

**THIRD TOURISM DEVELOPMENT PROJECT
SECONDARY CITIES REVITALIZATION STUDY**

General

Legal framework, suggested best practices

Annex A

JOINT VENTURE OF COTECNO WITH ABT ALCHEMIA CDG MGA

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Executive Summary

In this document is studied and reported the regulatory framework resulting from the identification, analysis and assessment of the relevant Jordanian legislation that at different levels influences the Regional and Urban planning in the country.

Critical issues that could jeopardize or limit the promotion of the Urban Revitalization Plans in Jordan were identified and highlighted as a result of the study.

The study of the regulatory framework that governs the process of modification of the human settlement in Jordan was carried out to verify whether the current national legislative framework would have been of support to the implementation of the Urban Revitalization Plans.

As a result of the study, several critical issues limiting or conditioning the implementation of a urban development and revitalization policy in Jordan were identified and could be listed as follows:

- Lack of a comprehensive legislation focusing on integral protection, revitalization and development of the core city centers
- Absence of specific legal instruments alternative to that of the expropriation law while ruling the use of urban empty lands and/or buildings for public interest
- Limited application of the provisions contained in the existing legislation where certain margins are offered for the implementation of a more strict policy of conservation

The study was realized following a hierarchic approach that started from the analysis of the regulatory instruments currently available in Jordan that are more directly related to setting and implementing the urban policies in Jordan.

The existence of a comprehensive thematic legal corpus in Jordan was registered, and the following legislative strongholds were identified:

Municipality law no 29 for 1955 Law of Planning Cities

Towns Villages and Buildings No. 79 for the year 1966 on Planning and building regulations

Jordan National Building Law no. 7/93

Antiquity Law No. 21 for the Year 1988 of Antiquities and Archaeology

Law no. 21/1971 - Public Health

Law no.1 of 2003 Environmental Protection

Agricultural Law No. 20 , 1973

The research continued with a detailed analysis of the relevant normative and an in depth study and comment of the most significant articles was carried out. In this framework it was found that

The legislation related to the formulation and implementation of the Master Plans in Jordan was also studied and a special attention was given to aspects concerning the capacity in the management of building permits (Villages and Buildings Planning Law no. 79 for 1966), as well as the Jordanian building law related to constructive techniques (Jordan National Building Law no. 7/93)

Basically we can say that physical planning in Jordan is carried out mainly according to several articles contained in the Law of Planning of Cities, Villages, and Buildings, no. 79 for the year 1966, and its several amendments.

However, a weakness in the existing master plans that was highlighted by the study, is their very generic design which does not allow to tackle with their urban scale. As a consequence, when a more detailed approach to planning is needed, master plans revealed to be far from meeting the local specific urban development requirements.

This weakness registered in the master plans has an impact also at the scale of specific policies such as the protection Heritage sites and buildings.

Current threats to heritage urban areas and buildings in Jordan are mostly coinciding with the absence of an effective legislative framework for an integrated approach to conservation programs and their sustainable promotion. The existing legislation is fragmentary and incomplete, and as such it is of very little use for a comprehensive development and valorization of the heritage as a whole.

The main law concerning cultural heritage in Jordan is the Law of Antiquities no. 21 for 1988. where in article 2 it defines the antiquities involved and especially defines that just heritage belonging to historic ages dating back up to 1700 is taken into account.

The Law also stipulates that the Department of Antiquities is the Institution responsible for the excavation, conservation, presentation and protection of antiquities in Jordan. A lack of clearly defined prioritization mechanism, as well as a lack of comprehensiveness in the present law. In addition to the intrinsic weakness registered in the present law, there is also inadequate enforcement.

The architectural heritage is the most cognizant element of the cultural heritage, in addition architecture is now being considered as a major tourist attraction among the cultural heritage repertoire. In the meantime, Architecture, among the antiquities is the most affected by modern development and growth. However, while architectural heritage, dating to pre-1700 AD is protected by the Law of Antiquities, later edifices relating to urban centers or rural settings are not placed under legal protection.

Nevertheless, the Cities, Villages and Buildings Planning Law no. 79 for 1966 also provides specific regulations that can be adopted for built heritage. Under this law, any municipality could declare the historic city centre protected area. In this case, restrictions could be established for the management of the sites and buildings and special urban planning regulations must be applied.

The research demonstrated that in the current Jordanian legislation there is already room enough for the launch and implementation of several actions meant at the conservation and revitalization of the core cities.

However, it is also evident that an organic modern legislation is needed to allow in Jordan to really address in a comprehensive manner the process of revitalization of Historic cities and their sustainable development.

Therefore, finally, a series of best practices and guidelines resulting from the International, European and Italian experience are also provided in this study that can be made use of, while in Jordan the process for the formulation of a new legislation is being completed at the level of the competent authorities,. These best practices and guidelines can easily find application in the current Jordanian day to day practice and help to facilitate the projects' implementation.

1. Identification of the relevant Regulatory framework

1.1 PLANNING, LAND USE, BUILDING REGULATIONS AND MUNICIPAL SECTOR

- Building and tax law within Municipality area No. 11, 1954;
- Municipality law no 29 for 1955;
- Education Tax regulation No. 1,1956;
- Civil Defense law No.12 , 1959;
- Awqaf, Holy Buildings and Islamic Affairs Law no. 26, 1966;
- Law of Planning Cities, Towns Villages and Buildings No. 79 for the year 1966 on Planning and building regulations, and its amendments.
- Law of Subdivisions (Rezoning) within the Boundaries of Municipalities No. 11 for the year 1968 and its amendments;
- Ministry of Planning law (it was announced by the `law of National Planning Council No. 68 for 1971. it is changed;
- Building and Planning Regulations for the city of Amman No. 67, 1979;
- Law of Voluntary Corporation for the development of cities No.11,1982;
- Building and Municipality Bylaw No.4 for 1983;
- Building regulations and Residential Zoning regulations, at a local level (Building Regulation/Municipality Regulation No.4 ,1983);
- Management and administration of government properties law no 17 , 1984;
- Buildings and Planning Regulation for the Towns and Villages By law No. 19 for the year 1985 and its amendments;
- Income tax law No.57 , 1985;
- Law No. 12 for the year 1987 of Expropriation and its amendments.
- Jordan National Building Law no. 7/93;
- Landlord and tenant law No.11,1994 and its amendments;
- Administration organization bylaw No. 37 , 1995;
- Encouragement of investment law No. 16, 1995 Law of exempting charitable Waqf from taxes and fees No.30,1974;
- Public Housing and Urban development law.

1.2 HERITAGE AND TOURISM

- Tourism Law no. 20 for 1988 and its amendments: by this Law, Tourism Authority was terminated and replaced by the Ministry of Tourism. The First Tourist Legislation was promulgated in the 1960 year with the aim to regulate touristic activities (law No. 17 of 1960);
- Antiquity Law No. 21 for the Year 1988 of Antiquities and Archaeology and its amendment;
- Interim Law no. 49/2003 for the Protection of Urban and Architectural Heritage: the purpose of this Law is to protect, preserve and maintain Jordan's heritage Sites.

1.3 ENVIRONMENT AND HEALTH

- Management of Natural Resource law no.12 for 1968;
- Law no. 21/1971 - Public Health;
- Protection of birds and wildlife bylaw no.113 of 1973;
- Prevention of repulsive and fees for solid waste collection within municipalities boundaries by law no.1, 1978;
- Law no. 14 of 1984 - Traffic;
- Law No.27 of 1986, Health and Safety Guidelines
- Civil defense order no.1/5 of 1993 for the protection of forestry.
- Guidelines for the prevention of noise, (1997).
- Law no.1 of 2003 Environmental Protection;
- Regulations on Water Disposed into Sanitary Sewer System
- Jordanian Standards for Ambient Air Quality

1.4 PRODUCTIVE AND COMMERCIAL ACTIVITIES

- Law of craft and industry no.16 for the year 1953;
- Bylaw of monitoring and organizing public market in Amman area no 33 , 1961;
- Agricultural Law No. 20 , 1973;
- Industrial Zones corporation law no.59 of 1985;

2. Analysis and assessment

2.1 PLANNING

The main urban development regulatory instrument in Jordan is the master plan. With Law no.29/1955 art. 3 the Ministry of Municipal Affairs (MOMA) revised and completed indications provided in previous laws 1925 and 1938, and defines the Municipality as follows: *“The municipality is a financially independent national institution and shall be created and cancelled and its borders of its territory, functions and powers shall be designated under the provisions this Act.”*

An administrative and supervising role is assigned to the Municipal Council, and in matters of urban planning art.41/1 of the law rules that **“Planning Towns and town Streets: To plan the town, open, cancel and change streets, determine their width, and straightness, build them, and construct their side walks, and maintain, clean, light and name or number them, number the buildings, beautify the town and tree plant it, prevent trespassing, control the streets in terms of what might fall from the open areas and order their owners to make fences around them.”**

Art. 41/2 of the same law making reference to “Building Licenses” states that: *“To control constructions and destruction and changing their forms of and erect electric elevators therein, and give licenses to conduct these works and to specify the location and shape and percentage of the area of the building in proportion to the area of the land on which it is intended to be constructed and to ensure the provision of healthy conditions in it.”*

In practice, municipalities do not perform most of the functions assigned to them by law. Many of these functions are rather performed by one of the Central Government's deconcentrated organizations. For example, the first responsibility assigned by law to municipalities is **town and road planning**. However, in practice, no municipality, other than Greater Amman can create a Structural Plan for its jurisdiction. This is either done by a consultant authorized by the ministry, or by the planners of the ministry itself.

Physical Planning in Jordan is undertaken mainly according to the articles of the Law of Planning of Cities, Villages, and Buildings, No. 79 for the year 1966, and its various amendments that defined three levels of planning authorities.

At the top was the Higher Planning Council, chaired by the Minister of the Interior, and later the Minister of Municipal and Affairs, and comprising the Attorney General, the Secretary General of the Ministry of Health, the Secretary General of the Ministry of Public Works, the Secretary General of the Ministry of Planning, the General Manager of the Housing Authority, the Director of the Central Planning Department, and the President of the Engineering Association.

The Law defines responsibilities at each level of authority regarding the preparation and approval of development plans, and the issuing of building permits:

- Surveys : **(Clause no. 14)** Before starting with the preparation of any master plan (zoning plan), a basic topographical plan of the area and the present condition of the area should be prepared. The issues that should be included in the survey are as follows:
 - a. Site description (topographical & geological conditions)
 - b. Weather (Temperature, clouds, rain, wind and humidity)
 - c. **The history of construction development of the area**
 - d. Land use (the residential, commercial, industrial, and agricultural use ..etc)
 - e. Land ownership
 - f. Land value

- g. Public utilities (water, sewage, and electricity)
- h. Transportation (roads, railways, airports, and traffic volume)
- i. Communication (telephone, telex, etc....)
- j. Public buildings (schools, warship buildings, shops, cinemas, parks and public buildings)
- k. The inhabitants (gender), age distribution, type of work, and distribution of income)
- l. Existing resources (Natural, economical, human, animals)
- m. Any other related issues

The Department (central department for planning of cities and villages constituted according clause no.7) of this law carryout all survey works and all necessary studies. Regional and local committees should provide all the needed supports and requested information and surveyors and other possible supports.

- Regional plans: **(Clause 15)** These plans are prepared by the central planning department /MOMA (or by the Greater Amman Municipality in the case of Greater Amman Municipality) with a report that includes surveys and maps and other explanatory needed materials to elaborate the guide-lines for the development construction program for that specific region, and its implementation stages. These plans should be the base for the local Master Plan... etc. and should take into consideration the following:
 - a. Location of new cities and villages
 - b. Expansion or restrictions of development of existing cities and villages
 - c. Industry, which includes workshops, warehouses, and parking areas for cars.
 - d. Commerce and administration, which includes private and public offices, parking areas and on plot garages.
 - e. Residential areas, which includes instructions related to plot area, density, set backs, ventilation, lighting and on plot location of buildings
 - f. Public services, which include markets, shops, schools, warships, conference halls, theater buildings, cinemas, and public parks, and this is related to the number of inhabitants to be served.
 - g. Buildings and other construction works, includes supervision on the followings:
 - The area, heights and dimensions
 - Alignment, set backs and floors areas
 - Usage of buildings
 - Design, colors and building materials used in the buildings, walls and fences
 - Number of building that could be built
 - Works that needs licenses
 - Number of apartments in each building
 - Number of rooms in each apartment or building
 - Supply buildings with water tanks or wells for water collection
 - Bomb shelters
 - Parking area
 - h. Define public and private areas, including beautification of the area and agricultural lands, gardens, parks, and natural protected areas, and the area of

land, cemetery, quarries, and mines

- i. **Protection of areas, caves, buildings and constructions, antiquities and master pieces which has an archeological or/and historical or/and architectural values**
- j. Transportation system, which includes roads, railways, sea-lines, air-lines, and parking areas for cars
- k. Roads, which includes:
 - Protected areas and public traffic rights
 - Ways of closing roads and traffic detour of existing roads, public and private traffic rights
 - Construction of new roads and making changes on the existing roads
 - Road aliment, width, leveling and construction, its accessibility and exits (includes restrictions of entrance and exits) nature, general dimensions for new and/or existing roads)
 - Works related to the construction of roads and its improvements as constructing sidewalks, bridges, shelters, lighting, seats, agriculture, protection and caring of grass and trees on these roads and surroundings
 - Telecommunication, which include telegraph, telephone and wireless systems
 - Public services, which includes water supply, electricity, sewerage, and storm water drainage system. And managing garbage collection, slaughters, power, and electricity.
- Master Plan: (Clause no. 19) Structure plans for cities in the Hashemite Kingdom of Jordan (HKJ) are prepared and it should include instructions and survey report and any information on land use in area related to the structure plan taking into consideration the economic development and upgrading community conditions and phases of executing different developments. Structure plan should include the following:
 - a. Existing roads and proposed new roads as well as type of pavement for each road, traffic ways and traffic detour, widening and way of closing, all about width and rights of way, public traffic rights, roads under construction, maintenance and widening, entrance and exit enforced. All roads specifications and general dimensions specified.
 - b. Drainage including public sewer, storm water network and treatment facilities
 - c. Water supply project
 - d. Define areas and locations or buildings that are banned for industry or crafting and that areas entirely for residential or agricultural usages or any other special purposes
 - e. Enforce conditions and rules for land area allowed for construction and setbacks allowed for constructions and height and type of building in any zone or specific area.
 - f. Allocation of public and private spaces, plazas, green areas, etc. which are specified for and/or aesthetic purposes, agriculture land, forests, parks, open spaces, cemeteries, quarries, and mining areas
 - g. Special service areas should be defined like airports, buildings, ports, train stations, bus stations, garages, public buildings, schools, hospitals, etc.
 - h. Building and constructions should be monitored as follows:
 - Areas, heights and dimensions

- Construction alignment, setbacks, and floor areas
- Building usage, and nature
- Building walls and fences. Design color and construction type
- Number of buildings permitted
- Works that should get licensed
- Number of apartments for each building
- Number of rooms per apartment or building
- Buildings should be provided with water tanks or wells for water collection
- Shelters against Air raids
- Garages
- Balconies, terraces, outside stairs and walls
- i. Industry, which include workshops, warehouses, garages, car workshops, blacksmith workshops, carpentry workshops, tilesetc
- j. Trade and administration which include public and private offices and on plot parking
- k. Residential area which include regulation & rules and instructions concerning land area, construction alignment, density, setbacks, lighting, rain water collection, on plot building location with regard to four directions
- l. Public facilities including Markets, shops, schools, warships, public meeting halls, theatres, cinemas, and parks, each according to no. of population serviced
- m. Marking all sites & caves and building of historic, archaeological and architectural value**
- n. An enforcement for all land or building owners to permit passages of sewer lines or drain or water lines or bridges or tunnels
- o. Appeal for the local committees in different matters
- p. Approval of companies, societies, unions, of housing projects with specific conditions
- q. Designated land for cemeteries and monitor closed cemeteries
- r. All lands for highways and public open spaces to be registered for the Government or the local council or any local authority
- s. all old, crowded, unplanned neighbourhood are to be removed and should be re-planned with type, regulations, improvements and conditions laid out to stop any building permit in that area
- Detailed land use plan: **(Clause 23)** After the approval of the Master Plan for the cities, a detailed land-use plan is prepared for the various parts of the Master plan.... etc.
- Amended Master Plan: **(Clause 25)** The provincial committee ((allajnah alluwaiyah) request through the director of planning/MOMA and in recommendation from the local planning committee (allajnah almahaliyah), to reconsider an approved Master Plan in order to make amendments and/or necessary additions if needed at least one time in a 10 years period. The director carryout the needed surveys and he submit his report to the Provincial Committee regarding the amendments and/or additions considered necessary for the Plan.

