, all structural units of the municipalities, which are obliged and authorized to determine the policy of individual directions of development, must be involved in process. Hence, for the smooth and effective implementation of the planning process, the authority of their participation and their responsibilities should be clearly defined at the initial stage.

After this, the workshops organized by the municipal service and projecting team should be held. The information distribution and exchange system should be developed.

## **8.2. II phase — familiarization with current situation and interpretation**

At this phase of projecting, it is necessary to introduce Strategy, National strategic documents, the regional profile, the municipal profile, projecting task and support plan (or within a concept of local level spatial documents when the new CODE comes into force). Sometimes it is necessary to focus also on the situation in neighboring municipalities. Baseline and background information packages should be prepared for the participants of projecting phase to allow the stakeholders to better understand the situation and correctly develop their opinions.

In order to avoid incorrect perception of the documentation, they should be interpreted and discussed. At the initial stage of the process, it is recommended to provide spatial analysis of municipality/settlement to the stakeholders - present dynamic development process and spatial-territorial structure by means of textual and graphic materials (cartographic maps, plans, schemes).

Spatial analysis makes it easier for the involved stakeholders to understand the modern conditions of the municipality. It complexly presents the current realities. It is an effective basis for decision-making, planning of the activities and determination of their priority.

When interpreting the data it is necessary to emphasize the following key issues in the municipal profile:

- 1) Location and role of the municipality/settlement in the settlement system: at the country, autonomy, agglomeration and trans-municipal level;
- 2) Main function of the municipality/settlement: producing and service sectors.

In the same phase all data that has been envisaged by the projecting task (or within a concept of local level spatial documents when the new CODE comes into force) is collected and analyzed. A systematic field work should be conducted, which on the one hand will be oriented on verification of the information and instructions/recommendations given in the projecting task and on the other hand will unify the existing preliminary drafts with the data, which is important for projecting.

After completion of field work, the projecting team will carefully check the received data and complete the analysis of the results.

### **8.3. III phase — collection and compilation of projecting data - outline**

Based on the results of the I and II phases described above, the projecting team is obliged to transform the important aspects into projecting outlines/drafts, based on which it prepares several alternative decisions.

Discussion of the projecting outline should be held with the main stakeholders who will be identified during preparation of the projecting task (or within a concept of local level spatial documents when the new CODE comes into force). Baseline and background information packages should be prepared for the participants to allow stakeholders to better understand the situation and develop their opinions correctly. Agreed option or options are given the priority and the work is continued until the final draft document is adopted.

### **8.4. IV phase — The final outline of projecting and the content of the documents**

In the IV projecting phase the work on a final, reconciled version of projecting draft is continued; this draft contains main projecting solutions and assessments of their expediency. In the same phase, a projecting outline/draft takes the shape of the final document – in accordance with composition established by the projecting task (or within a concept of local level spatial documents when the new CODE comes into force).

The content of the local level spatial planning documents is defined by the legislation and during elaboration of the projecting task (or a concept) established requirements should be met, in addition the **content should answer the needs of planning and the full list of contents established by law.**

According to the legislation the structure of the SP is defined and it must meet the requirements laid down by the legislation. Therefore, below it is presented the minimum of important content, which can be specified with the projecting task (or with a concept preparation).

Part	Component	Qualitative Requirements
Textual	<b>Description</b>	Must include: definitions of used terms; definition of abbreviations; definition of legends; list of textual and graphic parts.
	<b>Explanatory Note</b>	Must include: municipal <b>profile</b> ; <b>final vision statement</b> ; land use and development <b>strategy</b> ; explanation of data given in the graphical part.
	<b>Sequence and stages of implementation</b>	Must include: stages of infrastructural and ST development on the projecting territory and sequence of land development and/or use together with timelines.
	<b>Evaluation of efficiency</b>	Must include: <ul style="list-style-type: none"> <li>• Costs incurred for infrastructural and ST development (total cost), conditions of cost allocation and future outputs;</li> <li>• Development benefits in terms of private and public interests.</li> </ul>
Graphic	<b>Situational map</b>	Orthophoto or topo-geodetic map/plan serves as the basis of the projection, in accordance with all its features.  Important elements of the projection: <ul style="list-style-type: none"> <li>• Projecting object – in trans municipal context;</li> <li>• Benchmark determining the location (key interest points and/or roads).</li> </ul>
	<b>Map of boundaries of projecting territories</b>	Topographic map should serve as the basis of the projection, in accordance with all its features.  Important elements of the projection <ul style="list-style-type: none"> <li>• Administrative boundaries;</li> <li>• Territorial (unit) boundaries;</li> <li>• Projecting area and boundaries (incl. adjacent territories where necessary).</li> </ul>
	<b>Map of Infrastructure and Spatial-Territorial Development</b>	Topographic map should serve as the basis of the projection, in accordance with all its features.  Important elements of the projection <ul style="list-style-type: none"> <li>• <b>Space categories and land use principles:</b> non-agricultural and agricultural areas, natural-landscape, special territories; water bodies and catchment areas, areas used for defense purposes, areas used for other important public purposes, territories for urban construction, including inappropriate territories/facilities and land plots, which need to be repurchased.</li> <li>• Basic engineering network and transport communications;</li> <li>• <b>Main axes of infrastructure development;</b></li> <li>• <b>The main projecting axes for employment and housing development;</b></li> <li>• Locations for extraction of minerals (if any).</li> </ul>

	<b>Map of Green and Water Areas</b>	<p>Topographic map should serve as the basis of the projection, in accordance with all its features.</p> <p>Important elements of the projection</p> <ul style="list-style-type: none"> <li>• Boundaries of natural landscape and its structure;</li> <li>• Boundaries of protected areas;</li> <li>• Forestland boundaries, its protection and development areas.</li> </ul>
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The final draft of a plan is presented by the City Hall for approval in Sakrebulo, in compliance with the same procedures as for the *projecting task* (or for a concept of local level spatial documents when the new CODE comes into force).



## 9. Implementation stage

The objective of the entire SP process is to identify and put into practice beneficial spatial changes. Thus, implementation is another "step" of the SP process, but with a different nature. At the country level, plan implementation is likely to be through policy guidelines, which may also serve as a framework for selection of possible projects at the regional or municipal level. In this sense, the designated department or service has to remain throughout a part of implementation, supplying information to government as a basis for decisions.

At the municipal level, the plan will frequently be implemented by means of a development project. There might be a time gap between planning and implementation for some objective or subjective reasons (financial, bureaucratic or political). The responsibility for putting the plan into effect rests with the executive body of the municipality for which reason Mayor should use his program.

According to the LAW (and CODE from June 3,2019) of Georgia the local level spatial documents of individual settlements are approved by the Municipal Council (Sakrebulo) after the submission from the City Hall of the same municipality and based on agreement with a planning authority of the executive branch of Georgia.

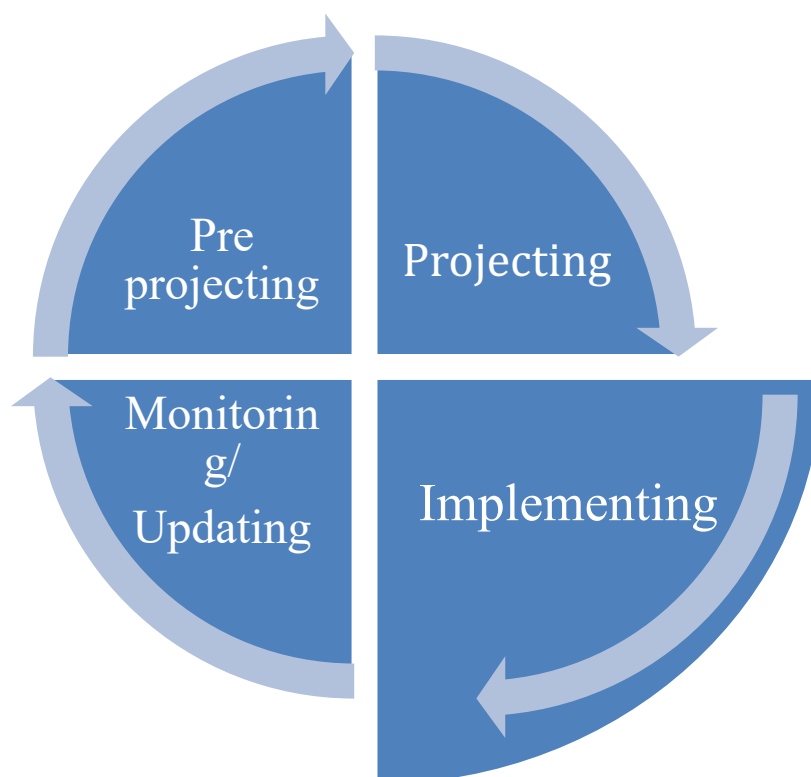


Figure 14: Planning Process – Stage 3

Source: A. Czyżewska, 2019

## 9.1. Approval of spatial planning documentation

According to the "main provisions of the development", the local level spatial documents approval procedure is carried out in two stages, each of which has an independent administrative proceeding. Only after the completion of the administrative proceedings of the I phase and the issuance of a positive administrative-legal act it is possible to start the administrative proceedings of the next stage. As already mentioned, the *projecting task* (or a concept of local level spatial documents according to new CODE) represents the I stage and the II stage is the planning documentation - approved in accordance with the rule of public administrative proceedings prescribed under Chapter IX of General Administrative Code – in no more than 30 days.

