

## Spatial planning tools in Algeria

### Introduction :

Spatial planning in Algeria has gone through several consecutive stages in response to the prevailing economic, social, and political conditions in each period. This process has also been accompanied by variations in urban planning tools in each stage, which we will attempt to clarify as follows:

#### 1- The First Stage (1948-1962):

This stage was characterized by the emergence of various spatial problems, and new approaches were employed to address them, relying on planning rates according to development networks. This stage was also marked by the enactment of the Urbanization Law in 1958. Additionally, the Constantine Plan was introduced, covering the period from 1958 to 1963. It was named after the city of Constantine, where this plan was announced (Brulé & Fontaine, 1986; Rahmani, 1982).

#### 2- The Second Stage (1962-1974):

This stage represents the post-independence era and the transition from the colonial period. Consequently, resources were very limited, leading to the continuation of the implementation of the 1958 Urbanization Law, which was applied in Algeria in 1960. Its provisions were adapted to fit Algerian conditions and circumstances until its gradual and final cessation in 1973.

During this stage, the Municipalities Law was issued in 1967, known as Law No. 24/67 dated January 18, 1967. Additionally, urban planning schemes were introduced, including the Municipal Development Plan (PCD) and the Urban Renewal Plan (PMU), both of which were implemented (Laarouk, 2008; Tajani, 2000).

#### 3- The Third Stage (1974-1987):

One of the most significant stages of urban planning in Algeria, during this period, the Real Estate Reserves Law was enacted in 1974 under number 74/26, dated February 20, 1974. This law allowed municipalities to own land within their urban boundaries and plan for its development.

The Main Urban Plan (PUD: Plan d'Urbanisme Directeur) was implemented during this stage, along with the establishment of new urban residential areas (ZHUN: Zones d'Habitat Urbaines Nouvelles) (Laarouk, 2008).

#### 4- The Fourth Stage (1987-2001):

At the beginning of this stage, Law No. 03/87 was issued on January 27, 1987, concerning spatial planning. According to this law, the National Plan for spatial Planning (SNAT: Schéma National d'Aménagement du Territoire) was established. From this plan, the

Regional Plan for spatial Planning (SRAT: Schéma Régional d'Aménagement du Territoire) and the Provincial Planning Plan (PAW: Plan d'Aménagement de Wilaya) emerged within a hierarchical pyramid system (Law 03/87).

The National Plan for spatial Planning (SNAT) covers the national level, overseen by the central authority. It includes the distribution of activities and populations across the national territory, aiming for a fair distribution of resources, especially in southern and border regions. This plan also identifies major infrastructures and economic developments in transportation and communication.

As for the Regional Plan for spatial Planning (SRAT), it covers the regional level, meaning a group of provinces or states, typically encompassing around 9 provinces. It is supervised by the central authority, and its purpose is to distribute activities and populations across the designated region. The plan identifies infrastructures and facilities while regulating the regional spatial structure.

The Provincial Planning Plan (PAW) covers the provincial (Wilaya) level, operating within the framework of respecting the regulations of the National Plan for spatial Planning (SNAT) and the Regional Plan for spatial Planning (SRAT). It specifies the needs of the municipalities within the province, ensuring the distribution of activities and populations across the provincial territory. The plan defines the location of basic facilities and services, economic activity zones, and development areas. The Provincial Planning Plan establishes the hierarchical urban structure within provinces (shared rural areas, shared urban areas), the pace of development, and common planning areas among municipalities, especially for those in need of strong support (Law 03/87).

In the year 1990, tools for local planning and development emerged under Law No. 90/29 dated December 1, 1990, related to planning and development. These tools include the Directive Plan for Planning and Urbanism (PDAU) and the Land Use Plan (POS). To facilitate the programming and implementation of urban projects and ensure the legal appearance of plans, two laws were enacted: Law No. 90/25 dated November 18, 1990, related to real estate guidance, and Law No. 90/30 dated December 1, 1990, related to national properties.

The directive plan for Planning and Urbanism (PDAU) covers one municipality or several municipalities that share common interests. As for the land use plan (POS), it covers one municipality or a part of a municipality (Law 90/29).