The concerned committees for approval of the Master Plan:

- Local City Planning Committee (*allajnah almahaliyah*) / in the Municipality / Municipal council
- Provincial planning committee (*allajnah alluwaiyah*) / in the region or in the province / headed by the governor (*Muhafez or Mutasaref*)
- (In the case of Amman Greater Municipality / Amman Council – Headed by the Mayor of Greater Amman Municipality)
- Supreme Planning Council (*majles Altanthen ala'ala*) / MOMA/ Headed by the minister of MOMA

Submission of the Master Plan: (Clause no 20)

The Master Plan is submitted with its instructions, through a verdict from the provincial committee according to a recommendation from the Local City Planning Committee, the announcement is to be published in the Official Gazette, and two local newspapers. The announcement to be posted at the Local City Planning Committee Office, for public hearing, for the period of two months after it has been published in the official gazette.

Objection on the Master Plan: (Clause no 21)

- Any authority and/or person (private or government), who have any interest, could submit their proposal and/or objection on the Master Plan to the head of the Local city planning committee, during two months period from the announcement date in the official gazette or in accordance to the period mentioned in the announcement documents. The objections and/or proposals should be supported with plans and other necessary documents
- The Local city planning committee examines each objection and submits its recommendations to the Provincial planning committee.
- The Provincial Planning Committee study the submitted objections and the recommendation carried out by the Local city planning committee and then send its decision to the Supreme Planning Council, which in turn study each objection and takes the necessary decision, and the objectors is informed via Local city planning committee about the Supreme Planning Council.
- The Supreme Planning Council may approve the Master Plan with or without amendments. If it is amended it is to be announced, for the period of one month for objection, in two local newspapers and the official gazette. Also it is to be posted for public hearing in the Provincial and local committee offices. It is considered officially legal after 15 days since published in the official Gazette.

Temporarily approval of the Master Plan: (Clause no. 22)

- The Supreme Planning Council has the authority of temporarily approval of the Master Plans either totally or partially and it is considered officially approved according to clause no. (21) / 4 of this law, and it is published and it is considered valid since published in the official gazette.
- The temporarily approved Master Plan should be submitted under the (clause no. 20) of this law and will be subject to the same procedures mentioned in the (clause 21) regarding the objections and instructions until the final approval and implementation of the plan.

Detailed land use Master Plan (M.P.): (Clause no. 23)

- After the approval of (M.P.) of cities, a detailed land use M.P is prepared for each part of the M.P.
- For the small cities and villages a detailed land use M. P for these cities and villages.
- The local city planning committee may at any time prepare a detailed land use project for any land located in its jurisdiction area, and it has the authority of approving any *project submitted by the land owners*.
- If any contradiction emerges in the points of views between the Local city planning committee and Provincial planning committee, regarding any detailed project submitted, the matter is transferred to the Supreme Planning Council for approval.
- The Detailed land use M.P includes a report about survey, if needed, as well as other needed plans.

The Detailed land use M.P. may include the matters mentioned in (clause no. 19) item 2 and should include particularly the following:

- Identify the location of shops, markets, schools, religious buildings, cinemas and parks should be identified as well as car parks, roads and railways, bus station etc
- Identify the location of buildings, building alignment and setbacks, and specify the minimum land area and front dimension as well as car parks.
- Identify restricted areas; such as architectural and building material restrictions.
- Identify land for acquisition for government, local authority and / or general public use.

The local city planning committee after the approval of the Provincial Planning Committee, may allocate any area that is in need for planning or re-planning for the following purposes:

- Re-planning due to bad planning and/or because it is old.
- In order to relocate residents and industries.

If the seven years period elapsed and the local city planning committee did not acquired the allocated land, then the landowner has the right to ask the local city planning committee, in a written request to return back his land, and the land loses its legal character if six months elapses after the date of the owner written request.

All development plans must include building regulations such as permitted land use in each zone, size and form of building, and maximum building density. The procedure for preparing and approving plans includes the survey, plan preparation, consultation with local authorities and community representatives, depositing the plan for public review and comment, and final approval of the plan after consideration of public objections and amendments.

According to the above-mentioned law, parceling schemes must be prepared within a planned area if plots are to be subdivided into less than 10 dunums, which covered most cases where land was converted from rural to urban use. Parceling schemes are the responsibility of the land owner and must conform to approved detailed plans. Parceling schemes require the approval of the local planning commission only.

The main authority responsible for the various planning acts sanctioned by this law is the Ministry for Municipal Affairs (MOMA). According to the articles of the Law, there are three tiers of administration for the planning of towns, villages, and regions: local, district, and regional. Subsequently, there are three main official planning bodies:

- Local planning committee
- District planning committee
- The Central City and Village Planning Department (CCVPD) within MOMA itself.

Municipal councils customarily act as the local planning committees, and they normally are responsible for the preparation of "master plans," and "detailed master plans" which are in the end subject to the approval of the "district" planning committee.

The district planning committee, however, assumes the responsibilities of the local planning committee in areas outside the boundaries of jurisdiction of the municipal council but that are still within the geographic area delimited as its district. Regional plans, however, are prepared by CCVPD and are subject to the approval of a distinct authority, the Supreme Planning Council (SPC) whose duties also include the final approval of planning acts and the final settling of any differences or disagreements that may arise between the decisions of the local planning committees and those of the district planning committees.

Municipalities can recommend adjustments to an existing plan, but the process is long and highly centralized, even after the ministry's restructuring project of 2001. The process goes as follows: the local council proposes the adjustment, which is limited to changing the direction of a street or changing its width, including certain areas in the zoning plan or excluding certain areas, etc. The local council is headed by the director of the district in that area and has members from the employees of the municipality (i.e. the head of the zoning department) and some of the members of the municipal council (2 or 3 members).

The proposal of the local council should be approved by the District's Council. This council used to be headed by the governor before amalgamation. Currently, this council is basically the municipal council. The decision of the council is put forward in a form of recommendation to a higher council; the Supreme Planning Council (SPC).

This council has the final say. It is headed by the minister and doesn't have any representative for any municipality, except Greater Amman Municipality. The District's Council's recommendation is first sent to the CCVPD.

This department makes its recommendation to the higher council. Usually, the council follows upon the department's recommendation.

Since the file is often reviewed only by one engineer in the ministry's CCVPD and he makes the recommendation, this process is described by several municipalities as chaotic since this person often doesn't know much about the case, and yet has the power to reverse any decision made by the two councils.

Assuming all went well and the higher council approved the decision of the district's council, the process doesn't end there. The decision is to be published in the local newspapers and a two-month grace period is given for objections. If no objections were made, a new process begins; the process of implementation. A new recommendation has to be made by the local council for implementation. This recommendation goes through the same process. The Supreme Planning Council (SPC) can still reverse the decision. Obviously, this process gives an example of the centralized form of decision making in the municipal work and shows that municipalities lack of autonomy.

Thus, one can conclude that, in practice, town planning is not the responsibility of the municipalities.

In fact, the city consultation workshop held in the framework of this study in December 2004, revealed that an urban planning activity, involving more directly the local communities, is needed. In several cases it was confirmed that the master plans are the result of a top to bottom policy and that they do not fully address the needs expressed from a society that has been changing its way of life and asks for different kind of answers in the organization of its territory.

The difficulty in implementing the current master plans, basically designed by the MOMA., is obvious.

Another weakness highlighted in the existing plans, is their very generic design which does not tackle their urban scale. As a consequence, when a more detailed approach to planning is needed, master plans have shown to be far from meeting the local specific urban development requirements. These do not seem to take into accurate consideration the need to account for each city's unique characteristics. Master plans should set more precise strate-

gies to coordinate and direct the city development and in such a framework the **city revitalization program** could contribute to setting a new trend.

Finally, it can be said that while the Jordanian legislation seems to be mostly adequate for the needs of modern development as far as buildings, infrastructure, environment, etc. are concerned, the urban development remains tied to obsolete town planning instruments (the master plans) that are too generic and fail to address the real requirements of a modern Jordan that cares for the past, yet, is looking for a development that corresponds more to its expectations.

2.2 BUILDING

2.2.1 BUILDING CODE

The provisional law No. 31 for the year 1989, was replaced by the new National Building Law No. 7/93 which is constituted by 32 codes, each one regarding the several building construction aspects as well as some urban issues.

- 1) *Generalities Code*: This code covers the scope of codes issued by the Jordanian National Building Council and general recommendations for the preparation of engineering symbols and terminology used within the codes and the international system of units.
- 2) *Loads & Forces Code* : This code deals with the dead, live and snow loads, as well as wind and earthquake forces which are to be taken into consideration in the structural design of buildings and other structures in the following cases:
 - a. New building and structures;
 - b. Alterations and additions to the existing buildings and structures;
 - c. Change of use and conditions of occupancy of existing structures.
- 3) *Site Investigation Code* : This code mainly concerns soil investigation on which it is intended to construct a building in view of the significant effect on the design and construction of civil works of the project, in addition to the influence on the adjacent structures.
- 4) *Foundations & Retaining Walls Code* : This code deals with the minimum requirements to be satisfied in the foundations of buildings, structures and retaining walls, as well as the methods of design and construction of such foundations, in addition to the provisions of excavation, backfilling works, underpinning, and strengthening of foundations.
- 5) *Plain & Reinforced Concrete Code* : This code determines minimum conditions to be followed in the design and construction of plain and reinforced concrete structures as well as the properties, specifications and methods of testing reinforced concrete materials. This code does not apply to structures of special nature such as bridges, tanks and chimneys when its items contradict the characteristics of such structures.
- 6) *Pre-stressed Concrete Code* : This code determines the minimum conditions to be followed in the design of pre-stressed Concrete structures and properties, as well as specifications and methods of testing of pre-stressed concrete materials.
- 7) *Steel Structures Code* : This code deals with steel structures in terms of types, load, applied forces and materials used as well as the minimum requirements of design and construction.
- 8) *Formwork Code* : This code covers materials and various methods of design used in formwork and methods of calculating loads for which the formwork must be designed to resist.
- 9) *Scaffolding Code* : This code deals with scaffolds more than three meters high measured from the adjacent land.
- 10) *Masonry & Walling Code* : This code covers the design requirements of load-bearing and non load-bearing walls built from masonry blocks and stones in terms of the resistance

of such walls to the various loads, their stability and methods of design and construction.

- 11) *Building Materials & Usage Code* : Most of the materials used in the building industry and methods of application have been reviewed in this code.
- 12) *Buildings space Requirements Code* : This code deals with the spaces enclosed under one roof whether surrounded by walls or not. It is also covers the roofed and enclosed spaces within walls if used permanently and for building usage purposes provided for in the code.
- 13) *Thermal Insulation Code*: This code aims at defining the building optimum thermal design principles and methods of calculating the thermal characteristics of the different structural elements together with determining the minimum and maximum thermal requirements for these elements to enable the best selection by the engineer.
- 14) *Acoustics Code* : This code aims at formulating recommendations and carrying out measurements related to building acoustic characteristics and building elements necessary for creating a non-harmful quiet environment, as well as protecting citizens in all fields of work and at home against the effect of harmful noise and providing comfort at work and during leisure time.
- 15) *Fire Protection Code* : This code aims at designing and constructing requirements of new buildings as well as modifying existing buildings according to the type of occupancy, to ensure sufficient levels of public safety against fire hazards.
- 16) *Natural Ventilation & Sanitary Requirements Code* : This code discusses the ventilation of buildings designated for human occupancy and provides the sanitary requirements therein.
- 17) *Natural Lighting Code* : This code aims at familiarizing those concerned with the importance of daylight and methods of calculation and control for optimum use of daylight in buildings to provide comfort seeing according to the human activity therein.
- 18) *Water Supply for Buildings Code* : This code covers the general conditions and recommendations for the design and installation of cold and hot water supply networks, water demand for fire-fighting in buildings, in addition to defining the terms and other items related to the pipes and fittings network installation, maintenance and similar works.
- 19) *Drainage and Sewerage in Buildings Code*: This code concerns the technical and sanitary basis for the design of the building's sanitary drainage networks.
- 20) *Urban Aesthetics Code* : This code covers urban aesthetics with respect to :
 - a. land planning;
 - b. local environment aesthetics;
 - c. natural and planned sites;
 - d. public and private parks and gardens;
 - e. archaeology and archaeological sites;
 - f. traditional buildings;
 - g. public services;
 - h. commercial and information advertisements;
 - i. maintenance.

This code aims at making recommendations to those in charge of city administration to enhance city aesthetics and prevent its distortion.