Due to the fact that the local level spatial documents are different, the use of an analogy of the approval procedure is inadmissible, especially when this is not directly established by the legislation.<sup>36</sup> In such case, the municipal authorities should not rush and should use the assumption determined by legislation and establish the rules and terms of approval on their own.

The local level spatial planning documentation is approved by the normative act of the representative body of the municipality, which should meet the requirements of the Law of Georgia on “Normative Acts”. The roles of the City Hall and Sakrebulo are the same as during the approval of the planning TOR.

## 9.2. Ordinance and development regulation for settlement territories<sup>37</sup>

**Development Regulation Rules of the municipal settlement territories** as a legal act of the local self-government and part of the spatial development management system, complements and specifies the system of spatial-territorial planning documentation. **Its goal is to determine the terms and conditions for the use and development of land plots for construction purposes.**

**It is noteworthy that according to the CODE (Law of Georgia - “the Code on Spatial Planning, Architectural and Construction Activities of Georgia” 2018, in force since June**

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<sup>36</sup> The analogy of law in the public-legal relations is used only in cases directly considered by the law and in accordance with the established rule. Law of Georgia on “Normative Acts”, article 5.

<sup>37</sup> A municipal legal act (by-law) equal to *Baunutzungsverordnung* - In German legislation; *Zoning code* or *Ordinance* – internationally, which together with land-use plans stands for settlements’ *Bauleitung / Development management*.



3,2019) - the development regulation rules, as the legal act of local self-government, is no longer considered. It is completely replaced by the "main development provisions" elaborated by corresponding state agency of the executive branch authorized on planning and approved by the Government of Georgia.

### 9.3. SP Guidance over Spatial Planning Documentation in an Interactive mode

SP does not end with the approval of a specific project - as it was accepted during the Soviet period. The guidance over the "project" in the interactive mode is no less of a responsibility. The importance of this stage is derived from the new SP feature, such as **multi-subjective**. As noted above, in today's socio-economic environment, there are as many subjects ("actors", stakeholders) of SP, as the owners, or physical and legal entities or associations of the owners that have immovable property in a given territory, citizens, other NGOs, public institutions (universities, museums, cultural institutions and so on).

It is hard to imagine that all of them have clearly demonstrated their interests by the end of the planning, even within a medium-term perspective. In this regard, dynamics of specific interests are intensified by the development of the real estate market and the peculiar requirements of the developers.

In this situation, the “viability” of the "planning" documentation is dependent on constant renewal (daily changes; issued construction permits, divided or merged plots...) and adjustment to the new realities, which is the prerogative of the person(s) authorized to "plan" in the executive power of the municipality. In this context, it is crucial to adequately respond to the requirements of the developers in terms of adjusting the documentation as well as making appropriate decisions.<sup>38</sup>

But such **reactive** actions are only one side of the matter. The **proactive** actions of the entity or the individual responsible for "planning" is even more important, i.e. the ability to follow the processes and developments in the relevant municipalities, neighboring municipalities, in the region and in the country, which have a system-forming importance (primarily settlement

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<sup>38</sup> The plan should serve the public issues; and set up the open regulations for market response

system or subsystem is implied)<sup>39</sup>. That is why in the previous chapters of the Guidebook were discussed in detail the SP contexts and harmonization configurations.

In this regard, it is presented the most acute example of the mega project in Samegrelo-Zemo Svaneti region, Zugdidi Municipality – development of Anaklia Deep Sea Port and a powerful logistic center. It is obvious that, except economic importance, this project will directly affect not only the Samegrelo settlement system but also the functional-territorial development of a large part of the Western Georgia.

The point is that the Anaklia Port and the fourth generation logistic center directly connected to it is a powerful urban and system-forming factor. The designers of this project imply construction of a new city - "Anaklia-City" - near the logistical center. This issue requires close analysis - primarily in the context of development of the region and especially Zugdidi municipality. Tentative demographic changes, sources of formation of the contingent of employees, places of their residence, labor migration forms, etc. need to be assessed. All of this can only be done by proactive SP, in the format of **"interregional spatial arrangement scheme"** and of **Zugdidi Municipality Plan** oriented on it. The CODE establishes also a tool for multi municipality planning (see its chapter V), which could be used in this case.

In this case, the essential methodological condition of SP is the so-called variant projecting, i.e. multilateral discussion of at least two principally different conceptual approaches:

- (1) Construction of more or less self-sustainable city with consideration of all accompanying infrastructural components;
- (2) Shifting the main focus from the construction of a new city (by creating a small settlement on the site) on organizing commuter labor migration within the region - primarily through the development of modern high-speed public transport systems.

This approach implies preliminary surveys, targeted elaboration of planning task (or concept) and control of SP by the Zugdidi municipality.

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<sup>39</sup> This phase is called monitoring

## 10. Updating stage - Assessment of Proposals about Changes and Adoption

As noted above, SP on the territory of the municipality is carried out at the three hierarchical (Refer Figure 1) levels of local spatial planning documents. . Different planning goals and processing of the plans in various scales at each of these levels, result in different changes in the procedures of their review, agreement and approval.

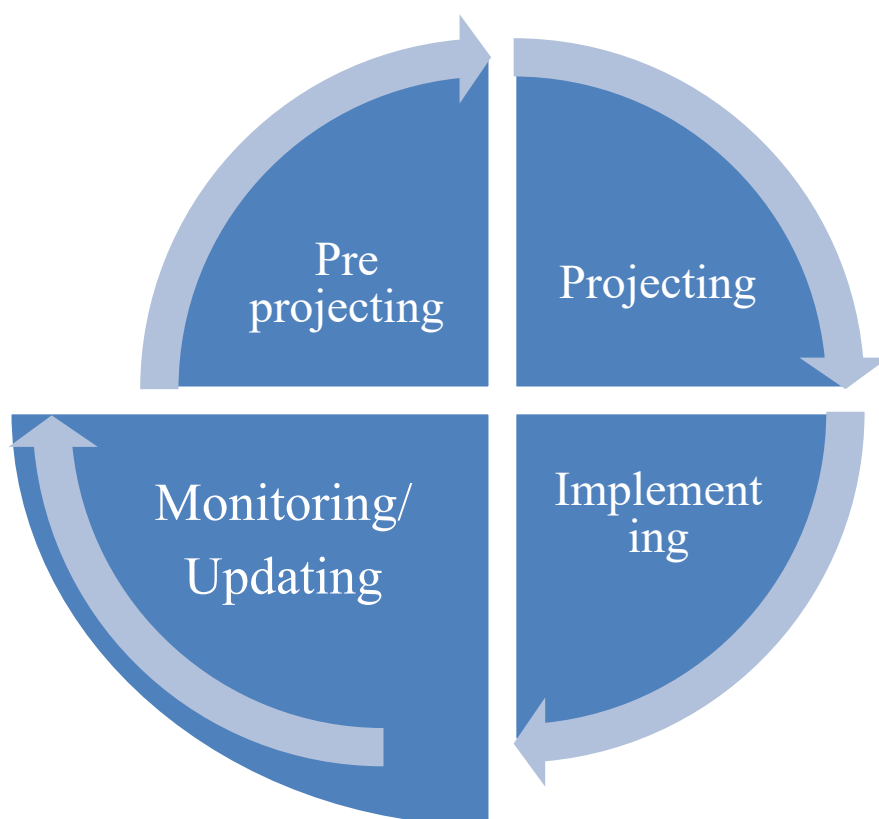


Figure 15: Planning Process – Stage 4

Source: A. Czyżewska, 2019

Changes in the Spatial-Territorial Development Plan of the Municipality (LAW) or in Municipal Plan of space design (when the new CODE comes into force) –, are associated with the directions of basic development established based on the strategic, social, economic and ecological knowledge and at the level of Settlement Land Use Master Plan (LAW) or Master Plan (when the new CODE comes into force) linked to important planning decision. Thus, the first two urban construction documentation is of conceptual character.