**\*- The directive plan for planning and urbanism (PDAU):**

The directive plan for Planning and Urbanism (PDAU) is a tool for urban planning and city management. It establishes the fundamental guidelines for urban development within a municipality, taking into account development designs and plans. Additionally, it regulates the reference frameworks for land use plans.

The objectives of this plan are to:

- **Formation of the Spatial Image:** Planning the urban landscape and organizing developable lands, shaping and transforming the built environment.
- **Defining Main Guidelines for Municipal Development:** Identifying the primary directions for municipal development and allocating lands based on their expected lifespan: short, medium, and long term.
- **Determining the Expansion of Human Settlements or Clusters:** Specifying the expansion of human settlements or clusters, the positioning of services and activities, as well as existing infrastructure lines.

- **Identifying Intervention Areas in the Urban Fabric and Protected Areas:** Defining zones for intervention within the urban fabric and identifying protected areas.
- **Land Use Planning:** Concerned with land use by specifying activities, forms, and land use density based on their actual values in the city or cluster.
- **Establishing Preservative and Preventive Development:** Preservative development aims to conserve fragile environments, including natural and cultural sites and landscapes, while preventive development protects human establishments from natural hazards such as floods and landslides.
- **Achieving Public Benefits:** Planning communal facilities and infrastructure and designating lands for their placement to achieve public benefits.
- **Defining Key Axes for Future Development:** Identifying fundamental axes for future development (Law 90/29).

\*- **Determining the Intervention Zone:** Identifying the intervention zone for the implementation of the directive plan for development and urbanization falls under the jurisdiction of the state, represented by the governor or the minister, based on the proposal from the municipal council.

\*- **Determining the Entity Responsible for the Study:** When determining the entity responsible for the study to prepare the directive plan for Planning and Urbanism, two scenarios are distinguished:

- If this plan covers the territories of several municipalities, in this case, a joint public institution is formed between the relevant municipalities.
- If this plan covers the territory of a single municipality, one of the public or private consulting firms is selected.

\*- **Preparation Stage:** After determining the intervention zone and selecting the entity responsible for the study, the direct process of preparing the directive plan for Planning and Urbanism begins. This includes:

- **Deliberation:** Involves general guidelines for development and how to involve administrations, as well as identifying service needs.
- **Consultation:** Involves consulting with public services, administrations, organizations, associations, and civil society.
- **Public Inquiry:** This is a public consultation lasting 45 days during which the opinions of the residents on the plan are expressed.

\*- **Approval Stage:** Comes after completing all previous stages and is done through a file that includes the deliberation of the municipal council, the opinion of the provincial people's council, the survey record, along with the plan itself.

\*- **Plan Revision:** The directive plan for Planning and Urbanism is revised when matured sectors reach a saturation stage, in the event of disasters, and in case of technical deficiencies in implementation (Law 90/29, Executive Decree 91/177).

\*- **Content of the Directive Plan for Planning and Urbanism:** The directive plan for development and urbanization consists of three (03) parts, which are:

- **First: Directive Report:** It comprises two crucial axes: an analysis of the current situation and development prospects, providing a detailed analysis of the situation in the municipality or municipalities from all aspects and specifying development expectations. The second axis includes the proposed development pattern based on detailed proposals.
- **Second: Graphic documents:** The law has identified the existence of at least four main plans, which are the existing situation plan, development plan, agreements plan, and facilities plan.
- **Third: Regulations:** Addresses the legal framework for each development operation, specifies the densities, land use coefficients, and expropriation coefficients, defines the rules related to agreements, as well as major facilities and infrastructure areas, and establishes construction rules and implementation mechanisms (Executive Decree 91/177).

\*- **Land Use Plan (POS):** The land use plan precisely defines the rights of land use and construction, segregates sectors, outlines building rights, and establishes regulations related to the external appearance of buildings. It also designates public spaces, green areas, and sites allocated for facilities and amenities.

Within the general directives of the directive plan for development and urbanization, the land use plan determines land use and construction by:

- It precisely defines the urban form, organization, building rights, and land use for the concerned sector or sectors.
- Specifies the maximum and minimum building size allowed in square meters (m<sup>2</sup>) or cubic meters (m<sup>3</sup>), i.e., defining coefficients of land use (COS) and (CES), permitted building types, and their uses.
- Regulates general rules related to the external appearance of buildings.
- Determines public spaces, green areas, sites designated for public facilities, and facilities of public interest, as well as planning traffic pathways.
- Specifies agreements.
- Identifies neighborhoods, streets, monuments, areas, and sites that need protection, renewal, and restoration.
- Designates agricultural lands that must be protected and specifies lands intended for development based on productivity.
- Takes into account voluntary development programs without conflicting with the decentralized approach for public benefit (Law 90/29).