- 21) *Refuse Disposal Code* : This code covers the methods of solid refuse storage and collection resulting from daily use in buildings in addition to arrangements necessary to facilitate its collection by the respective official authority
- 22) *Code of Public Safety at Construction sites*: This code deals with the necessary requirements and arrangements for safeguarding workers, visitors and those concerned with construction projects, particularly the building project.

- 23) *Electrical Wiring and Installations Code* : This code provides regulations defining the minimum safety protection requirements for citizens and their properties against the risk of misuse of electrical wiring, installations and equipment.
- 24) *Interior Illumination Code* : This code aims at explaining the sound basis and principles of the interior illumination design of the building in order to obtain the minimum level of adequate illumination or comfort seeing for the protection and convenience of citizens.
- 25) *Earthing Code* : This code aims at providing guidelines for establishing an earthing system for an electrical system with the aim of limiting the potential of current – carrying conductors during breakdowns with respect to the ground, as well as the complementary non-carrying electrical current metal parts linked to the earthing system, to ensure the safety of humans, animals and property.
- 26) *Lightning Protection Code* : This code covers field installations and equipment necessary for the prevention or mitigation of damage or harm which may result from the discharge of lightning.
- 27) *Fire Alarm Systems Code* : This code contains recommendations for the design, installation, operation and maintenance of the fire detection and fire alarm system in buildings and their surroundings.
- 28) *Lifts Code* : This code provides recommendations for testing and installing electric and hydraulic lifts for persons, goods and services which are manufactured according to Jordanian Standard Specification (No. JSS/325/1988: Part. 1).
- 29) *Central Heating Code* : This code covers issues related to design and installation of hot water central heating systems as well as the usage of eating units such as sectional radiators, finned radiators, sheet radiators and fan load radiators.
- 30) *Mechanical Ventilation and Air Conditioning Code*: This code covers works related to the general design, planning, installation and testing of mechanical ventilation systems which operate on driving or drawing of air to or from the building and/or the mechanical air conditioning system which operate on converting air characteristics within the air conditioned space.
- 31) *Shelters Code*: This code covers the technical requirements of shelters for protection against air raids, explosions, nuclear radiation and falling atomic dust.
- 32) *Building Requirements for Disabled Code*: This code provides minimum requirements to be satisfied in public and residential buildings as well as public facilities to enable easy and smooth access by the disabled. This code contains the general requirements of design of new buildings and the requirements to be satisfied in existing buildings and outside space to facilitate free access by the disabled.

2.2.2 BUILDING PERMITS

The existing law on Planning and building regulations, n. 79 / year 1966, require regarding building permits, that a permit be obtained before any construction or change of use takes place. Appeal against refusal of a permit is possible; development without a permit may result in demolition or a fine. Activities requiring a permit include construction of new buildings or structures, adaptation, extension or demolition, external decoration, internal services, new roads and infrastructure, and agricultural buildings. Changes of use, either of land or buildings, also require a permit. Applications for building permits are submitted to review and approval by local planning commissions. However, permits are subject to amendment or revocation in specified circumstances by the Higher Planning Council.

The law gives planning authorities little discretion in granting or refusing a building permit. A permit must conform to detailed plans and parcelling schemes. However, local planning commissions and district planning commissions are granted a leeway of 5 per cent and 10 per cent, respectively, of additional area of construction.

When construction takes place without a permit, the law stipulates that an enforcement no-

tice be issued requiring the restoration of the land by the owner within 15 days, but allowing submission of an application for a permit. If the permit is refused, or a construction plan is not adhered to, the authority may restore the land, including demolition of structures. However, enforcement action is not allowed simply on the basis of lack of permit or for violation of the provisions of a permit.

The most significant clauses are:

Clause no. 4: Any person who wants to start a project should apply to the “local city planning committee” to have a license for this project, mentioning the name of the Architectural firm in charge and the latter should provide the committee with five copies of the following:

- Property - ownership documents,
- Site plan, scale not less than 1/200, showing the urban surroundings and the infrastructure,
- Site plan, scale not less than 1/200, showing the proposed location of the building and the set-backs,
- Architectural drawings (plan, section,etc) for the whole proposed building showing full details,
- Structural drawings, scale not less than 1/100 showing foundations, columns, walls, stairs, roofs and full details,
- Electro-Mechanical drawings, scale not less than 1/100, for internal networks and external connections,
- Roof plan, scale not less than 1/200
- Typical calculations for structural works (soil bearing capacity, and foundations)
- Drawings, scale not less than 1/50 showing underground shelters,
- Drawings not less than 1/50, showing septic tanks (if needed)
- Drawings, scale not less than 1/50 showing water reservoir & its details,
- Table of the areas of the project,
- Any extra information & drawings needed by the committee.

Clause no. 5 : The committee will approve or refuse or ask for changes on the license

Clause no. 20 : It is allowed to use any type of paint on the building facades not more than 20% of the facade area, on the condition that the rest of the façade area be stone or painted white , if this is not so, special permission should be granted from the committee.

Clause no. 27: The use of land within the Master Plan areas as follows:

- a. Residential Zone
- b. Green residential Zone
- c. Popular residential Zone
- d. Rural residential Zone
- e. Agricultural residential Zone
- f. Central commercial Zone
- g. Regular commercial Zone
- h. Local commercial Zone
- i. Industrial Zone
- j. Light industrial Zone

Clause no. 28: The residential zone is restricted for residential buildings or any other use mentioned on the approved Master plan, and could be used for hotels, schools, restaurants, religious buildings, hospitals, social clubs, petrol stations, and public & private offices after the approval of the committee. And could be used also for public services for daily use by the locals (Grocery, butcher, restaurants, pharmacy,etc).

Clause no. 29: The residential Zone is classified into five types (Residential A, Residential B, Residential C, Residential D, etc.).

Clause no. 33: The land which is located in the “Central Commercial” zone is restricted to commercial buildings, residential uses, and for major public utilities as well as workshop buildings. These buildings are built under the following building restrictions:

- Total building area does not exceed 85% of land area.
- Set back is 15% of the land area no matter where it is located provided a 2.5m distance from land boundaries and the set back could be located in the middle of the building and restricted to the same 15%.
- The storey percentage for land area that is less than 200 m² = 600%
- The storey percentage for land exceeding 200 m² = 600% + 1% for each extra m² provided it does not exceed 1000%. The basements, car parks, attics, roofs, children court-yards and ornamental embossed elements are not included in these calculations.
- The building height should not exceed 72m.
- Sanitary units should be provided for each store, exhibition room and/or providing public bathrooms for each 200 m² of the storey area.

Clause no. 34: The land in the “commercial–Regular” zone is used for general commercial use as well as other uses that are mentioned in Clause 33 and these buildings are built under the following rules:

- The building should not exceed the 18m depth without set backs, the side setbacks should not exceed 4m.
- A 4m setback is needed.
- Total building area should not exceed 70% of land area.
- The storey percentage for land areas less than 600 m² = 600%. The storey percentage for land areas exceeding 600m² = 600% + 1% for extra 20 m² provided that the storey percentage does not exceed 85%. Basements, car parks, roofs, courtyards and embossed ornamental elements, are excluded from these calculations.
- The total building height is equal to the width of the road + front set back + ½ of side and rear set back, provided the height of the building does not exceed 72m and in some cases, a 16m extra height is permitted.
- Sanitary units requirement is similar to Clause no.33.

Clause no. 35: The land in locally commercial zone is used for commercial building, residential, public utilities and workshop buildings. This zone is built under the same restrictions governing residential buildings. The requirements for sanitary units are the same as for the previous zones.

Clause no. 36: If the land is located on an intersection, and one street is within a commercial zone and the other street is located in a residential zone, the commercial regulations are implemented based on a depth that is twice the width of the plot that is located on the commercial street provided that the depth does not exceed 50m as well as providing side set-back for the nearby plot after that depth and according to the regulations of that area. However, if the land is located between two streets and one of them is commercial while the other is residential, the commercial regulations are implemented. In this case on the whole area the legal setbacks must be respected after the 18m depth from the commercial street

and, the building is built according to the residential regulations governing that area and upon condition that the front elevation located on the residential street is not used for commercial purposes.

Clause no. 37: If the land is located between two streets with different levels, the area built below the higher street elevation is excluded from the storey percentage restrictions. This is up to a max depth of 30m, provided that the extra built area exceeding the permitted one conforms to the restrictions mentioned in item (5) clause “48”.

Clause no. 39: If the topography of the land required building a basement or more, the owner of the land should provide the following set backs:

- the legal set backs required by this by-law if the number of basements does not exceed the total number of permitted storey for the nearby (land back one);
- if the total no. of basements exceeded the no. of storey for the land (located in the back).

2.3 HERITAGE

In Jordan, Urban and Building rules and regulations are currently facing an important test due to an increased investors' attention to the local real estate market. Apparently foreign investors, especially from neighboring countries, come to Jordan to purchase land and buildings looking at it as the closest and safest investment market. The increase registered in the market poses high pressure on the urban settlement and calls for an increased attention to the safeguarding of the cultural heritage buildings and of the environment as a whole.

Current threats to heritage urban areas and buildings in Jordan are mostly identified in the absence of an effective legislative framework for an integrated conservation program that determines:

- encroachment on archaeological sites;
- modernization trends and uncontrolled urban growth dissecting the traditional urban fabrics;
- demolition of many traditional buildings in favor of modern cement houses and uncontrolled additions;
- lack of maintenance and neglect to the traditional buildings;
- building owners and tenants neglect patterns;
- visual and acoustic urban pollution;
- vehicular congestion;
- lack of maintenance for traditional urban spaces;
- lack of urban public parks.

Antiquity Law No. 21 for the Year 1988 of Antiquities and Archaeology and its amendments provides for substantial elements of the cultural heritage, however, the cultural heritage beyond antiquities is not provided for in Jordanian legislation.

While architectural heritage, dating to pre-1700 AD is protected by the Law of Antiquities, later edifices relating to urban centres or rural settings are not under legal protection. In particular the article 2 states: “An antiquity is defined as:

- a. any object, whether movable or immovable, or a part of the soil, which has been constructed, shaped, inscribed, erected, excavated or otherwise produced or modified by human agency earlier than the year 1700 AD together with any part thereof which at a later date has been added, reconstructed or restored;
- b. human and animal remains of a date earlier than the year 600 AD;

- c. any building or construction of a date later than the year 1700 AD, which the minister may by order declare to be an antiquity”.

The Law also stipulates that the Department of Antiquities is the body responsible for the excavation, conservation, presentation and protection of antiquities in Jordan. Additionally, there is a lack of clearly defined prioritization mechanism, as well as lack of comprehensiveness in the present law. Even with the weakness of the present law, there is also inadequate enforcement.

During the late '60, since the UNESCO Chart of Venice for Cultural Heritage Protection it has increasingly widened the spectrum of what is considered Cultural Heritage to of tangible to intangible heritage. A deeper approach to the specific topic is possible by scrolling UNESCO webpage under the division Culture.

However, in this study for the 4 cities revitalisation plan cultural heritage is considered as a whole integrated system that should find application in spite of the peculiar characteristics found in each core city and its surrounding.

Heritage ranging from urban, architectural and archaeological sites, monuments, artefacts to traditional arts and crafts, cult and traditional music and dance, traditional fairs, up to traditional local productions (the “filieres” of olive oil, grapes and wines, milk & cheese, etc) but also including oral history and local traditions. A capital tracing back human settlement and presence in the region that can jointly form part of the basin of cultural promotion of Jordanian heritage as it is found in each of the 4 cities.

This approach however, is not supported by the necessary comprehensive legislative support needed to direct actions meant at cultural heritage protection and promotion. The Jordanian legislation is fragmentary and incomplete and as such is of very little use for a comprehensive development and “mise en valeur” of the whole heritage.

In Italy, since 1939 a very comprehensive legislation dealing with Cultural Heritage has been developed building up what is now a very comprehensive instrument for Cultural Heritage protection and management, to reach the current developing code of “Cultural Heritage” which is enclosed in annex as a reference”

More recently a new code (Codice Urbani) was introduced in Italy for Cultural Heritage reflecting the most recent tendency in the field of CH management. A reform that embraces every aspect of cultural heritage and could represent an excellent source of inspiration for the concerned Jordanian Authorities.

The interim Law no. 49/2003 is still in the process of approval by the Parliament, so it has not yet been published by the Official Gazette.

This Law, ruling out the creation of a committee of its implementation, in Article 5 recites:

“The Committee” shall have the following tasks and authorities:

- Set the basis and standards that will ensure the protection of architectural and urban Heritage, and present them to the Cabinet of Ministers for ratification, and publication in the Official Gazette.
- Recommend to the Cabinet of Ministers the Heritage sites, document them, and add them to the register of Urban and Architectural Heritage, after studying and assessing them, and preparing a list of all the Heritage locations, and identifying their boundaries, and publishing it in the Official gazette.
- Strive to provide the necessary finances for the restoration and restructuring of Heritage sites and surrounding areas, and fairly compensate the owners of these sites in order to encourage them to protect the buildings they own.
- Follow-up the restoration works, by appointing experts in the field for this purpose, as per the standard basis and criteria.”

The Ministry of Tourism is in the process of establishing a new committee “ National Committee for Conservation of Building & Urban Heritage” for the implementation of the law of the

Heritage and Conservation no. 49/2003. It is worth mentioning that certain buildings in Amman & other cities were selected by Municipalities as cultural Heritage to be protected and conserved.

However, the lack of enforcement of the Law 49/2003 risks wasting a good opportunity to partly cope with several of these major threats. A good opportunity would also be compromised for testing the lines of incentives provided under the same law to support those landlords who would invest in restoration / conservation projects for old heritage houses.

The main Authority involved in the Heritage Conservation:

“The cultural resource as in antiquity is the responsibility of DOA /MOTA. The urban and rural buildings falls in the domain of the MMRAE & Municipality of Greater Amman and other regional authorities.

Ministry of Tourism and Antiquities

Pursuant to Section 31 of the Constitution, Article 3, Tourism Law no. 20 for 1988.

The Ministry aims at developing tourism resources and increasing its role in the national economy in corporation with the relevant agencies; Protecting tourist sites and its development is one of its main responsibilities. A tourist site can include lands, buildings, spa resorts and other sites declared by the Council of Ministers, upon the request of the Minister and its publication in the official gazette.