Changes in the documents of this type will be made in cases, when there the new concept of alternative suggestions occurs; or a special investment program will be planned in the area, there in the current SP documents such development was not foreseen.

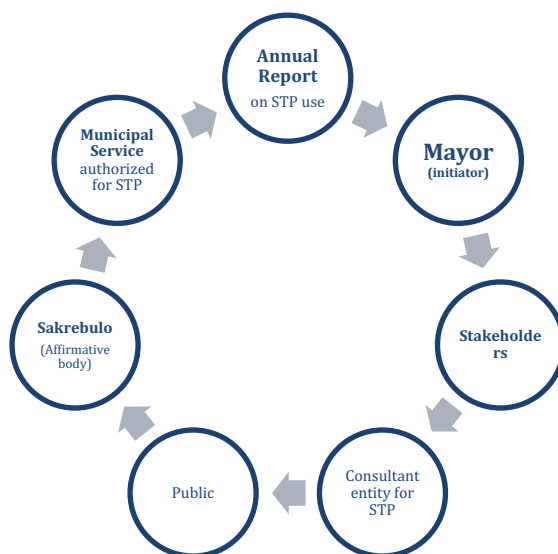


Figure 16: Circle of planning documentation updating

Source: V. Jokhadze, 2019

Construction development at the level of Master Plan is carried out within the established boundaries of development, which essentially does not require functional or structural changes and the construction parameters are set for the preservation of the existing condition.

It is also very important to consider issues related to the identification and sequencing of the priorities within the local level spatial plans of the municipality with consideration of the appropriate hierarchy.

The Plan of the Municipality and the Master Plan are **strategic planning** documents and therefore the urban planning priorities established by them are of strategic importance, while the sequence of their implementation and terms carry recommendation character.

**In such a case the changes in the relevant territory will be announced on the new "urban development concept at the tender level".**

As for the **Development Regulation Plans (LAW) or Development Plan** (when the CODE comes into force) prepared for the part of municipal area, these documents represent the tool for making operational changes in the priorities and sequence planned by the upper hierarchy urban construction documents in which the implementation of the project acquires specific importance only through the functionally defined **investment program**.

**In such case, the legislative body of the local self-government approves the amendments of plans in the above-mentioned territory in accordance with established procedures, based on the conclusions set out by the relevant municipal service and professional council reviewing the changes.**

What concerns operative urban construction and development of the territory, such development falls under 2 categories:

1. When, as it has been already noted, the development established by the Land Use Master Plan (LAW) or Master Plan (when CODE comes into force) takes place on specific site and within defined boundaries of development. In addition, functional or structural changes take place only on the established territory and in accordance with the established parameters. This kind of construction development is diverse, with short-term planning on a particular area, in some cases is covered by local investments, including relatively small scale and small budget works, and therefore often has common and general/universal character. The relevant procedural changes [from the point of receiving the application until the commissioning] are reflected in practice in the **Subsequent Plan** (with indication of date of issuance and construction period) and after commissioning it is transferred in the **Support Plan**.

2. When the development planned for the whole municipality takes place on a territory, which requires structural changes. Such kind of operative urban construction is possible only by the means of a large-scale **operative planning** document – **Development Regulation Plan (LAW) or Development Plan (when CODE comes into force)** . While the subject of operative planning should be a specific time-bound and financially supported urban construction project. However, **this plan** which is a document oriented on implementation of urban construction, stresses out only construction stages and as a rule does not establish the timeframes and sequence of implementation works. The implementation, sequence and cost of each particular facility/site is determined independently and only within the framework of investment projects.

**Therefore, development of specific territories by implementing projects is possible only at the level of DRP (or DR) and inclusion of investment program into it. The information associated with construction development established by DRP (or DR) is constantly included in the Subsequent Plan. Also, information about specific site is regularly included in the Support Plan in parallel to project implementation.**

Analyzing real practice of using urban construction documents is possible only on the Tbilisi example. Moreover, the use of digital urban planning is implemented only in Tbilisi and this practice will need to be implemented throughout municipalities of Georgia. It is planned to disseminate the model to all municipalities in Georgia within next 2 years by MSDA.

In the practice of Tbilisi, digital urban construction documentation is used and information is constantly entered in the **Subsequent Plan** but entering implemented projects in the **Support Plan** is of random character. The **Support Plan** of Tbilisi Land Use Master Plan does not reflect the complete picture of the existing situation and therefore constant monitoring of construction space development does not take place. The rich technical capabilities of the digital maps remain unused.

Georgian urban construction legislative base has not yet recognized the key management categories for guiding urban construction documents such as: **The Capital Investment Plan, Subsequent Plan, Support Plan, Development Plan, Asset Management Plan.**

**Next Plan, Support Plan and Development Plan** are the important parts reflecting the changes taking place within the framework of urban planning documentation. Below there are presented the definitions of these documents.

**Support Plan:** the thematic map of the urban construction documentation, presenting current situation in the form of completed and on-going construction (including constructions suspended for indefinite period of time). **Support plan** is continuously updated (in accordance with the appropriate procedures) with data on newly commissioned buildings/facilities.

**Subsequent Plan:** a package of maps of urban construction documentation, which includes the projects established and agreed according to the terms and conditions for the construction process on the land plot(s), and **DRPs (DRs)**, or stages reflected in **DRP (DP)**. **Next Plan** should also include annual operating plans of the Land Use Master Plan of the settlement, which, together with large municipal infrastructure projects, would combine development regulation plans (having financing and deadlines) in annual operating plans. Implementation deadlines are established for each site separately. Annual Operating Master Plan is the implementation law. Basically, it will constantly monitor the construction processes in the city.

**Development Plans:** is presented in **CODE** as part of Urban Construction Plans of the settlement(s) and, which, based on the agreed urban planning principles, establishes strategic urban planning priorities and land use and development parameters.

As for the **Capital Investment Plan** and **Asset Management Plan**, they are an integral and equal component of the **SP** process and are ahead of **on-going projects**. Their combination

under single documentation package is organic and suggests that "planning" is possible only through joint efforts of these three components.

### 10.1. Elaboration of New Spatial Planning Documentation

Although the guidance on “new generation” SP documentation should be interactive and its update is based on the fragmented (sporadic) updating process, in practice it is required publication of a new, adjusted "edition" of the SP documentation. This is confirmed by the revision of 2009 edition of the "Land Use Master Plan for Tbilisi", which was done in 2016-2018. The question arises: when and why should the SP documentation be renewed? In this case the new LUMP has been approved in March 2019.

Despite the lack of such practice in Georgia and the gaps in the legislation, it is still possible to establish several conditions for updating the SP documentation.

(1) The deadlines (terms) for renewal or revision of the SP documentation at the level of the country, autonomous republics (regions) and municipalities are NOT defined by the legislation of Georgia. the SP documentation at the level of the country is "linked" to the main direction of this policy. Currently, document of such policy is a **government program - "Freedom, Rapid Development, and Prosperity - 2016-2020"**. The textual part of this program is much weaker than its graphic conceptual component. However, the existence of this document clearly and imperatively means that the "General Scheme of Spatial Arrangement of Georgia"(LAW) or Plan of space design (when the CODE comes into force) has to be elaborated on its basis, which presumably defines the terms and updating conditions of the document.

(2) Currently the specific need to develop the SP documentation at the regional level is clearly visible within Tbilisi city agglomeration (Mtskheta-Tbilisi-Rustavi-Gardabani), which is a matter of the nearest future. This step will naturally lead to the need of vertical and horizontal harmonization of the existing SP documentation (of the municipal and community municipalities involved in the agglomeration), which will not be difficult to prove. The CODE gives the opportunity to develop the Multimunicipal Plan of space design.