The preparation of the land use plan is initiated by the president of the municipal council, followed by the deliberation of the municipal council or the deliberation of the municipal people's councils in the case of covering the land use plan for two or more municipalities through a majority vote.

\*- **Determining the Intervention Zone:** To determine the intervention zone for the land use plan, we distinguish between two cases:

- In the case where the land use plan covers the territory of a single province, the determination is made by the governor.

- In the case where the land use plan covers the territory of several provinces, the determination is made by a joint decision of the Ministers of Interior, Local Authorities, and Urban Planning.

**\*- Determining the Studying Entity:** Here we distinguish between two cases:

- In the case where the land use plan covers the territory of a single province, the studying entity is represented by a public or private study office.
- In the case where the land use plan covers the territory of several provinces, the studying entity is represented by a public joint institution or institutions.

Afterward, the consultation process is carried out by the president of the municipal council with the relevant entities at the local level, including urban planning, agriculture, irrigation, transportation, public works, etc.

**\*- Public Inquiry:** This is a public consultation lasting for 60 days, during which the opinions of the residents are solicited regarding the land use plan.

**\*- Approval:** After completing the previous stages, the plan goes through the approval stage, which takes place at the level of the People's Municipal Council or the Municipal People's Councils, with the notification of the Wali (Governor).

Subsequently, the plan is directed to the Wali, all relevant bodies and authorities. It is also made available to the public for a period of 60 days for review (Law 90/29, Executive Decree 91/178).

**\*- Content of the Land Use Plan:** The Land Use Plan consists of two main parts:

- **First: Regulatory List:** This section includes two parts: the first is the introductory memorandum, which analyzes the current situation, prospects, programming, and the second is the regulatory rules (legislation) that specify all the regulatory rules for the urban structure in terms of densities, ratios, networks, etc.
- **Second: Documentary Records:** The law has specified the presence of at least 06 specific-scale plans, including the site plan (2000/1, 5000/1), topographic plan (500/1, 1000/1), geotechnical map (500/1, 1000/1) accompanied by a geotechnical report, the existing situation plan (500/1, 1000/1), the general development plan (500/1, 1000/1), and the urban structure plan (500/1, 1000/1) (Law 90/29, Executive Decree 91/177).

## 5- The fifth stage (2001-2020):

The beginning was marked by the emergence of new urban planning tools in Algeria, confirmed by the issuance of Law No. 01/20 dated December 12, 2001, related to the planning and sustainable development of the region. These plans include:

- The master plan for coastal development.
- The master plan for land protection and desertification combat.

In addition to the following plans:

- National plan for regional development.
- Regional plans for regional development.
- Provincial region development plan.

- Strategic plans for the development of major urban areas (Law 01/20).

The national plan for regional development serves as the "national plan" and works on developing the fundamental strategic directions for the national development and sustainable growth of the region. It constitutes the reference framework for the work of public authorities.

Its directives aim to:

- Rational utilization of the national space in terms of population distribution and economic activities across the entire national territory.
- Valorization and rational exploitation of natural resources.
- Control urban growth to ensure spatial distribution suitable for cities and population centers, creating a balanced urban structure.
- Support economic activities directed towards the region.
- Protect and develop the national ecological heritage.
- Preserve, restore, and promote the historical and cultural heritage.
- Coherence of national choices with regional integrated projects.

The state prepares the national plan for regional development as a voluntary initiative for development. Approval of this plan is obtained through legislation for a period of 20 years (Law 01/20).

It is overseen by the National Council for Regional Development and Sustainable Development, where:

- The composition of the National Council for Regional Development and Sustainable Development, its tasks, and its operating procedures are determined through organization.
- Proposal of periodic evaluation and updates to the national plan for regional development.
- Contribution to the preparation of national and regional strategic plans.
- Submission of an annual report on the implementation of the national plan for regional development to both chambers of parliament (Law 01/20).

## المراجع:

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