Department of Antiquities

The department of Antiquities of Jordan is currently attached to the Ministry of Tourism and Antiquities. Nevertheless this attachment is restricted to the higher administrative level only (the director general of DOA reports to the Minister of Tourism and Antiquities). Other than that the Department has its own budget, administrative structure and Law. The Law of Antiquities of Jordan (Law No. 21 for the year 1988) has its long history of modifications. Established with the establishment of the Hashemite Kingdom of Jordan (The Emirate of Transjordan) in 1923, the Department is solely responsible for:

- *Executing the archaeological policy of the State;*
- *Estimating the archaeological value of movable antiquities and sites and evaluating the importance of each antiquity, defined as an object, whether movable or immovable, which has been constructed, shaped, inscribed, erected, excavated, or otherwise produced or modified by humankind earlier than 1700 A. D.;*
- *Administering Antiquities in the Kingdom, supervising, protecting, maintaining, recording, beautifying the vicinities thereof and exhibiting them;*
- *Propagating archaeological culture and establishing archaeological institutes and museums;*
- *Excavating for Antiquities in the Kingdom;*
- *Assisting in the organization of the various museums attached to governmental activities in the Kingdom, including historical, technical, and folklore museums;*
- *Co-operating with local, Arab and foreign archaeological institutions for the service of national archaeological culture and consciousness, in accordance with current laws and regulations;*
- *Supervising the possession and disposition of antiquities in accordance with the provisions of the Law, and regulations, decisions, and instructions which are issued in accordance therewith.*

In practice and in accordance to the Antiquities Law, the Department of Antiquities is solely responsible not only for archaeological policy making and implementing; excavating and managing the sites; establishing archaeological and Folklore museums; assisting in estab-

lishing historical, technical and other museums; elevation of public awareness through co-operation with local, Arab and international archaeological institutions, but also for supervising the possession and disposition of movable antiquities and buying both movable and immovable antiquities objects

Petra Regional Planning Council

Article 13 (b) of Cities, Villages and Buildings Planning Law no. 79 for 1966 and its amendments, Council of Ministers decision on 28/3/1995.

A Petra Regional Planning Council is established with the Minister of Tourism & Antiquities as the Chair-Person. The mandate of the Council includes the development of Tourism and the protection of Antiquities in addition to defining areas of significant heritage or archaeological resources for documentation and development.

Ministry of Municipal Affairs

Article 19(2) Cities, Villages and Buildings Planning Law no. 79 for 1966 and its amendments, published in the official gazette no. 1952, (25/9/1966).

The Law addresses the organisation of Master /Land use Plans by the Ministry, taking into consideration the protection of sites, caves, buildings, and relics of historic, archaeological or architectural value.

Ministry of Waqf and Religious Affairs

Al-Awkaf, Islamic Religious Sites and Affairs Law no. 26 for the year 1966

Article 2 (c) proposes the definition of Wakf to include Islamic Waqf in the Kingdom represented in mosques, schools, religious institutes, orphanages and cemeteries, etc. The law presents the Ministry with the responsibility of protection of al-Waqf within the framework and jurisdiction of the related laws of the Kingdom

Ministry of Culture including the National Library Department

Ministry of Culture and National Heritage Act, no. 5 1988, followed by Ministry of Culture Act no. 5 for 1990, published in the official gazette no. 3699, and its amendment act no. 6 for 1994 and National Library Department Act, no. 5 for 1994.

The Ministry is responsible to spread the national heritage education in relation to literature and arts through establishing centres and museums of culture, arts and folklore and in relation to the collection of the official Jordanian national documents and archives (post 1923 - first official gazette)". (Arch Leen A. Fakhoury, Jordan University)

2.4 ENVIRONMENT AND HEALTH

Law no. 21/1971 - Public Health.

The Public Health Law contains two section which are relevant to this project, chapter 18 which deals with septic tanks and the section which deals with Sewer Systems.

Chapter 18 states that if septic tanks are used and do not abide by the specifications the Ministry of Public Health has the right to confiscate it. Also in order to install or use a septic tank permission is needed from the Ministry. Also the Ministry has the right to close any facility which does not abide by the Ministry of Public Health's regulations.

The section of the Public Health Law that deals with sewer systems gives regulations about pipes, and sewer systems. This law defines sewer as everything that is discharged as a liquid from homes, stores, and private or public companies, restaurants, and factories. The sewer system is defined as the system where waste and grey water travel including man-holes, pumping stations and collection tanks. This law states that changes to the sewer system outside urban areas are not permitted unless permission is granted from the Ministry of Water because the Ministry has the responsibility to monitor the sewer system. In areas where there is no sewer system and an individual wishes to construct one whatever con-

struction is done must be in accordance with Public Health. If pipes that are laid do not meet Public Health standards the Ministry has the right to remove them even if permission was initially granted for construction. Any pipes that become damaged are the responsibility of the owner and must be repaired in order to ensure Public Health.

Law no. 14 of 1984 – Traffic.

The Traffic Law is relevant to this project because of the possibility of disrupting traffic while the horses are travelling from the stables to the show site and back. This law states that any disruption to traffic will be penalized by a fine. Also this law states that racing is forbidden on public roads because of this horses should be kept under full control at all times.

Law No.27 of 1986, Health and Safety Guidelines.

Section 29 of Chapter 9 of Law No.27 of 1986, Health and Safety Guidelines, requires that any organized establishment must be clean and not pose any health threat to the employees. Relevant to the project is the required mitigation of harmful effects of gas, dust fumes, or dirt. In order to assure this workrooms are required to have adequate ventilation and light.

Also relevant is the required provision and accessibility of a water closet for every fifteen workmen. Separate water closets are required for female and male workers as well. Suitable drinking water must also be provided in easily accessible places for workers, and for those operations that produce dust, adequate water must be supplied for washing. Protection against fire must also be considered and appropriate exists provided.

Finally this law states that if the Minister of Social Welfare deems any operation dangerous to the health of the workers he has the right to suspend the operation and to specify safety measures to be taken according to these Guidelines. Civil Defence order no.1/5 of 1993 for the protection of forestry;

Guidelines for the prevention of noise, (1997).

The Instruction for controlling and Preventing Noise Issued Pursuant to the rules of Article 27 of the Environment Protection law No.(12) for the year 1995 provides the highest permissible equivalent sound levels in different areas. The areas included are residential in urban; residential in sub-urban; residential in rural; residential having small industries, offices and public buildings or city centres; and industrial areas and schools, hospitals, mosques and churches. Because the project is located near to homes (less than 30 meters away) and also near to the centre of the city the highest permissible sound level in the day time is 65dB and 55dB in the night time. These regulations should be strictly followed.

Law no.1 of 2003 Environmental Protection.

In 2003, the government of Jordan declared its first comprehensive law with respect to Environmental Protection, Law No.1 called the “Jordanian Law for Protection of the Environment”. Under this law, one governmental entity was established: the Ministry of Environment (MOE) replacing the General Corporation for Environment Protection (GCEP). The “Environment” is defined as the surroundings inhabited by man, animal, and plant including water, air, earth, and what affects them.

The MOE was established as an autonomous body with managerial and financial independence. It was appointed as the sole responsible authority for protection of the environment in Jordan and was given full authority to co-ordinate and to collaborate with national, regional, and international parties concerned with environmental matters and protection.

The objectives of the MOE are to develop policies for environmental protection, to establish the strategy for implementation, to set the environmental standards and specifications, and to establish national protected areas. The MOE also has the responsibility of monitoring all public and private organizations including industrial, commercial, vocational, and any other establishments to ensure compliance with environmental regulations. Incompliance is subject to civic and penal responsibilities. One of the first priorities of the MOE is the preparation and introduction of the necessary regulations and technical guidelines for environmental impact assessments.

Regulations on Water Disposed into Sanitary Sewer System.

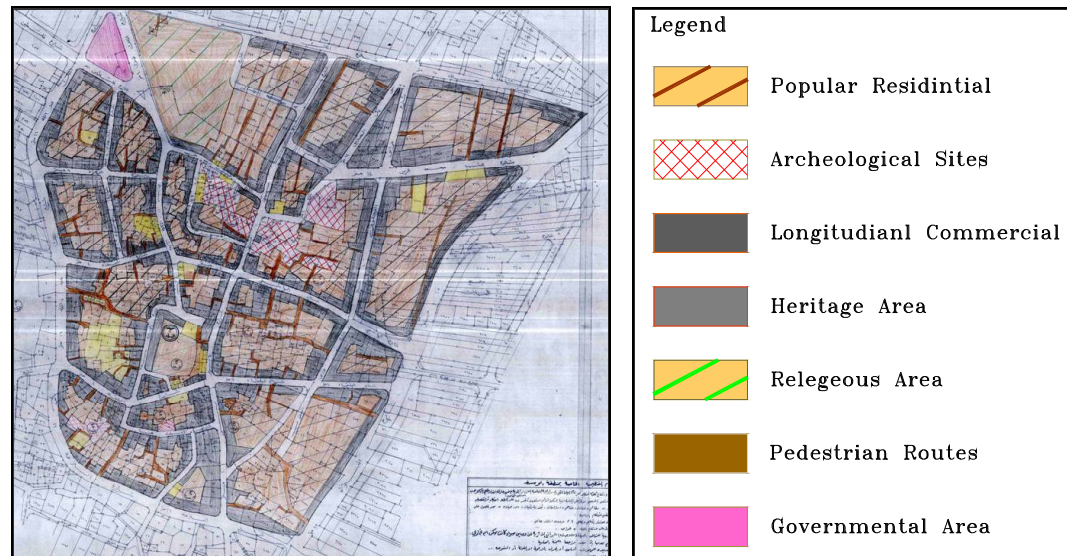
The Summary of the Water Authority of Jordan Regulations No. 18/1988 for the Discharge of Industrial and Commercial Wastewater into the Sanitary Sewer System includes maximum allowable limits for specified contaminants and other measures of water quality such as pH and BOD5. If the runoff from the hippodrome is sent into the sanitary sewer system these regulations must be followed. These regulations may be difficult to satisfy due to the contamination caused by the horse manure.

Jordanian Standards for Ambient Air Quality.

The Jordanian Standards for ambient air quality JS 1140/1999 include regulations concerning the allowable concentrations of pollutants for given durations of time. The following pollutants are covered in the standard: SO₂, TSP, PM10, NO₂, CO, H₂S, and Pb. Also included in the standard is the number of allowable exceeding occasions per year. This standard should be consulted if any of the preceding pollutants will be produced due to operations.

2.5 SPECIFIC SITUATION OF THE FOUR CITIES

2.5.1 MADABA



THE CURRENT MASTER PLAN

The current **master plan** of Madaba, designed by the MOMA, was revised in 1998; several changes were introduced since then, the most important in 1999 when the New Zoning and Building Regulations for the Madaba city centre were introduced. However, these amendments failed in taking into account the results from a study, concerning a new zoning in the city centre district, conducted by the Governor of Madaba with the objective to provide a more adequate answer to the problems of development. The master plan concentrates on addressing the need of a growing population and dedicates a broad space to the development of the residential city.

It is important to point out that this model of development also reflects the consolidated experience of the traditional Islamic city where the house is the base unit, and only a few public buildings and their immediate surroundings are the other relevant 'built objects' that participate in designing the townscape, mainly religious and institutional buildings.

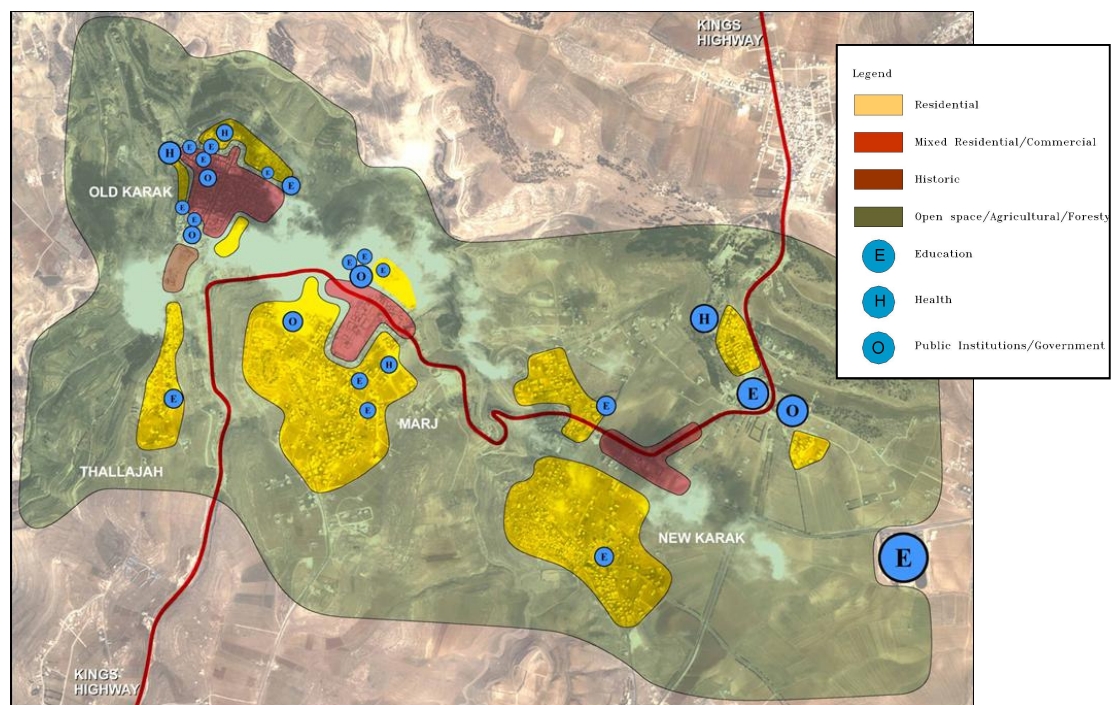
The master plan confirms a clear tendency towards a radio-centric pattern in the proposed city development. A prevalence of residential areas as opposed to other land use destinations is also evident. The green areas are scarce, often consisting in 'left over' spaces be-

tween buildings. The commercial areas are located mostly along the Longitudinal Commercial zone, including a number of commercial fronts placed on the main streets, fronts that gradually decrease in number moving out of the city centre. Industrial areas are found in the north-east sector of the city, along its borderline.

The public areas are uniformly distributed outside the old city centre. Actually, the zoning reveals to be not very clearly defined as far as the historic and religious areas are concerned. Public areas such as those to be used for public car parking or those to be used for public services are not clearly specified. Moreover, the plan fails to identify and place under protection several heritage buildings that were identified in the “Madaba Cultural Heritage” released by ACOR (American Centre for Oriental Research) (Amman, 1996). The archaeological areas are part of the urban fabric, being placed between the residential areas in the city centre.

The master plan was almost exclusively designed based on indications for residential development, related to a probably overestimated expected increase of the population. Directions and suggestions for setting strategies for the management of social, economical, tourist, etc. development are missing in the plan.