(3) The period of validity of the relevant documents at the community municipality level has not been established. If such documentation exists (which is not a widespread practice), several real circumstance can serve as the basis for its revision-renewal. Firstly, planned or on-

going large-scale infrastructural projects taking place in the municipality or adjacent to it can serve as an appropriate argument to substantiate the need of elaborating “planning” documentation.

For example, if “spatial-territorial development plan of Zugdidi community municipality” existed, Anaklia Deep Sea Port construction, announced in 2017, together with major logistical center and settlements of various scale, would naturally cause significant changes to this plan by taking into consideration number of new factors – sub-scale of the settlement of the western Georgia, the expected shifts in the engineering infrastructure and radical reorganization.

In such case, it would not have been difficult to justify the need of processing the local level spatial documents of Zugdidi Municipality. Moreover, there would be a real basis for demanding financing from the central budget for this work. In today's situation, it is logical that Zugdidi municipality initiates spatial development works - with the financial support of Anaklia project initiators.

The similar situation is expected after the municipalities of Lentekhi (Lower Svaneti) and Mestia (Zemo Svaneti) will be connected by a tunnel, which requires preliminary and coordinated SP not only within the administrative boundaries of these municipalities but also needs inclusion of Tsageri municipality (Lechkhumi), which is located at the settlement axis connected those two. Again, the CODE gives the opportunity to elaborate multi municipal plan.

Regarding the terms of updating the SP documentation, SP clarity at the settlement level is more pronounced. The LAW states: "There is a **systematic revision period** for the settlements’ spatial-territorial planning documentation which is usually 5-10 years." (Article 25, paragraph 6.) The law does not say anything about the need for a "systematic revision", the essence and the depth, or its organizational or legal forms. On this background, substantial shifts in the settlement system (for example, the necessity of developing a new Regional Center's SP documentation) can become the reason for revision-updating of the SP documentation. It is worth to monitor what solution brings the CODE and by-laws in this case.



Another example is the introduction of large-scale urban forming factors(s); for Tbilisi a problematic issue of relocating or reorganizing the railway line out of the city, the need to establish a new socio-business center etc. can be considered.

In the urban municipalities where construction activity is high, the basis for revision-renewal of the SP documentation may be the critical number of changes implemented/to be implemented in the documentation (by expert assessments).

Revision and renewal of the SP documentation for all the above reasons should be substantiated by appropriate arguments and discussed publicly.

## 10.2. Monitoring of Spatial Planning Documentation with Using System of Indicators

The monitoring and assessment of the development process of the municipality with the indicators related to strategy development was discussed generally in the Volume 2. Chapter 10 of Guidebook.

There is a need of permanent monitoring of data on few levels:

### 1. Strategy level

- Indicators of data collected in Municipal Profile;
- Indicators related to goals
- Indicators related to actions

To be able to monitor and assess a SP implementation and judge its performance against the goals/objectives set, it is necessary to use a set of indicators, which must be decided in advance or early on in the plan preparation, so that data on them can be collected. They will in most cases be assigned target levels, which in aggregate will correspond to the goals/objectives of the strategy. The various levels of indicators are thus as follows:

- **Resource or input indicators** refer to the budget allocated to each level of the public assistance. Financial indicators are used to monitor progress in terms of the (annual) commitment and payment of the funds available for any action, project in relation to its eligible cost.
- **Output indicators** relate to activity. They are measured in physical or monetary units (e.g. length of road constructed, number of buildings constructed or renovated, etc.)

- **Result indicators** relate to the direct and immediate effect brought about by a strategy. They provide information on changes to, for example, the behavior, capacity or performance of direct beneficiaries. Such indicators can be of a physical (reduction in journey times, number of successful trainees, number of roads accidents, etc.) or financial (leverage of private sector resources, decrease in transportation cost) nature.

**Impact indicators** refer to the consequences of the Strategy beyond the immediate effects on its direct beneficiaries.

Baseline data are gathered primarily from official statistics. Sometimes, however, these sources can be problematic. Typical problems include:

- the non-availability of data on an appropriate geographical level;
- delays in the publication of data (for example, Eurostat data on per capita GDP are published with a two to three-year delay);
- gaps in official statistics in relation to the requirements of the plan (for example, the distinction between official and unofficial workers might not feature in official statistic);
- gaps in data related to rural areas (community municipality);
- lack of unified system of indicators in any law

It will be incumbent upon the body responsible for the monitoring task, i.e., the Mayor, to define, on the basis of existing priorities and capacity, the structure of the monitoring system and the level of detail at which monitoring is to be undertaken in order to meet the needs of different user groups.

While the monitoring of financial implementation is generally well established, the monitoring of physical outputs, results and impacts shows scope for further improvement.

It will be necessary to ensure regular monitoring of the physical and financial progress of the actions and, whenever possible, of the results as well. Available administrative and managerial resources are an important factor but, as a minimum, results should be monitored at least for the plan's most relevant actions.

Ex ante, mid-term and post ante evaluation are done based on monitoring data.

## **2. Indicators for spatial plans (for example, permits issued for zones etc).**

The assessment of SP implementation should be published in Annual Implementation Reports. Although it is widely used in international practice, neither LAW / CODE nor national practice has stipulated or experienced this approach.

The Report accumulates all the relevant analytical data gathered from implementation indicators and provides clear picture on current land use and/or development process whether corresponds or the planned land-use and/or development.



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## Annex

## Annex A - Terminology Used in Spatial Arrangement and Abbreviations

Several sources are used to define special notions/concepts/terms:

- When defining the term "Region" and other related conceptual terms - GB relies on the formulation of specialized international organizations and directive bodies of Georgia;
- The main normative terminology of SP is borrowed from the LAW/CODE
- The terms/concepts reflecting new phenomena or processes in "planning" and related areas are derived from special literature and internet.

### Terminology: Key Concept: Region

The United Nations Economic Commission for Europe (UNECE) gives the following definition for Region:

**"Region** – a territory which can be defined as a clear and structurally logical area, and/or the administrative division of the country for the purposes of spatial analysis and planning."

**The Guidebook starts with “Regions” because although municipalities should make local “bottom-up” decisions, but they also have to understand the “top-down” influences of national and regional priorities.**

The Report published by the Regional Development Commission of Georgia in 2010 - "Regional Development of Georgia: Diagnostic Report" states that: “When researching any issue related to the Region, it is necessary to define with what etymological meaning the term "Region", and the other economic categories related to it, are used.”

In Georgia, “Region” can have a range of different meanings depending on the context. Actually:

- The administrative-territorial unit of Georgia is considered to be a “Region”.



- At the self-government level, the "Region" means municipalities and self-governing cities (totally, 69 self-governing units, out of them 64 Municipalities and 5 self-governing cities).

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- At the level of governance, the “Region is considered as an area where the competences of the State Trustee - the Governor are distributed”.
- The Government of Georgia by the "The State Strategy 2010-2017 on Regional Development of Georgia”, approved by the Resolution # 172 of June 25, 2010, determined that:

"The Region, when implementing state policy on the sustainable development of the country, is defined as a functional-planning unit representing a combination of administrative-territorial units and, as a rule, coincides with the action areas of Georgia's State Trustees - Governors. Due to the goals of the Strategy, Tbilisi, Autonomous Republics of Georgia and Temporary Administrative-Territorial Units are also considered as Regions."

In 2015 in Georgian legislative system appears a definition of Region, which completely is based on historical-geographical sphere: “Region – historical-geographical province [Mkhare] of Georgia.”<sup>41</sup>

### Terminology: More Key Concepts Related to Region

It is important to mention 3 additional key concepts from the UNECE publication “Spatial Planning. Key Instruments for Development and Effective Governance with special Reference to Countries in Transition” (UN ECE, Geneva, 2008, p. 45):

- **Regional planning** – Planning a Region. This is usually undertaken by regional authorities, but may also be implemented by national government or by local authorities working jointly. It will generally be strategic planning, but with different degrees of integration between land use and other sectoral planning.

<sup>40</sup> According to current situation in Georgia for this Guidebook “urban municipalities” is understood since 2017 as 5 self-governing cities (Tbilisi, Batumi, Kutaisi, Rustavi, Poti). All other municipalities are understood as “community municipalities”, because they combine both urban and rural settlements (for example Gori Municipality, Telavi Municipality, Zugdidi Municipality etc.).