2.5.2 KARAK

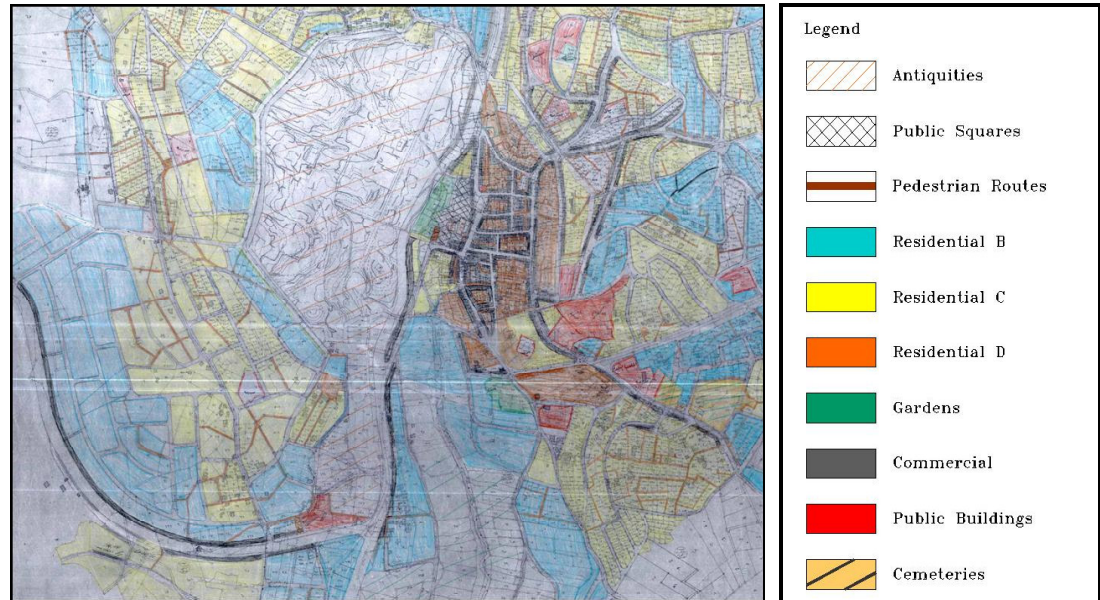


THE CURRENT MASTER PLAN

Upon the approval of its [master plan](#) in 1999, the jurisdiction of Karak Municipality includes, besides the historic core, the rural villages within the areas of Marj and Thallajah. For the historic core, the plan identifies mainly commercial areas, while no direction is provided concerning residential areas. Currently, commercial activities are mostly found along the main streets, with dwellings located at the upper floors or in the outskirts. Commerce is the prevailing activity in the historic core, where it is concentrated, while in the surrounding villages only small shops are found. Commercial areas are concentrated around the Sahal Al-Din Square, where the main streets converge and the Umari Mosque (the most important mosque in town) is located. Schools (mainly located in the north side of the city) and public services are distributed within the limited space availability of the historic core. Public buildings are located around Al-Dawa'er Street and in the area surrounding the castle, dramatically contributing to congest the vehicular traffic. To summarize, the historic core is divided into four main areas: the Castle and its immediate surroundings, the core commercial

streets, the main bus station and the residential areas. In the Castle area, the functions are basically related to tourism together and government.

2.5.3 JERASH



THE CURRENT MASTER PLAN

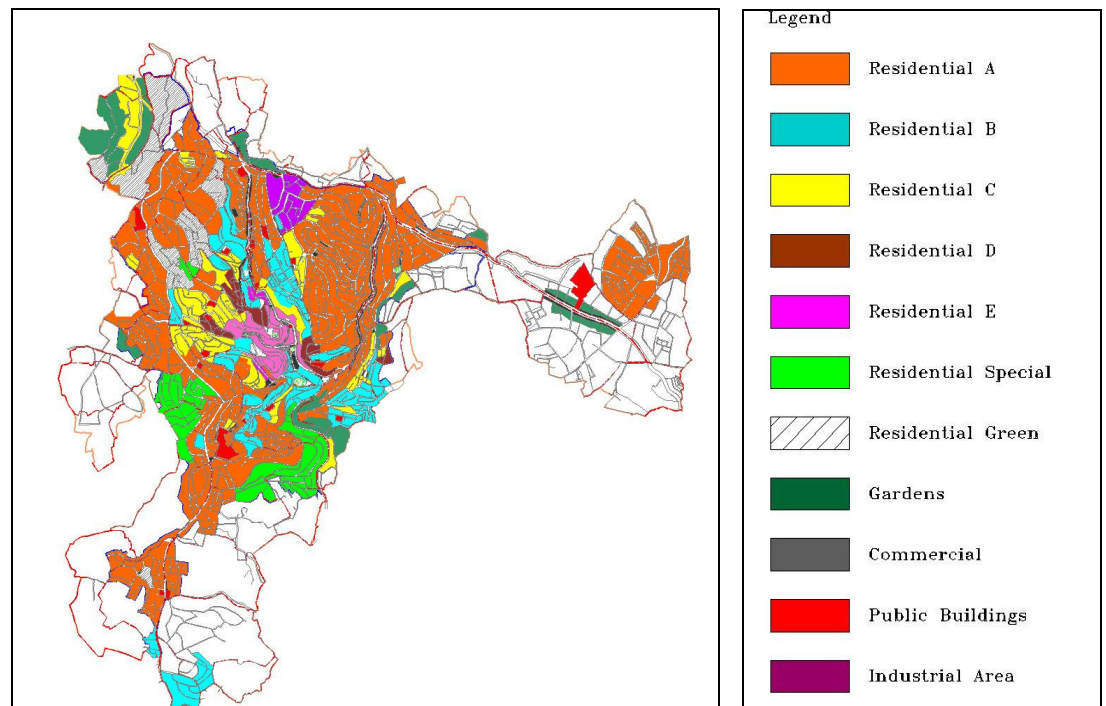
The Jerash **Land Use Development Plan** reflects how “*the new town has developed accordingly to influences that may not be as immediately apparent as the strict lines of the Roman Town Planning at the heritage site, but they are no less significant*”. The east bank of the Wadi, enclosed within the city walls is mainly destined to residential and commercial functions. The Residential zones are mostly of the D type while the Commercial zones are Longitudinal Commercial type. Inside the Residential D zones, narrow pedestrian paths are found, especially within the city quarters where traditional architecture is located.

A rather articulated zoning is found in the area included between the Wasfy Al-Tel Street, King Abdullah Street and Baab Amman Street. Aside the residential zone type C, the most important public area in the whole city is located; this area includes the East Baths and the Mosque. A green area (Parks and Gardens) was identified between the Wadi and the Wasfy Al - Tel Street.

Most of the areas for public buildings are located outside the Roman walls, particularly in the immediate surroundings of Hamzeh Street and Salah Aldeen Al Ayoubui Street. Outside the Roman walls, A, B, C and Residential Special zones are located aside Public Buildings and Longitudinal Commercial that are placed in the main street fronts. In the southern area, a prevalence of Residential zones type A, C and D are prevalent, alternated with Residential green, Commercial activities and Public buildings.

In Al Maggar, about 5 km east of Jerash, a light industrial zone is still to be completed. This area was created “*to allow for the translocation of small industrial units from the town centre, particularly those that have harmful environmental or social impacts*”.

2.5.4 SALT



THE CURRENT MASTER PLAN

As a consequence of the increased population and the expansion of the construction activity, the municipal area of Salt has frequently expanded, and new neighborhoods were added laying over a mountainous region. The Municipality has expanded in the past century to the extent that, in 1993, it included the districts of Umm Zaytoona, Batara and Kafr Hooda. In 1997, the Al- Saru District was annexed to the Municipality.

The current land use **Master Plan** dates back to 1983. The zoning identifies residential areas that start from the historic core (mainly type D and E areas) gradually moving outside (mainly type A, B and C areas). There are also broad Residential Special zones, mainly on the southern side of the city and Agricultural residential zones, located on the north west side of the city, in tight connection with the A, B, C, Residential Special and Green areas - gardens and urban parks at the western end of the Municipality. The areas for governmental buildings are homogeneously distributed across all the municipality with the exception of the north-west quarter, where Residential A zones prevail. A vast industrial area is located to the west of this A zone, thus bordering with the inhabited areas.

3. Proposed integrative regulatory procedures

3.1 MANAGEMENT REGULATIONS

An accurate analysis of the findings of this study made it evident that there is a need for an articulated approach for the construction of a comprehensive managerial scheme for the protection and promotion of heritage buildings and urban districts, as part of the city revitalization plans. Something that would create the conditions for the establishment of a new Management policy.

The new managerial model should also take into account that Jordan, in recent years, undertook important and often successful attempts to broaden its tourism offerings by exploring the promotion of Environmental, Historic and Traditional cultural resources.

However, it is also clear that the already inadequate means available in Jordan for the management of Cultural Heritage, will be insufficient to cope with the demand posed by the increased and diversified Tourism industry mostly based on the pure exploitation of the wide range of Jordan's Cultural Heritage. The chaotic increase registered in the urban growth also calls for more attention to the safeguarding of the cultural heritage buildings and of the environment as a whole.

In simple terms, a Management Plan is a document which sets out the management approach and goals, together with a framework for decision making, applicable to the protected areas over a given period of time. Plans may be more or less prescriptive, depending upon the purpose for which they are to be used and the legal requirements to be met. The process of planning, the management objectives for the plan and the standards to apply will usually be established in the legislation or, in the otherwise set down plan for protected area.

Management Plans should be succinct documents that identify the key features or values of the protected area, clearly establish the management objectives to be met and indicate the actions to be implemented. They also need to be flexible enough to cater to unforeseen events which might arise during the currency of the plan. Related documents to the Management Plan may include more detailed zoning as well as visitor and business plans to guide its implementation. However, the Management Plan is the prime document from which other plans flow, and it should normally take precedence if there is doubt or conflict.

The process of developing a Management Plan may be more or less complex depending upon the objectives of the protected area, the risks or threats to the achievement of these objectives, the number of competing interests, the level of stakeholders involvement and the issues arising from outside the protected area. Whether the plan is simple or complex, sound planning principles should be applied to guide the planning process. Suggested improvements and recommendations

3.2 ENFORCING THE EXISTING REGULATION

After an analysis of the existing legislation in Jordan, it is evident that a consistent normative structure is there for the implementation of the city revitalization programme. However, at the workshops in Jordan in early December, the need to reinforce the conditions for the enforcement of law during the implementation phase was also made clear. It is therefore recommended that an effort be made to **improve the spreading and understanding of the legislation** especially in the concerned public departments and offices which are responsible for the implementation of urban laws and regulations.

3.2.1 REGULATIONS CHECK-LIST

As a result of the considerations made in the previous point 2.1.1. it is recommended that a

template is prepared in the form of a check list where the category of intervention and the concerned normative can be directly compared and verified.

3.2.2 ADOPTING UNESCO GUIDELINES

UNESCO recommendations for the protection of the historic – cultural and environmental heritage should be followed to ensure proper sustainable management of cultural property.

Here are listed some of the main references that could be application in the city revitalization plan:

- UNESCO Recommendation Concerning the Safeguarding of the Beauty and Character of Landscapes and Sites. (from UNESCO Document 17 C/107 of November 15, 1972);
- UNESCO Recommendation on International Principles Applicable to Archaeological Excavations, 1956;
- UNESCO Recommendation Concerning the Safeguarding of the Beauty and Character of Landscapes and Sites, 1962;
- UNESCO Recommendation Concerning the Protection, at National Level, of the Cultural and Natural Heritage, 1972;
- Management Guidelines for World Cultural Heritage Sites, (ICCROM, ICOMOS, UNESCO), 1998.

3.3 PLANNING MANAGEMENT

3.3.1 MASTER PLAN GUIDELINES

OBJECTIVES

- To control the urban growth of the city and its suburbs, and approval for the extension or restriction for the growth.
- To determine the functional sections of the city such as the housing, commercial and industrial areas, to enable these sections to act their roles in creating comfortable and sanitary environments, and avoid contamination and noise, and to improve the housing situations.
- To review and to link the various parts of the city, and with the other cities through designing effective networks.
- To follow balanced development between the city and the other surrounding villages.
- To preserve the historical and aesthetic values of the city and to preserve the cultural features of the urban life.
- To review the general services (education, health ...etc) at the levels of the housing zones and units in accordance with the levels of the population density.
- To re-plan the various spontaneous housing zones and to propose improvements.
- To preserve aesthetic values and to improve the city by setting out the conditions and the specifications of the building, and to follow certain architectural type to enable harmony within the city.
- To ensure location of recreational areas and green zones, to enable sewerage system and to determine the dump locations.
- To prepare the estimated cost for the services required for the public utilities and to determine how to recover such costs.

- To review the rules and the systems of implementing the planning, and to raise recommendations regarding the planning legislations.
- To set general recommendations including the procedures required to preserve the historical heritage of the city and its architectural buildings.
- To prepare standards and measurements for the planning.

GENERAL SPECIFICATIONS

To carry out studies and structural planning for the city, the following basis should be followed:

- To study the architectural, environmental, service and economic status of the city including all elements of urbanization in respect to the determined direction indicated in specification and all other requirements.
- The studies should be based on general projections following studies of the future urban housing growth trends, and the effects of the economic, social and political factors. Such data should be based on the available statistics and surveys.
- The study and the structural planning should include the current situation, the previous urban changes and comparison studies for what had been previously planned. The differences would be deduced leading to proposed alternative action planning.
- Study the present architectural structure for the city and evaluate it.
- The scope of the study should be for the future twenty years, with classification to phases of no more than five years.
- The studies and the plans should be in conformity with the draft urban planning legislations, using its terminology. In the events of finding necessity to execute certain urban planning policies and finding contradictions with the existing legislation, then recommendations for amendments should be raised.
- Recommendations for land use policies should be provided in a manner that serve the intentions of the structure planning and that support control of the development of the city.
- The studies and plans should be presented on aerial maps of the scale of no less than (1: 10,000).
- The paths of the artery roads for the new development phases should be plotted on maps of the scale (1: 2000). The maps should indicate the existing situation along the pathway of those roads. They should also show the paths of the main surface sewerage.
- Coordination with relevant service entities should be made to study their reference future programs.
- To produce the planning studies in folders and maps similar to the previous issue. Arabic translation should also be carried out for the English version (if any).

COMPONENTS OF THE PROJECT:

- Aerial photographs and maps.
- Researches and studies.
- Master Plans.
- Standards and specifications conditions required for buildings.
- Rules and planning executing systems.

AERIAL PHOTOGRAPHS AND MAPS

To achieve detailed Structural Plans, aerial photographs and supporting maps that indicate the present situation of the city at the time of preparing the plans should be available.