<sup>41</sup> Decree of Government of Georgia, dated 01.06.2015 #239 “On Approval of the Rules for Geographical Objects in the Administrative Borders of the Municipality.

- **Regional policy** - Policy intended to bring forward measures to address social and economic disparities between regions. It will usually entail promoting the economy of relatively poor regions through financial aid, training and other action, and controlling the growth in relatively rich regions.
- **Regional Strategic Planning** - Preparation of a strategy of framework identifying the broad patterns of growth but not detailed land allocation or zoning. Strategic planning is generally long term and comprehensive, bringing together social, economic and spatial considerations.<sup>42</sup>

Whilst recognizing these international definitions we need to be also sure of the specific use of the terms within Georgian legislation and Government policy.

For example, the operational term used in the "The State Strategy on Regional Development of Georgia 2010-2017": "**Regional Policy** – in light of the strategy goals, represents a combination of the targeted measures, that are concentrated and coordinated at the regional level, based on the development priorities and based on these priorities reasonable allocation of resources aimed at sustainable regional development." For updated priorities of the regional development and deeper research the readers should go to new “Regional Development Programme of Georgia 2018-2021” (mentioned in chapter 4).

Municipal initiatives in. SP require them to understand and connect with the policy for their locality.

## Terminology: Definitions from The Local Self-Government Code

The “LSG Code” provides the following definitions for SP objects:

**Self-governing community** (*temi*) - is a set of settlements that are granted or will be granted the status of the municipality according to the Code;

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<sup>42</sup> The subtraction of ecological factors in strategic planning undermines the universally recognized concept of sustainability, which, in recent times, is complemented by another: the cultural heritage factor.

**Village** – is a settlement, within the boundaries of which there is mainly agricultural land and other natural resources, and the infrastructure of which is essentially focused on the implementation of agricultural activities;

**Borough** – a settlement which has industrial enterprises and/or tourist and health centers and/or medical and social-cultural institutions and serves the functions of the local economic-cultural center. The infrastructure of the borough is not essentially focused on the implementation of agricultural activities. The settlement may belong to the category of borough if it is the administrative center of the self-governing unit or has the prospect of further economic development and population growth;

**City** – a settlement where industrial enterprises and a network of tourism, healthcare and social-cultural establishments are located and which functions as a local economic-cultural center. The infrastructure of a city is not oriented on agricultural activities. The settlement may belong to the category of a city if the registered population is more than 5000. If the number of registered residents is less than 5000, it may be included in the city category if it is an administrative centre of the self-governing unit or has the prospect/potential of further economic development and population growth, or is defined as a self-governing city according to the Article 3, paragraph 2 of the "Code".

### Terminology: commonly used terms

- **Urbanization** - the process of growth and development of the cities, the increase of the share of city's population in the country, region (the world's largest regions are implied) and the world. Increasing role of cities in the development of community, dissemination of urban lifestyle and its accompanying public processes;
- **Urbanism** - the outlook about the lifestyle of the big city or the subject of art (classic examples - the works of the Belgian poet Emile Verhaeren, in Georgia – the work of the writer Grigol Robakidze); today, urbanism is often used as a synonym for "city planning"
- **Urban Planning** - complex discipline that studies the development of various urban systems, their influence and their relation with the population. Metaphorically, urban planning - is the language on which different professionals should talk to each other about

city problems and solutions. In the English-speaking countries there is an equivalent term of this notion - urban. Design.

- **Settlement development strategy** - coordinated long term plan of all generalized components for achieving the purpose of the settlement development;
- **Participatory planning** - SP practice based on the active involvement of the whole community in the "planning" process;
- **Geographical Information System (GIS)** - the system of data collection, storage, analysis and graphic representation of data (geographical) and information related to it;
- **Municipal Profile** - multilateral quantitative and qualitative description of the municipality's status in the “pre-design” stage;
- **Municipal Development Vision** - desirable state of the municipality in the medium term;
- **SWOT analysis** – Assessment of Strengths (S), Weaknesses (W), Opportunities (O) and Threats (T) of the "planning" object.  
Goals - desired state of any issues in the future.
- **Development Indicators** - components of the unified statistic system focused on the quantitative and/or qualitative evaluation of the significant aspects of development in the dynamics of time.
- **Terms of Reference** - a set of requirements set by the relevant agency of the Executive Government of Georgia and a representative body of local self-government with planning authorization that defines planning tasks, parameters and territorial limits, as well as ecological, technical and organizational planning and implementation and other conditions.

## Definitions

Below are given terms and abbreviations used in this document to make it easier for users to understand the means and content behind, while practicing SP. Terms used in Georgia legislation can

be found in the laws and/or bye-laws respectively for which one should use official web site [matsne.gov.ge](http://matsne.gov.ge). All other SP or Sectoral terms used in international practices are given in Vol. 2

### Terms defined

The terms used in this document have the following meanings:

1. **Aerial photography** — imagery of a part of territory in small or large scale, which taken from an aircraft or other flying object (a remote sensing) and reflecting physical environment with consideration earth curvature;
2. **Spatial-territorial design** (projecting) — Part of spatial-territorial planning during which the tasks of formation of the physical environment and infrastructure on certain territories and the preparation of relevant documents (projecting textual and graphical information) are carried out. The result of the planning is the specific *spatial-territorial planning document*;
3. **Dendrology** — is the science and study of wooded plants (trees, shrubs, and lianas), specifically, their taxonomic classifications, to determine the need for their benefit and use;
4. **High-level research** - Macroscopic character of the research/study and its goals, which describe the data of more abstract nature and their correlations; here the peculiarities of the common goals and objectives is, generally, concentrated more on a larger and overall system.
5. **Commuter** - a person who regularly moves from a place of his/her dwelling towards a workplace/education facility that is further from the inter-settlement distance; as a rule, the movement takes place within 24-hour interval.
6. **LIDAR**<sup>43</sup>- above the ground photographic survey (metrophotography/photogrammetry) with the help of which we measure the distance to the facility by means of a laser beam.
7. **Limitation** - combination of environmental factors, which restricted or made it impossible to reconcile the interests during elaboration of planning goals.
8. **Scale** - size of the reduction of the body measured in the physical environment transposed on the drawing. Also, the ratio of the length of the lines given on the map, plan or scheme to the actual length expressed by this line. The scale is of three types: numerical, linear and verbal.
9. **Point of interest** - space or location defined in ST planning, also in topography and cartography, expressed by the substance-point, which for the specific purposes (in terms of human work/activities) represents an interest and/or facility carrying interest. <sup>44</sup>

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<sup>43</sup> English abbreviation- „Light Detection and Ranging “.

<sup>44</sup> According to international practice it corresponds to the Point of interest, POI.

10. **Orthophotography** — aerial photography taken within atmosphere in vertical projection or geometrically "corrected" so (without consideration of earth curvature) as to be usable as a plan or map (according to scale);
11. **Public space** - Street, road, stadium, bridge, square, park, garden, alley, water surface and its coastline, natural or artificial landscape, paths between land plots and other spaces and land plots of similar nature located within the boundaries of settlement territory, that is for the public use or transferred for the public use including by means of public servitude.
12. **Coordinate grid** - the combination of absolute horizontal points of the territory (defined by the applicable legislation) transposed on orthogonal grid (WGS 84 coordinate system and UTM projection).
13. **Construction potential** - the possibility of utilizing construction development parameters defined by the spatial-territorial development regulations during the use of the land plot.
14. **Support plan** - basic planning document of spatial development and formation of physical environment on the territory, incl. reflecting the current situation by the time of elaboration/updating of factual land use, prepared in textual and graphic parts, in digital (integrated in urban construction cadaster) and/or printed (basic, cartographic plan/map) form.
15. **Dwelling unit density** - maximal number of residential units determined by the regulation rules for the functional sub-zones within the boundaries of arranged territory (from the point of view of planning) (block, district or corresponding planning unit of DRP (Development regulation Plan) or on each hectare of the same territory or on determined portion of development space, based on the land use goals.
16. **Law-level research** - Microscopic nature and goals of the research/study, which is focused more on the data and characteristics of individual nature; low-level research, as a rule, is concentrated on the parts of the whole and their functioning.
17. **Topographic plan** - large-scale (no more than 1: 10000 m) drawing of orthogonal projection of a part of the territory, which by using legends, depicts the physical environment without consideration of the curvature of earth.
18. **Topographic map** - small-scale (no more than 1: 10000 m) drawing of orthogonal projection of a part of the territory, which by using legends, depicts the physical environment with consideration of the curvature of earth.
19. **Photogrammetry** - scientific-technical discipline, which is used to determine shapes, sizes, location and similar spatial characteristics of the facilities based on their photo images.

20. **Photo fixation** - reflecting physical environment of the territory by means of photo-shooting with the purpose of ‘fixing’ the condition in the given time.
21. **City function** - self-sustaining concentration of field(s)/sphere(s)/sector(s) of activity of city dwellers (commuters and local residents) and other subjects, who determine the existence and development of the city.
22. **City-serving sector** - the fields/spheres included in the function of the city by means of which produced products (goods and/or service) are consumed within given city and are created to satisfy the demands of the city population itself.
23. **City-forming sector** - the fields/spheres included in the function of the city, which ensures the city revenue and the products (goods and/or services) produced as a result of this function is consumed within and outside of the country (city export). City-forming sector determines the importance of the city and its place within and outside of the country.
24. **Valuable object** - immovable object (building or structure) of historical-cultural (urban, architectural, aesthetic, and/or memorial) value, which does not have the status of monument, however is considered as a part of the cultural heritage.
25. **Incentive Zoning**<sup>45</sup> - combination of mitigating and/or stimulating measures for general land use rules established by the land use and development rules and/or spatial-territorial development regulations, during which the developer is given additional opportunities for the development of the (construction) land plot in case of providing infrastructure of public importance, changing the inappropriate buildings/facilities and/or conducting construction works in economically less profitable districts of the settlement.
26. **Vision statement** - description of spatial-territorial planning aspirations elaborated by means of consensus, the statement of what the stakeholders wish to achieve and materialize in short and long-term perspective and represents as kind of a guidebook for the current and future action plans in spatial-territorial planning.

All other terms referred to in the text and not explained in this paragraph are interpreted in the relevant legislation. In all other cases, it is permissible to use the definitions of the terms recognized by the United Nations.

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<sup>45</sup> According to international practice it corresponds to Incentive Zoning.

## Abbreviations defined

The abbreviations used in this document shall be explained as follows:

- 1) **BASIC PROVISIONS OF THE DEVELOPMENT** – Technical Regulations approved by the Resolution # 59 of January 15, 2014 of the Government of Georgia - "Basic Provisions for Regulation and Use of Settlement Territories";
- 2) **CODE** – Law of Georgia “Georgian spatial planning, architectural and construction activities code” (2018);
- 3) **DP** – Development Plan (CODE)
- 4) **DRP** – Development regulation plan (LAW);
- 5) **GIS** – Geo-information system;
- 6) **LAW** – Law of Georgia on Spatial Arrangement and the Basics of Urban Construction (2005);
- 7) **LSG CODE** – Organic Law of Georgia “Local Self-Government Code” (2014);
- 8) **LUMP** – Land use master plan (LAW);
- 9) **MP** – Master Plan (CODE)
- 10) **PLANNING** – Spatial planning and / or land use planning;
- 11) **PUBLIC REGISTRY** – LEPL National Agency of Public Registry of Georgia;
- 12) **SAGS** – Spatial arrangement general scheme;
- 13) **SAS** – Spatial arrangement scheme;
- 14) **STDP** – Spatial-territorial development plan;
- 15) **SP** – Local level Spatial planning documents;
- 16) **ZONING ORDINANCE** – Ordinance on land-use and development regulation for settlement territories (Municipal byelaw);
- 17) **AM - Asset Management:** identification, registration and recording of public property (including land) on the territory of municipality and settlement for the purpose of further exploitation, improvement or replacement.
- 18) **CIP** - Capital Investment Programs: correct selection, and attraction of investment sources and planning for implementation of large infrastructural and urban planning projects.



## Acronyms

SP Spatial Planning

SRMIDP Second Regional and Municipal Infrastructure Development Project

MDF Municipal Development Fund of Georgia

SA Spatial Arrangement

SWOT Strengths, Weaknesses, Opportunities and Threats

MRDI Ministry of Regional Development and Infrastructure

GoG Government of Georgia

GDP Gross Domestic Product

GVA Gross Value Added

LSG Local Self Government

MESD Ministry of Economy and Sustainable Development



## Annex B - Data collection for Spatial Planning documentation

Once the **planning goals**<sup>46</sup> are formed, including the vision of the spatial development, strategy (priorities, action plan) and indicator system, SP projecting stage begins. There are more data needed to design the plans. This process is based on preliminary assessments and findings as well as determining forms and parameters.

### Qualitative characteristics of the initial and supporting data in Projecting

Collection of initial and baseline projecting data should be carried out to fill missing information and/or to collect and process existing data. In addition, due to the hierarchy of planning levels and documents, research should be done at the upper and lower levels, interactively and in parallel mode where necessary. In addition, the upper level of the research corresponds to the planning of the municipality while the lower level corresponds to the planning of the settlement.

The research methodology should equally and adequately employ desk-study and field work. All of these aspects should be detailed in the research reports. Prior to data collection, the survey area, with the purpose of carrying out upper and lower level studies, should be divided into logical *projecting units*, with well demarcated physical and economical and/or infrastructural boundaries, in which uniform data will be obtained and processed. The borders can be specified later.

During data collection, first of all, existing and valid recent data should be used, which is available from planning agency or any public source. Only after this the filling of the data should be implemented in the study area with the use of the above-mentioned methods. In order to ensure the validity of the data, the planning implementer should use data identification-verification methods (field study, photos, minutes of the meetings and similar).

In terms of methodological correctness and reliability of collection and analysis of initial and basic projecting data, the quantitative and qualitative characteristics of data are essential. This has particular importance in the process of procurement of design services, without which the misunderstanding between the procuring entity and the supplier is very likely to arise. During evaluation of the data characteristics it is desirable to use a detailed description of the procurement using the matrix (table) of the predefined requirements. According to the current

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<sup>46</sup> According to LAW planning goals for municipality or settlement means: “**combine ranking and reconciliation of priorities, vision and strategy of land use and development, as well as land use parameters.**” This might sound nonsense from practical point of view but still this is LAW.

legislation, such requirements are part of the *tender documentation*, and in practice it is called TOR. Projecting Team together with local staff should build the data base and update it regularly.

Initial and baseline projecting data, for both the levels of the research, can be divided into two main groups<sup>47</sup>: *physical data*, which unites all existing data about physical environment important for projecting purposes and *legal data*, which covers regulations and conditions set forth by the legal acts.

## List of Key Data

There are different levels of data to be collected. Municipal Profile is for upper level.<sup>48</sup> First database is for the development plan which nature is to plan the future arrangement of space. Lower level plans are regulatory as defined by LAW- which states that LUMP, DRP are for development regulations and local staff and Projecting Team needs to collect them as well. The scale is different and the list and content are presented below.

1. Physical data
  - 1.1. Orthophotography;
  - 1.2. Topographical map and plan;
  - 1.3. Geological and seismic data;
  - 1.4. Climatic data;
  - 1.5. Data on Cultural and Natural Values;
  - 1.6. Ecological data;
  - 1.7. Transport and engineering infrastructure data;
  - 1.8. Social Infrastructure Data;
  - 1.9. Data on Green and water areas.
2. Legal (regulatory) Data.
  - 2.1. Data on Administrative-territorial boundaries;
  - 2.2. Data on boundaries of protected or special territories;
  - 2.3. Cadastral Data;
  - 2.4. Statistical data; <sup>49</sup>
  - 2.5. Normative acts data and requirements;
  - 2.6. Data on Spatial and Sectoral Planning Documents.

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<sup>47</sup> Based on the analogy of land use general plans established by the current legislation (see "Basic Provisions of the Development") and best practice.

<sup>48</sup> See example of MP Volume 2. P.10

<sup>49</sup> Demography, economy, finances, employment, health care, education, culture (see MP).

Some of these data can be prepared before and used in primary assessment process result of which is Municipal Profile. This regards especially upper-level initial data give below.