Alternative selections depend largely on the availability of the said photographs and maps. Without identifying the locations of plants, facilities, roads and housings, it would be difficult to propose alternative future development plans. Moreover, studies and research should be plotted after ample analyses, and to be reflected on the maps together with other elements of the Master Plan of the city or part of it.

RESEARCH AND STUDIES REQUIRED FOR UPDATING THE MASTER PLAN

Updating the Structural Plan or the Master Plan depends basically on many studies as follows:

- Study of the geographical location, geological history, geology, topography, soil, water, natural resources, valley and floods.
- Climate studies: Temperature, clouds, rainfalls, winds, moisture.
- Study of the development history of architecture and housings of the area.
- Study of the land use: Housing, commercial, industrial, agricultural ...etc.
- Study for land ownership and land's prices.
- Study of the historical locations and the urban sites in the town.
- Study of the supplies of: Electricity, water, transportations and other facilities.
- Study of the population: growth rate, births, age groups structure, migration, income, density, age groups by sex.
- Study of the transportation: Means of transports, their types, their No., traffic volume, existing roads, bus stations, vehicles' parking and airports.
- Study of the architecture and the style of the form, use, building materials, planning and the internal use. The details study for the historical and cultural buildings need to be preserved.

THE CITY REGIONAL AND NATIONAL RELATIONSHIPS

National relationships:

- Location and importance for the city in the country.
- Population volume and the economic participation ratio of the governorate and the city in the country.
- The aspects that characterize the region and the city in regards to:
- Production fields and their existing and future impacts towards the city.
- Nature of the city and its effect on the pattern of development.
- The problems and the constraints of:
- Population mobility between the governorate and the city (from one side) and with the other governorates.
- Commodities mobility and its effect on the city development including:
 - The effect of the transportation in guiding the development in the previous periods (to be shown on the necessary maps).
 - The impact of the transportation mobility in creating various work opportunities to the residents of the city.

- Existing and future administrative methods (centralization, non centralized system). And their future impact on the city.
- Regional relationships.

ENVIRONMENTAL SETTING:

Environment is one of the essential elements in the study of urban activities and Structural Planning. It is important to indicate the impact of each activity upon the environment, and to preserve it from the negative impact. Environmental study should include:

- General description for the natural surrounding of the city. It should describe the boundaries and the area, and mention in brief the description aspects (such as topography, climate, geology ...etc).
- Study of the general environmental problems and the special urban problems as follows:
 - The natural changes and their future impacts.
 - Environmental imbalance and pollution resulted from the urban activities.
 - Evaluate the extent of pollution and define the order of each type.
 - Determine the needs required to correct pollution, indicating the relationship between the environment and planning represented in the structural planning.
- Setting clear cut responsibilities towards environment among the various authorities in the city.

POPULATION

The study of the population condition should include the following:

- The general population condition
- Census;
- The future growth rate:
- Delineating various densities:
 - Arithmetic general Density
 - Gross Density
- Study the population mobility:
- Population Age Groups
- Biological aspects
- Urbanization

ECONOMIC ACTIVITIES

Include the study of the following issues:

- Ongoing economic status.
- Future growth.
- Availability of labour force.
- Markets.
- Participation in the national income.
- Problems and potentials.

MAIN ECONOMIC ACTIVITIES

- Agricultural activity;
- Industrial activity;
- Commercial activities;
- Mineral resources;
- Tourism activity;

WATER SUPPLIES

- Study of the existing situation. The contents should include:
 - The need for water supplies:
 - Existing water resources:
 - Main water network (Situation, efficiency,
 - Capacity:
- Study and delineate types of water and types of treatments, and whether they meet the specifications required for potable water.
- Study and evaluate the indigenous projects, number of wells and their depths, sanitary protection, water quality and its effect upon the reserve and appropriateness of the land use.

SEWERAGE SYSTEM

- General description of the existing sewerage situation in the city including the following issues:
 - Production of sewerage water:
 - System of draining the sewerage including the main network:
 - Sewerage treatment:
- According to the results of the study, and in consequence to the analyses of the existing situation, guidelines are to be stated to facilitate the current and the future needs.
- Study the possibility of receiving benefits of the treated sewerage water.

ELECTRICITY

Study of the general existing situation of electricity supplies in the city and within the boundaries covered by the general network and its extension. The study shall include all related issues of electricity services from the structural urban planning perspective. The study should include the following issues:

- Electricity needs
- Power production, transfer and distribution
- Delineating problems, constraints and possibilities of finding solutions

DRAINING OF RAIN WATER

- Study of the general flow, flood and drainage control and delineating the impacts.
- Evaluate the protection systems and the flood control measures in accordance with the previous proposals.
- Preparation of the survey research and the data

- Setting the alternatives and the designs related to the drainage with their classifications and determination of the appropriate and feasible system to be implemented in accordance to the water quality, rainfall rate and all other influencing factors.

Quantities of the running water from the developed regions and the regions where the planning is set according to the Structure Plan.

GARBAGE COLLECTION AND DISPOSAL SYSTEM

- Study of the existing situation for the garbage collection and disposal system in the urban area. The study shall include all related issues of garbage collection from the Structural Urban Planning perspective.
- Garbage produced:
 - Existing available facilities to transport the garbage
- The general dump:
 - Garbage disposal methods and their environs effects

HOUSING

It is very important to achieve a complementary study that includes in detail the following issues:

- The existing housing conditions and the infrastructure facilities.
- Study of the architectural heritage.
- To study the way to receive benefits from the old housings to overcome the shortage of housing. This should be accompanied with the considerations to preserve the said housings for their historical and cultural values.
- To study the means to revitalize the economic activity in the old cities.
- **To study the housing units constructed during the past two decades and the facilities of the infrastructure**

Transportation

Detailed studies and precise clear drawings are needed and should include the following issues:

- Traffic volume maps (should be classified).
 - Expected growth rates.
 - Solutions for the existing problems and providing proposals for the future.
- Roads and main network
 - Delineate the capacity of the roads.
 - Methods to increase the capacity to the maximum.
 - To propose phases program for the road network.
 - Solutions to separate the regional traffic from the internal one in a way suitable for the city.
- Comprehensive study stating the effect of traffic upon the development of the city, and the subsequence planning for this purpose.
- Study the public traffic giving the right solution for the general transportation like (buses-metro – rail ways...act.)

SOCIAL SERVICES

As an introduction, the study of the social services should be done following the objectives of the general plan to delineate the size and the distribution of the social services and on the basis of the deductions obtained from the existing services and the projections for the future of the city.

EDUCATIONAL SERVICES

The study of the educational services should include the following issues:

- The existing educational condition in regards to: No. of the students in each educational stage (crowdedness ratio), and the ratios of enrolment.
- Proposals for the future

HEALTH SERVICES

- The policies and the goals are to be set according to the existing health condition.
- The present situation and the standards proposed (type of the services, household crowdedness ratio, construction condition, distribution and No of physicians).

PROPOSALS FOR THE FUTURE

- The needs expected for the proposed phase, and the presentation in accordance with the structural plan.
- Standards, areas and distribution including hospitals, health centres, health units, the school's health, maternity and childhood welfare, and combating the chronic diseases.

SECURITY SERVICES

(Police centres) (Civil Defence)

- The general plan for the security service.
- General policies and goals (as per plans).

RECREATIONAL SERVICES

The present and the future needs for parks and open spaces including the following:

- Type of parks, employment, services provided and No. of the residents included in the service.
- The areas for each park according to its function, the No. required, and the total areas.
- **Green belts around the city.**
- The present and the future needs for other cultural and entertainment services including, libraries, museums, cultural centres, athletic gymnasiums, natural sites, historical and tourism sites and hotels.

RELIGIOUS SERVICES

- Existing religious condition
- Future perspective and the expected needs.
- Review of the present situation of the religious service
- Estimation of the future needs and setting the technical standards to the amplitude and distribution of services.

- Study the ample relationship between the religious services and other services from the planning perspective.
- Description of all the requirements and conditions for the suitable locations of the cemeteries.

LAND USE

- Study of the existing land use
- Comparison study for the existing situation with the previous Master Plan,
- Setting general development policy based on the outlines of preparation for Master Plan, taking in consideration the indicators deduced from the existing condition and which are compared with the international standards and with the previous plan.
- Delineate the future needs for each place,
- Delineate the required area for each main and sub-land use, indicating the conditions required for each land use.
- Propose possible development alternatives, carry out analyses and evaluation for each proposal in accordance with general policies and the expected need with delineation of the execution requirements, and selection of the appropriate alternative.
- **Delineate the possible use of mix land uses and the land use which should be isolated.**
- Propose a phase development plan in accordance with the plan, indicating the location and the area of each main land use, and stating the conditions related to the nature of the use and that which is related to the nature of the location.
- Delineate the phase and the annual goals to execute the plan executive proposals for each goal.
- Delineate the forecasted densities (general, housing, population), for each existing or determined area for development

THE STRUCTURAL PLAN (MASTER PLAN)

When the studies and the surveys wind up, analyses and evaluation should be carried out for these studies. Based on determination for the development objectives, trend and phases, the population needs for housing, commercial, and industrial use for determined period (between ten to twenty years), plotting should be made on structural plan as follows:

- structural plan of the main land uses, such as housing, commercial, industrial, recreation, tourism, historical preservation and agricultural.
- Structural plan for the main roads, the main streets, the drainage, the bus station and the vehicles parking areas.
- Structural plan for the general facilities such as secondary schools, universities, institutions, hospitals, public parks, open spaces, and the administrative and other buildings.
- Structural plan for the public networks, such as water, health, electricity and telecommunications.
- Structural plan for the development trend, its boundaries and phases.
- Structural plan for the old residential areas: - They are required to be re-planned and improvements should be introduced (especially for the spontaneous ones).

PLANNING STANDARDS AND BUILDING SPECIFICATION

- Taking into consideration the standards, conditions and basic characters of the main cit-

ies.

- To be aware of the standards and the specifications followed in the detailed and general planning.
- To issue a comprehensive study which considers the standards, conditions and basic characters of the specific city. Besides, providing more than one alternative to be presented to the relevant authority.

LEGISLATIONS AND THE PLANNING EXECUTIVE SYSTEMS

- To be aware of the urban planning law, and to deduce recommendations, by laws and planning executive systems after having the workable documents.

3.3.2 DEFINING PROTECTION AREAS TO PRESERVE HERITAGE SITES

It is needed to define and enforce protection buffer areas to preserve and safeguard those areas (or buildings) directly connected to cultural, archaeological, historical and environmental values or areas connected to fragile and dangerous contexts.

This should not be necessarily achieved through expropriation; the properties that fall within the boundaries of the protection perimeter, could still remain property of their private owners, although the protection measure limits the possible activities and transformations.

The protection measures should define the boundaries of the protected area and state clearly the allowed land uses within the protected perimeter.

This type protection measures derives from the fact that the planners establish that a certain “category of goods” (land / building) must be particularly protected, limiting any kind of possible transformation for all that category.

The Administrative procedure that imposes a restrictive measures on a category (cultural, archaeological, historical and environmental values or areas) is not an autonomous decision but it rather coincides with the acknowledgement that an area (or building) belongs to the group posed under protection within a certain perimeter.

“Currently there is no legislative mechanism in place apart from compensation to achieve the higher level of control. Representations at Ministerial level should be made to raise the concern and proposals to amend planning and development control legislation to protect the cultural heritage of Jordan” (Scott Wilson).

3.3.3 HERITAGE MANAGEMENT PLAN

A planning tool that each city should be provided with is a Heritage Management plan which should be designed incorporating UNESCO indications for site management planning. This should especially take into consideration that all the cities included in the revitalization plans present a relevant record of land, built as well as environmental heritage.

The following text is an extract from the Management Guidelines for World Cultural Heritage Sites, (ICCROM, ICOMOS, UNESCO), 1998.

Planning, programming and budgeting is a continuing process that must be reviewed and updated at regular intervals.

The planning process should be a multidisciplinary activity with input from experts in matters relating to the significance of the site. This means that the values in the site should be listed and, if possible, put in order of priority.

The inevitable contradictions of the planning process should be resolved first by examining the implications of all viable alternatives, and then deciding which is least harmful to the significance of the heritage site. Open discussion among experts can lead to creative solutions that may enhance the significance or messages of the site, but this process takes time.

Reviews at regular intervals can, if the planning process is scientific and logical, correct mis-

takes and refine concepts.

The assumptions upon which a plan is based should be clearly stated. With time, it is possible that the original assumptions will change. Some assumptions are culturally inspired, others may be based on fashionable or political trends. All assumptions should be analyzed. The long-term management plan (up to 30 years) should integrate all the information contained in documentation and action plans. There also should be medium-term plans (for, say, 5 years) and annual project plans.

The management of a Heritage site is based on the detailed analysis of its significance and includes the following:

- ensuring that all site staff understand the cultural values to be preserved in the site;
- providing specific guidelines based upon the statement of significance of the site;
- making a complete inventory of all the cultural resources within the site;
- arranging for regular inspections and formal reports by professionals with suitable qualifications and experience;
- drafting a strategic maintenance plan leading to the formulation of resource projects which are incorporated into an annual work programme according to their priority;
- respecting, in all work, the ethics of conservation, the established international recommendations of UNESCO, and guidelines such as the Venice Charter.

Restoration and conservation should be based on a clear definition of the heritage resource and its relationship to its setting. This definition is part of the critical process aimed at cultivating an appreciation of the heritage as an integral part of present-day society by developing a framework for assessing resource values, establishing management objectives, and preparing presentation and interpretation policies. This process has four distinct steps:

- Survey: methodical inspection, survey and documentation of the resource, its historical setting and its physical environment;
- Definition: critical-historical definition and assessment of the object and its setting, so giving it its significance;
- Analysis: scientific analysis and diagnosis of the material substance and associated structural system with a view towards its conservation; and
- Strategy: long-term and short-term programme for conservation and management of change, including regular inspections, cyclic maintenance and environmental control.

THE MANAGEMENT KEY ISSUES REGARD

- Objectives of Management;
- Data on which the management plan is based;
- Inventory and documentation;
- Information management;
- Research planning;
- General schedule;
- Administration;
- Cost control and policy;
- Legal instruments;
- Programming;

In particular programming is related to the available staff and budget. Resource problems will

have to be identified in advance and assigned priorities in accordance with their urgency:

- **Immediate problems** create a potential danger to the public or risk to the resource, and should be dealt with first. The fiscal plan should allocate a contingency reserve for dealing with immediate problems as soon as possible after they are reported by the responsible person. Of course, natural disasters might be too big to be dealt with in this way, but typical immediate items include repairing damage to buildings after strong winds or clearing paths in a park site.
- **Urgent problems**, if not dealt with promptly, will cause further damage or decay and should be addressed next. In buildings, outbreaks of fungal or termite attack should be dealt with urgently, and rainwater disposal systems should be kept in good working order to prevent decay.
- **Necessary problems** constitute the bulk of the work necessary to preserve the resource over the five-year (or other) funding period.
- **Desirable items** may be considered as part of the Development Budget. Keep Watch items should be kept under observation and studied to see whether they are serious or not. These include foundation movements in a building, or the performance of installations.
- **Future liabilities**, such as replacement of obsolescent plant, the renewal of roofs or the replanting of a garden, should also be reviewed.