### Table describing the Physical data

Physical data		
Data	Characteristic	Level
<b>Satellite photo</b>	<p>Orthophotography made in the most recent period by the start of projecting, but not more than a year old. It is permissible to use public registry or any other free resource (e.g. Google).</p> <p>The scale of the projection: 1:10000, 1:20000, 1:25000, 1:30000 or 1:50000.</p> <p>The projection should be elaborated according to the scale resolution, and the drawing must have a <b>system of coordinates</b>, with the corresponding scale.</p>	Upper
<b>Aerial photo</b>	<p>Orthophotography made at the start of projecting; the most recent period, but not more than a year. It is permissible to use public registry or any other free resource (e.g. Google).</p> <p>The scale of the projection: 1:10000, 1:5000, 1:2000, 1:1000 or 1:500.</p> <p>The projection should be elaborated according to the scale resolution, and the drawing must have a <b>system of coordinates</b>, with the corresponding scale.</p>	Lower
<b>Topogeodesic Map</b>	<p><i>Topogeodesic surveying</i> of the most recent period by the start of projecting, but not more than 10 years old. It is admissible to use archive materials (new facilities, altered landscape etc.). Updates can be made through photometry.</p> <p>The scale of the projection: 1:10000, 1:25000, 1:50000.</p> <p>Important elements of projection:</p> <ul style="list-style-type: none"> <li>• <b>Coordinate system</b> (with indication of scale);</li> <li>• <b>Isohypses</b> (with indication of scale and absolute vertical benchmarks);</li> <li>• <b>Landscape shapes</b> (natural, artificial) their <b>main inflections</b> (with indication of absolute vertical benchmarks);</li> <li>• <b>Buildings/structures</b> (above ground – as spots, underground – contoured);</li> </ul>	Lower

	<ul style="list-style-type: none"> <li>• <b>Network of streets and roads</b> ( contoured, with indication of categories);</li> <li>• <b>Points of interest</b> (social infrastructure of municipal importance, cultural and leisure facilities; religious landmarks and resorts; administrative buildings etc).</li> <li>• <b>Basic networks of engineering infrastructure</b> (gas pipeline; gas distribution substations, water pipelines, wastewater (drainage / household) network; power supply network, electric transmission towers; electrical (sub)stations; communications network);</li> <li>• <b>Vegetation</b> - green areas, dendrology – composition of trees (Coniferous, deciduous, mixed));</li> <li>• <b>Hydrography</b> (water areas, lakes, rivers with indication of the names)</li> </ul>	
<b>Topographical plan</b>	<p><i>Topogeodesic surveying</i> of the most recent period by the start of projecting, but not more than 5 years old. It is admissible to use archive materials, only with relevant updates (new facilities, altered landscape etc.). Updates can be made through Lidar<sup>50</sup> photogrammetry.</p> <p>The scale of the projection: 1:500, 1:1000, 1:2000, or 1:5000</p> <p>Important elements of projection:</p> <ul style="list-style-type: none"> <li>• <b>Coordinate system</b> (with indication of scale);</li> <li>• <b>Isohypses</b> (with indication of scale and absolute vertical benchmarks);</li> <li>• <b>Landscape shapes</b> (natural, artificial) their <b>main inflections</b> (with indication of absolute vertical benchmarks);</li> <li>• <b>Buildings/structures</b> (above ground – as spots, underground – contoured);</li> <li>• <b>Network of streets and roads</b> ( contoured, with indication of categories);</li> <li>• <b>Points of interest</b> (social infrastructure of municipal importance, cultural and leisure facilities; religious landmarks and resorts; administrative buildings etc).</li> <li>• <b>Basic networks of engineering infrastructure</b> (gas pipeline; gas distribution substations, water pipelines, wastewater (drainage / household) network; power supply network, electric transmission towers; electrical (sub)stations; communications network);</li> </ul>	

<sup>50</sup> Light Detection And Ranging method

	<ul style="list-style-type: none"> <li>• <b>Vegetation</b> - green areas, dendrology – composition of trees (Coniferous, deciduous, mixed)) and metrology <math>\{ \Delta \frac{height}{Thickness} distance \}</math></li> <li>• <b>Hydrography</b> (water areas, lakes, rivers with indication of the names).</li> </ul>	
<b>Geological and seismic data</b>	<p>General geological and seismic data of the municipality – maps/plans of microclimate according to the applicable legislation. Additionally, it is possible to use relevant atlases.</p> <p>The data, using special legends, is mapped on topo-geodetic map/plan, with all its features.</p>	Both
<b>Climatic data</b>	<p>Averaged climatic data of last 30 years in the municipality and/or settlement, according to the applicable legislation, including climate change parameters and forecast; risks and threats. Additionally, it is possible to use relevant atlases.</p> <p>The data, using special legends, is mapped on topo-geodetic map/plan, with all its features.</p>	Both
Data on <b>natural values</b>	<p>Data on the natural heritage and/or valuable facilities of the municipality and/or settlement, including on the protected areas;</p> <p>The data, using special legends, is mapped on topo-geodetic map/plan, with all its features.</p>	Both
Data on <b>cultural values</b>	<p>Data on cultural heritage of the municipality and/or settlement, monuments of all types, of general, local, national and international importance; general protective zones; identified valuable objects (according to the survey scale).</p> <p>The data, using special legends, is mapped on topo-geodetic map/plan, with all its features.</p>	Both
<b>Ecological data</b>	<p>Ecological data of the vital environment of the municipality and/or settlement; risks of natural disasters; condition of air, water and soil; use of natural resources; waste management; legal, institutional and financial aspects of environmental management.</p> <p>The data, using special legends, is mapped on topographical map/plan, with all its features.</p>	Both
<b>Municipal Transport Infrastructure Network</b>	<p>International, domestic and local roads, as well as the main network of streets of the settlements in municipality, identified by categories, designation and indication of physical condition.</p> <p>Essential elements of network identification-verification are:</p> <ul style="list-style-type: none"> <li>• Category, purpose and physical condition;</li> </ul>	Upper

	<ul style="list-style-type: none"> <li>• <b>Typology of linear structures</b> (bridges, tunnels, overpasses);</li> <li>• <b>Mean capacity data</b> according to the types of vehicles and seasonality, together with the cumulative correlation of indicators of cargo / transfer / human transportation.</li> <li>• Capacity and service area of transport <b>terminals</b> (including patrol/gas stations, car parks) and other auxiliary buildings.</li> </ul> <p>Data is reflected in the support plan.</p>	
<b>Settlement Transport Infrastructure Network</b>	<p>Main and local roads and street network of a single Settlement.</p> <p>Essential elements of network identification-verification are:</p> <p>Essential elements of network identification-verification are:</p> <ul style="list-style-type: none"> <li>• Category, purpose and physical condition;</li> <li>• <b>Typology of linear structures</b> (bridges, tunnels, overpasses);</li> <li>• <b>Mean capacity data</b> according to the types of vehicles and seasonality, together with the cumulative correlation of indicators of cargo / transfer / human transportation.</li> <li>• Capacity and service area of transport <b>terminals</b> (including patrol/gas stations, car parks) and other auxiliary buildings.</li> </ul> <p>Data is reflected in the support plan.</p>	Lower
<b>Municipal Engineering Infrastructure Network</b>	<p><b>Supply and discharge</b> networks identified according to types (water supply and waste water; power supply; gas supply; communications).</p> <p>Essential elements of network identification-verification are:</p> <ul style="list-style-type: none"> <li>• <b>Typology of linear structure</b> (bridge, pipe, channel, trench etc.)</li> <li>• Category, purpose and physical condition;</li> <li>• <b>Averaged capacity data.</b> In addition, their development/reconstruction opportunities in the medium- and long-term perspective. All data should be given aggregated in correlation with the maximum number of people whom the network may serve.</li> <li>• Typology of auxiliary buildings (pumping stations, collectors etc.)</li> </ul> <p>Data is reflected in the support plan.</p>	Upper
<b>Engineering Infrastructure Network of the Settlements</b>	<p><b>Supply and discharge</b> networks identified according to types (water supply and waste water; power supply; gas supply; communications).</p> <p>Essential elements of network identification-verification are:</p>	Lower



	<ul style="list-style-type: none"> <li>• <b>Typology of linear structure</b> (bridge, pipe, channel, trench etc.)</li> <li>• Category, purpose and physical condition;</li> <li>• <b>Actual capacity data.</b> In addition, their development/reconstruction opportunities in the medium- and long-term perspective. All data should be given aggregated in correlation with the maximum number of people whom the network may serve.</li> <li>• Typology of auxiliary buildings (pumping stations, collectors etc.)</li> </ul> <p>The data, using special legends, is mapped on topo-geodetic plan, with all its features.</p>	
Data on <b>Green and water areas</b>	<p>Data on <b>green</b> and <b>water</b> areas of the municipality and/or settlement</p> <p>Essential elements of identification-verification are:</p> <ul style="list-style-type: none"> <li>• purpose, classification, physical condition;</li> <li>• Infrastructure arrangement;</li> <li>• Customer service potential (incl. commuters and local residents).</li> </ul> <p>Data is reflected in the support plan.</p>	Both
Data on <b>Social Infrastructure</b>	<p>Aggregated/actual data on social services in the municipality and/or settlement.</p> <p>Essential elements of identification-verification are:</p> <ul style="list-style-type: none"> <li>• Housing fund, purpose, classification, physical condition.</li> <li>• Healthcare, education, culture, sports, civil security facilities, their classification and physical condition</li> </ul> <p><b>Data is reflected in the support plan.</b></p>	Upper level strategic

### Table describing the legal data (source)

Apart from quantitative data collection there is a need to collect and analyze legal data as well, described below.

Legal Data		
Data	Characteristics	Level
Data on <b>administrative-territorial boundaries</b>	<p>Data of legal acts and protocols, which establish (delimitation) and determine (demarcation) administrative and territorial boundaries of the municipality and/or a settlement.</p> <p>Data is reflected in the support plan.</p>	Both

<b>Data on boundaries of protected and/or special territories</b>	Data of legal acts and protocols, which establish (delimitation) and determine (demarcation) boundaries of the <b>protected and/or special territories</b> within the administrative and territorial boundaries of the municipality and/or a settlement. Data is reflected in the support plan.	
<b>Cadastral data</b>	Municipal and/or cadastral maps of the settlement, based on the data of the Public Registry, with the indication of the types of ownership and the owners of the property. Data is reflected in the support plan.	Both
<b>Statistical data</b>	Data from the following fields: <b>demography</b> (incl. population density), <b>economics, finance, employment, transport, education, culture, health Care, greening, recreation</b> , and other fields important in terms of planning <sup>51</sup> . Data is obtained from municipal profile and or indicator system. The municipal budget and the financial possibilities of service providers (related to streamlined provision of services) represent the subject of separate assessment. Data is reflected in the support plan.	
<b>Data on Legislative base</b>	Overview of spatial-territorial and sectoral laws, draft laws, subordinate acts/by-laws <sup>52</sup> , in terms of relevant data to be considered in planning. Spatial data (regimes; restrictions) is mapped on the topo-geodetic map in accordance with all its qualitative indicators.	Both
Data on Spatial-territorial and sectoral planning	Data on preliminary, current and/or future plans (at country, regional and municipal level), their legal acts and urban construction activities.	
Data on Public and private interests	Data from sociological surveys (including internet version) of the residents of the municipality and/or settlement; <u>data obtained during the meetings with focus groups</u> (minutes); <u>opinions of the state and local authorities</u> and other stakeholders (minutes);	Both

All above give parts of physical and legal information should be carefully analyzed and relevant outputs in form of reports should be prepared, before synthesizing them as a Support Plan.

<sup>51</sup> The pretendant should elaborate on the issue in his proposal.

<sup>52</sup> Legal act as the legal document of established form and content, as well as its annex.

## Output of initial and baseline data in Projecting — Support plan

The purpose of the **support plan** is to provide a comprehensive, analytical picture of existing, pre-projecting spatial development and physical environment, based on multidisciplinary approach, which exists due to agricultural and/or other human activities, and create the database and base-maps/plans for projecting.

### The purpose and legal status of Support Plan

Under the legislation of Georgia, the **support plan is not defined in spatial-territorial planning** in any way, but its elaboration is the right methodological approach recognized by local and international best practices in spatial-territorial planning. In addition, the combination of data on pre-projecting study(ies) and *urban development cadastre* (see Vol. 2 GIS) needed for the elaboration of projecting task of the planning documents, as defined by the applicable legislation, provides the possibility to define the support plan as the document and precondition for projecting, by establishing mandatory condition in the projecting task.

### Content of the Support Plan

The support plan represents the combination of textual and graphical information, which provides the results of the pre-projecting study and creates the basis for planning and projecting. It should graphically reflect all spatial data, which sets important conditions for planning, including: natural and legal limitations, restrictions, regimes and other conditions.

The support plan is presented graphically based on the topographical map/plan (according to the level of data) and the textual information is given as an annotation to the graphical part, as well as in a form of a separate report.

Support plan should at least cover following data about the study area (settlement/planning unit):

Initial and baseline Projecting data	
Component	Characteristic
<b>Situational map/plan</b>	<p>Orthophoto or topo-geodetic map/plan is the basis of the drawing, which is in compliance with all its features.</p> <p>The essential elements of the projection are:</p> <ul style="list-style-type: none"> <li>• Projecting object/facility;</li> <li>• References determining location (key interest points and/or roads).</li> </ul>

<b>Map/plan of the boundaries</b>	<p>Topo-geodetic map/plan based on the drawing, in compliance with all its features.</p> <p>The essential elements of the projection are:</p> <ul style="list-style-type: none"> <li>• Boundaries of developed and undeveloped territories.</li> <li>• The boundaries of territories containing natural and technogenic threats, with consideration of geological / seismic and climatic-ecological data;</li> <li>• The boundaries of the surveyed area and the boundaries of the <i>planning units</i> in them;</li> <li>• Interest-points (social infrastructure, culture and leisure, religious, administrative and other).</li> </ul>
<b>Physical baseline map/plan</b>	<p>The map/plan of the boundaries is the bases of the drawing in compliance with all its features. In the cultural-heritage protection zones the basis is also the <i>historical-cultural support plan</i>.</p> <p>The essential elements of the projection are:</p> <ul style="list-style-type: none"> <li>• Buildings/structures, including existing monuments and/or other facilities of cultural heritage, and inappropriate facilities; <ul style="list-style-type: none"> <li>○ Functional purpose;</li> <li>○ Number of stores;</li> <li>○ Physical condition</li> <li>○ Age;</li> <li>○ construction class;</li> <li>○ Architectural-artistic value;</li> <li>○ Urban and natural spatial dominants;</li> <li>○ Locations for perceiving significant panoramas and perspectives;</li> </ul> </li> <li>• Transport infrastructure network, in compliance with all its features;</li> <li>• Engineering infrastructure network, in compliance with all its features;</li> <li>• Borders of green areas, water territories and natural values;</li> <li>• Interest-points (social infrastructure, culture, leisure, religious landmarks, sports, administrative etc).</li> </ul> <p>Geologically, seismically, ecologically dangerous areas and neighborhoods are presented separately.</p>
<b>Baseline legal map/plan</b>	<p>The map/plan of the boundaries and a cadastral map are the bases of the drawing, in compliance with all its features</p> <p>The essential elements of the projection are:</p> <ul style="list-style-type: none"> <li>• Data of normative legal acts and boundaries of established regimes;</li> <li>• Boundaries of current spatial-territorial planning documents;</li> <li>• Statistical data, in compliance with all its features;</li> <li>• Results of the study of interests.</li> </ul>
<b>Data on Specific regime in the planning period</b>	

<p><b>Document regulating special regime of urban construction</b></p>	<p>The document is an important precondition and legal instrument for harmonizing the planning process and maintaining data validity, the adoption of which is set forth by the applicable legislation.</p> <p>The document should consist of textual and graphical parts. The basis of the graphical part is a <b>map/plan of the borders</b>, in accordance with all its features, and must additionally include:</p> <ul style="list-style-type: none"> <li>• Separate planning units and their borders, which have development restrictions by the time of elaboration of ST planning documentation.</li> </ul> <p>The textual part, by its content, represents the normative-legal act and it should satisfy the requirements set for it; it should cover:</p> <ul style="list-style-type: none"> <li>• Special regime of urban planning regulation, by the period of restriction of development of territories, its terms and conditions, ranked according to construction classes.</li> </ul>
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Component of the support plan should respond to the quantitative and qualitative requirements.

The digital part of the support plan should be integrated into Spatial development management system (called *urban development cadastre* in LAW. see Vol. 2 GIS) - by placing its components in the appropriate layers.