The interaction and efficient programming of all foreseeable factors should be considered by the Site Commission acting on proposals submitted by the Director. Projects can then be defined and specified for execution.

CHECKLIST FOR MANAGEMENT

- Do you have a management plan for the maintenance strategy of your World Heritage site, and is this plan regularly updated?
- Have long-, medium- and short-term objectives been clearly defined?
- Have the values, priorities and the least harmful action been taken into consideration in this plan?
- Is there an inventory, and has the resource been adequately recorded and documented?
- Is the relevant documentation concerning the site accessible?
- Has the site documentation been duplicated in a safe place?
- Is there a fire protection plan, and is it practiced on a regular basis? „I' Do you have the disaster hazard plan for your region?
- Have a disaster response officer and alternate been designated?
- Have contacts for effective research programmes been established with universities and other institutions?
- Do the laws and regulations that are being applied reflect the latest technical knowledge and attitudes to conservation?
- Is their application effective? If not, where do they fail?
- Is the management infrastructure adequate and effective in fulfilling its role?
- Have lines of communication been established with international organizations concerned with preservation of World Heritage?

MANAGEMENT PLAN PREPARATION

The preparation of a management plan for a Heritage site implies the consideration of all its

resources. Some sites may possess only one resource, such as primitive rock carvings, whereas others may have several; the resources of a large building include its fabric, carving, glass, furnishings, textiles, etc.

The following steps are involved in preparing a management plan:

- 1) initial survey of the site
- 2) site description and boundary definition
- 3) identification of resources
- 4) evaluation of resources
- 5) formulation of objectives and consideration of constraints
- 6) definition of projects
- 7) work programme and annual plans
- 8) execution of works
- 9) recording, reporting and review of results
- 10) storage of information and data
- 11) revision of site description and re-evaluation
- 12) formulation of revised objectives and reconsideration of constraints
- 13) definition of further projects
- 14) revised work programme and next annual plan

REQUIREMENTS

The first requirement of site management is the conservation and protection of its cultural resources and, where possible, the enhancement of features of special interest. Once this requirement is fulfilled, the site can be used for a number of other purposes such as education, research, tourism and even occupation; it goes without saying, however, that the integrity of a Heritage site must be maintained. Detailed management plans for resources need not be complicated or lengthy. Provided the main objectives are known and the site staff is properly qualified, resources can be managed on the basis of care and maintenance. There should be a full review every 3-5 years, but the system should be able to accommodate adjustments which allow results of site works or unexpected developments to be fed back and integrated into a rolling management programme.

PREPARATION AND CONSULTATION PROCEDURES

The procedures followed during the preparation of a management plan, which are distinct from the format of the plan itself, imply a team effort. Even the simplest management plan involves enough complexity, in its preparation or execution, to justify the involvement of several skills, such as architects, archaeologists, historians, engineers and town planners. Preparation of the management plan will also involve consultation outside the team and consideration of management plan objectives for similar resources.

Sources of information include:

- Research- and information-orientated sources, including local and national archives, universities, town planning reports and voluntary special interest groups; and
- Management-orientated sources, including property owners, tenants, neighbours and other land managers.

When a draft of the management plan is completed, it should be scrutinized by a central government group at national level. A complete set of approved management plans, as well as the annual progress reports relating to them, should be kept by the national government,

and it may be practical for regions to maintain a collection of these documents as well.

REPORTING

- **Short-term reporting and review:** The management plan will outline for site staff the annual programme of projects and their associated costs, time allocations, etc. The content of the reports should cover all the projects within the annual work plan. It may be useful to classify the projects according to their scope, type of work and duration.
- **Long-term reporting and review:** Management plans should be based on a minimum period of five years, at the end of which a review is necessary.
- **Format of the management plan:** A standard format is essential to the successful operation of a uniform planning system, providing a framework for consistent interpretation and easy cross-referencing of information relating to a wide range of resources. The format recommended here has three distinct parts: (1) a description of the site; (2) evaluation and objectives; (3) prescription, together with a mandatory preface summarizing the status and context of the site. More specifically, as a working basis, the format below is recommended:

ANNUAL MANAGEMENT PLAN

PREFACE

- Status and context of site

PART 1: DESCRIPTION OF THE SITE

- General information (location, summary description, tenure; maps, charts, photographs)
- Cultural information (Anthropological, ethnographic, archaeological, historical, art historical, architectural, technological, scientific)
- Environmental information (Climate, hydrology, geology, geomorphology, seismology, soils, man-made hazards)
- Interests (Land use and resource use history; Public and private interests, ownership pattern -Economic interests, including tourism)

PART 2: EVALUATION AND OBJECTIVES

- Conservation status of the site (World Heritage Site status, historic status; Indication of potentially damaging operations or threats; Resource definition and boundary)
- Evaluation of site features and potential: cultural values related to the original historical material and the archaeological potential of the site (authenticity of materials, workmanship, design and setting). Cultural values associated with the site (universal significance, memorial, legendary and sentimental values, relative art value, uniqueness). Contemporary economic values and use values.
- Identification and confirmation of important features: ideal management objectives; factors influencing management; operational objectives and management options - Conservation management options; use management options; study and research options; Education and interpretation options

PART 3: PRESCRIPTION FOR OVERALL SITE MANAGEMENT

- Projects; project identification, title, classification; project register.
- Work schedule (annual work plan; relationship of the annual plan to the medium- and long-term plans)

- Costs and staging of works

This recommended format represents the logical sequence in which the Site Management Plan should, ideally, be written.

MAINTENANCE PROGRAM

The maintenance programme is aimed at keeping the cultural resources in a manner that will prevent the loss of any part of them. It concerns all practical and technical measures that should be taken to maintain the site in proper order. It is a continuous process, not a product.

3.3.4 TOURISM MANAGEMENT

Tourism can be beneficial, tourism can be a threat or tourism can be a mixed blessing to Heritage sites. The key for protection obviously lies in planning, and management. From a beneficial perspective tourism can be the economic engine that provides employment and the financial resources to ensure site protection. As a threat tourism can lead to the deterioration of physical qualities as well as to social and cultural disruption. In most cases it is a mixed blessing.

Ecotourism has become the buzzword for nature based, soft, light, culturally and environmentally sensitive tourism. It is seen by many as a replacement for mass, sun, sand, surf based tourism. It is unlikely that this will occur. If it did occur, the numbers are such that ecotourism would no longer be soft, light, nor sensitive. The reality is however that both forms of tourism will continue to grow and it is unlikely that the former will replace the latter. What is required is tourism which respects, the ethical, environmental and economic issues which must be directly linked to all forms of tourism development.

Ethical considerations involve many factors, indigenous people their rights and their cultures, employment opportunities, training and education as well the distribution of benefits and costs. Essentially, the ethical principle would be to ensure that people living in or adjacent to the site would be given first opportunity to undertake new activities which are within their capabilities. Other ethical considerations involve the authenticity of presentations, displays and collected materials.

Environmental impacts may range from the long range transport of air and water pollutants, oil spills ,sewage discharges, acid rain, pesticides, agricultural fertilizers and water diversions. The need for facility development, can have a major impact on the environment particularly when small islands are the focal point of developments. Airports, hydroelectrical development and distribution, highways, hotels etc. may add to the local economy or may distort spending patterns by reallocating scarce resources away from schools and other community needs.

The day to day management of Heritage sites can take many forms from central governments to crown corporations to the private sector. The economic implications of each form of management requires a different set of guidelines. A general principle is that some share of the revenue generated should return to the site and that adjacent communities should also share in these revenues. This is of course an anathema to many central governments.

The following guidelines have been adopted from Guidelines prepared by Mr. A. Stirling of the National Trust, England and the Dakar workshop. Some have been modified (*).

- It should be a fundamental principle of any tourism development plan that both conservation, in its widest sense, and tourism benefit from it. This implies a relative understanding of the values of a site or area in a broad and comparative context. (*)
- Comprehensive tourist development plans are essential as the pre condition for developing any tourist potential. These comprehensive plans must set out clear management objectives which identify the values to be protected and outline the types of use which should be encouraged. Wherever possible explicit standards should be established and these should define the extent to which conditions will be allowed to change, if at all. (*)

- The best long term interests of the people living and working in any host community should be the primary determining factor in selecting options for tourist development. This implies a consultation process through which national, regional and local perspectives must be evaluated in full consideration of the resources upon which a proposed tourism development depend. (*)
- For all sites a management plan, considering the regional context, involving public consultation and local communities is an essential component of any comprehensive tourism plan. (*)
- Environmental Impact Statements (EIS) must be prepared for all major decisions allocating resources or development proposals as well as linking cultural and natural heritage resources within ethical perspectives.
- The design of new buildings, sites and transport systems should minimize the potential harmful visual effects of tourism. Pollution controls should be built into all forms of infrastructure. Where sites of great natural beauty are concerned the intrusion of man-made structures should be avoided if possible.
- Educational programs should assist and invite tourists to respect and understand the local way of life, culture, history, religion and World Heritage values. (*)
- Co-operation with the different stakeholders involved in tourism development should be sought and coordination for the promotion of the site must be ensured. (*)
- A significant portion of tourism revenue generated through fees and taxes should be applied for the benefit of the local community as well as for conservation. (*)
- A monitoring programme should be developed to ensure that on going activities are sustainable from an ethical , environmental and economic perspective.

A Tourism Management Plan usually complements and develops from the preparation of a Conservation Plan. The protection of the site's historical integrity, as set out in the Conservation Plan, will take precedence, but a balanced conservation programme need to allow for, and even encourage, appropriate public access in order to foster understanding and enjoyment of the site. This is the main task of the Tourism Management Plan. The Tourism Management Plan will provide guidance for the control of visitor access to the heritage site and the town, and the provision of visitor facilities aimed at catering for their needs whether for information, catering or retailing. The objective is to develop such proposals in a way that does not detract from the heritage and appearance of the area. The project is concerned with optimizing the development potential for tourism within the constraint of the conservation policies set out in the Conservation Plan. Any tourism facilities will need to be designed and constructed to the highest standards: " Good visitor management will reduce the need for expenditure upon promoting and advertising the heritage site: its attractiveness will become known to -and hence publicized by -the mass media. In many cases, there is a conflict of policy between site managers who want visitor numbers restricted so that sites are not damaged, and tourist boards or commercial interests who want to use the sites to attract visitors to the area.(from UNESCO Management Guidelines for World Cultural Heritage Sites, 1998).

Vandalism is another problem, often results from boredom, and, on cultural heritage sites, good presentation will make it less likely. Many other security problems can be resolved by good management, coupled with occasional firm policing. Unfortunately, tourism can cause excessive wear and tear; although there are no well-documented studies of damage by visitors, circumstantial evidence indicates it increases the cost of conservation. In holy places, visitors should be instructed to be quiet and to avoid flash photography. Smoking and litter disposal should be controlled, visitors should keep to paths and be forbidden to pick wild flowers and scrawl graffiti, (from UNESCO Management Guidelines for World Cultural Heritage Sites, 1998).

Techniques of visitor management can ensure that the sheer number of visitors does not detract from general enjoyment of the site, prevent a proper appreciation of it or cause physical

harm to historic resources. These techniques can also reduce maintenance costs and increase income.

Visitor management on Heritage sites involves establishment of a promotion strategy. Attention can be drawn to features that are not likely to be congested, and the preferred times of day to visit the most popular features can be indicated. Advertisements addressing the public, as well as local and international tour operators, can be confined to certain seasons, or to certain, selected categories within the mass media in order to influence the type of people who come. Reduced rates can be offered to bona fide groups interested in aspects of cultural heritage, and special privileges provided for genuinely educational parties.

Long queues for admission to facilities are undesirable since they reduce visitor satisfaction and congest the site and parking lots. A maximum capacity for visitors has to be established and not exceeded. In addition, the feeling of overcrowding can be greatly reduced by sensitivity in the use of visitor-management techniques, [\(from UNESCO Management Guidelines for World Cultural Heritage Sites, 1998\)](#).

In the specific case, between the principal aims of the Heritage Site Management plan, there is the promotion of the ancient town in his set, that will be the other attractive pole of the tourism, further on to the archaeological heritage.

The town assumes a central role in the tourist development policies and is towing element for the visitors.

The Jerash Tourism Plan Management Plan elaborate for the STDP from Scott Wilson, It's corresponding to the lines described above and foresees:

MAIN PLAN ELEMENTS

The brief for the preparation of the Plan should cover the following:

I) INTRODUCTION

The Tourism Management Plan will be one of the last considerations of the planning process and will recognizes the goals, physical limits and visitor opportunities inherent in all other aspects of the plan. The plan will address the following:

II) TRANSPORT TO, FROM AND WITHIN THE SITE

The consideration of the following will be undertaken within this section of the Tourism Plan:

- Air Travel
- Ground Transportation
- Special Site Transportation Systems
- Tour Buses
- Taxi Stands
- Independent Transportation
- Boats
- Access for Visitors with Disabilities

III) THE FULL RANGE OF GUEST SERVICES

In order to achieve customer satisfaction the inclusion of amenities and services is vital and it is important to bear in mind:

- Accommodations – hotels, guest houses, camping.
- Public services – potable drinking water, toilets, food service.

- Other – telephones, emergency medical services, post, rubbish disposal, photography.

IV) SITE TOURS AND TRAINING & LICENSING GUIDES

The skill and quality of a site tour can make or break the reputation of the site, therefore the selection, training, monitoring and motivation of guides will need to be carefully planned. It will also be necessary to develop a policy regarding the licensing of outside guides so that visitors have the best possible experience at the site. It is also important to consider the use of staff uniforms and tipping regulations within this section of the plan.

V) PROVISION OF TRAVEL INFORMATION AND INTERPRETATION

This section of the plan considers:

- Who are the visitors?
- What are they looking for?
- What should they see, learn and enjoy?

Based on this, the plan will describe all interpretative elements such as written materials, visual and graphic displays, exhibits, sensory and hands on experiences. This element of the plan should communicate particular themes and concepts that convey the essence of the site's significance. Whether or not the site advertises should also be established and the various advertising mediums will need to be evaluated to ascertain which medium suitably meets the objectives of the advertisement. The advertisement will need to be graphically appealing, historically informative, and succinct. The availability, quality, costs and content of the brochures, guidebooks, books and maps need to be well thought out so that information is provided efficiently.

VI) MUSEUM INSTALLATIONS, VISITOR PATHS AND INFORMATION SIGNS

The following types of signs will be considered:

- highway directional signs;
- signs around and on the site; and
- emergency signs.

For each type, care will be given to the size, design, graphic treatment, color and materials used in the signs.

VII) ADMISSION KIOSKS AND SALES OUTLETS

When thought is given to the admission kiosk the following will be taken into account:

- protection from the weather;
- location of the kiosk;
- reflection of the site's architectural character;
- supply of tickets and cash receipts;
- security for the ticket vendors; and
- control of visitors wishing to enter/leave/re-enter.

With regards to sales outlets, this section of the tourism management plan will reach a conclusion as to what is sold, who sells it, what price and what happens to profits.

The implementation of this project will require the completion of the Preparation of Terms of Reference.

As regard the benefits, these will accrue through:

- improvement of the quality of the archaeological site through higher standards of conservation and tourism management;
- improvement of the visitor experience leading to a higher profile and prospect of increased attendance;
- scope to include the town of Jerash within the 'tourism product', thus spreading economic benefits to a higher proportion of the local population;
- scope to increase the revenue raised from admission prices and ancillary facilities.

3.3.5 COMMERCE MANAGEMENT

From the City Consultation Workshop in Madaba, December 6th, there was the request to ensure coordination in the issue of **commercial licenses** to avoid the concentration of too many shops of the same kind in the same street/part of the city.

Moreover, each Municipality should be provided with a Commerce Management Plan to address and solve the problem represented by the excessive concentration of commercial activities of the same nature in the same area.

The plan should rationally establish criteria and parameters for issuing trade licenses, in strict coordination with the general development objectives of every part of the city.

In each Municipality should be set a Trade Committee which would be responsible for the preliminary exam of any request for trade license before it is issued.

3.3.6 AESTHETIC CODES AND CONSERVATION

Provided that the urban areas interested by the revitalization plans are located in historic city centers, it is recommended that reference be made to best practices derived from the Italian historic cores management experience. These references should always be seen together with the Jordan National Building Law no. 7/93, namely the Urban Aesthetics code (III-20).

A series of useful recommendations for the treatment of the building elevations could be derived from the Italian legislation concerning the colours of the buildings facades. It is worth pointing out here that these recommendations are easily applicable in Jordan, where the colour of the buildings is mostly determined by the colour of the stones that are applied in facade by law and in alternative only the white paint is allowed (exceptions to this indication are rare).

In Italy, the **Colours' Plan**, as well as the **Urban furniture Plan** and the **Green management plan**, are instruments that Municipalities employ to reach a better building quality and the respect of the various local traditions also keeping into account the complex cultural and historical pattern of the territory.

THE COLOURS' PLAN

Based on the results of the research conducted on the existing buildings the Colours' Plan prescribes and defines:

- The chromatic elements that must characterize the external portions of both existing and new buildings in specific parts of the territory;
- The most appropriate techniques and materials to obtain the prescribed chromatic results;
- The colour and the materials and the required accessories for roofing.

Main objectives of the Colour Plans are:

- To exploit the physical scenario of the city;
- To protect and to maintain the built patrimony and heritage;

- To secure the interpretation and the identification of the layers of the various urban fabrics.

The Colour Plans are implemented by:

- Directing and controlling each colouring, cleaning of elevations and urban furnishing items that participate to enhance the quality of the fronts (frescoes, gates, frames, balconies, iron grids, etc.);
- Designing specific and detailed plans for the areas of particular interest;
- Designing detailed painting and covering executive plans;
- Designing the colours project by zones, areas and buildings.

Rules for the implementation of the Colour Plan must include:

- Classification of categories of intervention;
- Identification of the typologies of the existing built Architecture;
- Identification of the admissible interventions and/or of compatible decoration, with respect to the categories above indicated;
- Clear definition of the interventions that are forbidden.

The methodology used in the formulation of the Colour Plan must be based on:

- Historic research about the original colours of the buildings examined based on documented archivist/bibliographic sources;
- Systematic survey, supported by an 'ad hoc' designed "colour palette" displaying the colours of all the building facades;
- Treatment of the colours data surveyed to formulate statistical palettes and histograms concerning the most significant chromatic data such as: most recurrent colours; colour combinations; etc.

Following is an itemized *check list* of documents which are considered extremely useful to provide a complete picture concerning the analysis of colors and clear indications for the maintenance and conservation works.

1. Historic research
 - 1.1 Archive sources
 - 1.2 Bibliographique sources
 - 1.3 Oral sources
 - 1.4 Iconographic sources
2. Geological research (materials employed in the facades, roofs and floors)
 - 2.1 Lapideous materials
 - 2.2 Pottery materials (bricks, roof tiles, etc.)
 - 2.3 Wooden materials
 - 2.4 Turned off limes
 - 2.5 Sands, ecc.
3. Urban fabric research (current law concerning the facades, roofs and floors)
4. Photographic survey
 - 4.1 Facades (elevations)
 - 4.2 Roofs
 - 4.3 Floors
5. Graphic survey of the most significant facades
 - 5.1 Current aspect
 - 5.2 Level of conservation
 - 5.3 Restauration works

6. Chromatic survey
7. Facades data recording based on standard e-cards
8. Colours palette distinguishing by category of materials
9. Types Colour combinations
10. Typologies of facades
11. Chromatic map
 - 11.1 Current state
 - 11.2 Project
12. Thematic legislation

THE URBAN FURNITURE PLAN

The urban furniture plan consists of a comprehensive and coordinated design of urban spaces, realized also by making use of the results of specific analysis studying the existing situation.

The plan defines the functional, dimensional and formal characteristics of the equipment, artifacts and objects placed on the public land, such as: fences, rails, pavements, benches, shelters, street lamps, vertical and horizontal commercial signs, kiosks, and others. The normative prescriptions are predefined to secure the aesthetic coordination of the various urban furnishing elements and to harmonize the interventions with the environmental characters.

Moreover, the plan must be prepared in compliance with the current regulations to ensure the accessibility of people with disabilities.

THE GREEN MANAGEMENT PLAN

The management plan for the green is an instrument for the protection, control and planning for the maintenance and the creation of public green areas (parks, gardens, etc). The very peculiar Jordanian environmental and climatic features impose an even higher attention to this important urban component.

The urban green areas are in fact a compound of green spaces, both public and private, placed at the service of the urban settlement. In the phase of urban planning green spaces should be reserved the same attention dedicated to the other urban spaces; it is necessary to take care of the congruity existing between settled urban spaces and rural spaces, organically connecting them.

Further than performing aesthetic functions, the urban green spaces contribute to composing the urban landscape and to reducing the pollution in the urban microclimate.

REFERENCES

Best practice references in Italy:

- [Comune di Mirandola,\(Modena\), Revitalisation Plan for the Historic City Centre, March 2004; \[www.comune.mirandola.mo.it\]\(http://www.comune.mirandola.mo.it\)](#)
- [Citta' di Torino, Servizio Centrale Consiglio Comunale, Raccolta dei Regolamenti Municipali, Regolamento Piano del Colore, March 1997; \[www.comune.torino.it/regolamenti\]\(http://www.comune.torino.it/regolamenti\)](#)
- [Colours' Plan for the Historic City Centre of the Municipalità of Prato \(FI\), Normativa del Colore, September 1997; \[www.comune.prato.it\]\(http://www.comune.prato.it\)](#)

3.4 RECOMMENDED MANAGEMENT PROCEDURES – BEST PRACTICE

3.4.1 THE SERVICES CONFERENCE

It is considered appropriate to mention here a new procedure introduced in the Italian legislation during the '90s to reduce the time needed for the approval of complex projects and avoid administrative delays that produced unsatisfactory results.

The *Conferenza dei Servizi* (Services Conference) established with Law no. 241/90 improved with Law no. 340 dated 24.11.2000 has as an objective to submit to the **preliminary assent** of the concerned local and national authorities the final project of the planned interventions under the urban, landscape, environmental, etc. aspects and all it is needed to obtain the definitive approval of the project.

It is basically the conference of the public administrations' that gather around a table all the concerned authorities to better address and solve the problems as well as to confront on common issues, simplifying and rationalizing procedures. Under the structural view point, the service conference represents a particular procedure that has the connotation of an "administrative agreement" that implies a responsibility of all the involved administrations.

The service conference is organized in two macro phases.

The first phase is the **examination phase**. On the basis of the preliminary project, the Authorities responsible for the protection of the Environment, the Landscape, Historic and Artistic Heritage and Health express the conditions and the elements needed to obtain, afterward, all the necessary acts of **assent** needed at the time of the approval of the definitive project.

The second phase is the **decision making phase**; it coincides with the approval of the project under the Urban. Environmental, etc., view point.

Both the creation and the conclusion of the services conference are widely announced and publicized to the citizens through publication of banners, advertising and other official communication where date and place where the project is deposited are clearly stated and anyone can access the entire project dossier.

The services conference was introduced to ensure that the exchange of information between Public Administrations be as quick and efficient as possible. A very elastic instrument that implies an intense earlier dialectic phase aimed at reaching the best result, with all the needed accuracy to ensure the protection of the variety of public interests that are the mandate of the various Administrations represented at the Conferenza, in a shared respect of the specific competences of each of them.

In case the results of the "Conferenza dei Servizi" would determine the need for a change in the Urban Planning instruments (Master plans, etc.) the determination would represent a proposal for variation of the previously existing rules. A variation to the rules that the Municipal Council must react to in either way (approving or refusing it) maximum after 90 days, after taking into account observations, proposals and oppositions formulated by those entitled.

If the Municipal Council does not express a position to the change after 90 days would imply the **automatic approval** of the determination of "Conferenza dei Servizi" to change the Urban Planning Instrument in line with the determinations of the "Conferenza".

It is important to underline the relevance of the "Conferenza", since it introduces a decision making and approval process on a variation to the current urban plans that is definitely more expedite than the ordinary Urban Planning instruments (Master plans, etc.).

The Conferenza dei Servizi is an instrument that revealed to be very effective, for example, in cases where the current Master plans indicate a land use destination that is in contrast with that proposed by the projects. In fact, the decision taken at the "Conferenza dei Servizi" substitutes to all extents the ordinary procedure for the approval, authorization, concession, etc. normally competence of the Public Administrations participating at the "Conferenza" (or anyway, invited to participate in it) for every kind of variation introduced by the approved project.

3.4.2 PREFERENTIAL LANE FOR APPROVAL OF PROJECTS

It is recommended that a preferential lane be established for the approval of the licenses requested within the area of intervention to allow a rapid approval of packages (action projects).

For more complex projects it is suggested to consider making use of the system of the "Conferenza dei Servizi" described above, while, priority should be given to all the requests for licenses and authorizations for interventions that are to be implemented within the perimeter of the revitalization plan and are coherent with it

3.4.3 ACQUISITIONS

"The extreme centralization in the field of cultural heritage conservation is not serving safeguarding the heritage any more. Moreover it is seen now as an obstacle in the way. Conserving the archaeological heritage is not and should not be only the responsibility of the state. More active role must be given to the private sector and local communities not only through public awareness campaigns, but by the means of real measures towards establishing a real partnership between all concerned parties. Involvement of private sector and the local communities should be justified not only culturally, but economically and socially.

Land-use and land-ownership is one of the severe problems in the field of archaeological conservation and management in Jordan. The dependence on purchasing antiquities movable or immovable is getting the Department of Antiquities into dead end. A huge "shopping list" of lands acquired by the Department with a total sum of more than 15 million US dollars (this constitutes 6-7 times more than the Departments' annual budget) is a heavy burden on the Department. Under time and mostly money pressure many sites have been given away either with no excavations or at best with limited excavations and no funds for analytical work and publication.

Another major drawback of present laws is the heavy dependence on expropriation as a major tool for the protection of archaeological sites. All the responses to the aforementioned challenges should be reflected through substantial changes in the Law of Antiquities of Jordan."(Arch Leen A. Fakhoury, Jordan University)

"Under current legislation, there is no periodic review of the approved land use designations. There is a legal right to develop up to the specified density and scale in perpetuity. Any revision of the regulations in specific sites, for example to protect an area around a historic building, would require the payment of compensation to the landowner for the difference between the value of the revised development and the previously permitted development or the acquisition of the land at an agreed market value". (Scott Wilson).

In addition and completion of the existing legislation **concerning expropriation of lands** for public utility it is desirable to introduce different criteria that allow the acquisition of the lands making reference to legal procedures that are alternative to the expropriation.

In the Italian experience, the implementation and management of the urban plans "can" be performed through the introduction of alternative means of equalization.

Compensation policies can be introduced in the case of bound areas when the owner can sell her/his land to the concerned institution for the same price it was worth to be paid before the bond was applied, or, the owner can chose to transfer the right to build on another land of its property, or, in alternative the owner can barter the land turned to be of public utility with another land owned by the concerned institution.

Finally, the land owner can chose to directly realize and manage the interventions of public utility.

3.4.4 PREPARATION OF TERMS OF REFERENCE FOR THE DESIGN OF PROPOSED ACTIONS

It is recommended to make reference to the following structure for the preparation of technical Terms of Reference for contracting A/E services in the framework of the implementation of project actions.

BACKGROUND

- 1) Identification of the promoters of the intervention and of the available funds to access;
- 2) Definition of the context (socio - political – cultural) of reference where the intervention will be realized;
- 3) Reference to development policies eventually already under implementation in the territory impacted by the intervention;
- 4) Reference to studies and research concerning the areas and/or buildings impacted by the action to be implemented.

RATIONALE FOR THE PROJECT

- 5) Identification of the reasons that are at the basis of the project.
- 6) Definition of the historic and cultural role and the current use destination of the areas and/or buildings involved in the action under implementation.
- 7) Identification of the expected improvements introduced by the implementation of the project both at the urban and at the architectural level.

SPECIFIC OBJECTIVES OF THE PROJECT

- 8) To define the project objectives.
- 9) To identify the relations/repercussions between the project and the city socio economic development (involved portion of territory).

PROJECT DESCRIPTION

- 10) Main project components (for example: culture, tourism, heritage conservation).
- 11) Detailed description of the physical components of the project. State clearly the physical limits of the project area.
- 12) Prescriptions to ensure the environmental sustainability of the project (taking cultural property and landscape into special account).
- 13) Economical framework of the project.
- 14) Regulatory framework. Check-list of the technical norms and regulations the project shall comply with.

DETAILED TASKS TO BE PERFORMED BY THE CONSULTANT

- 15) **Concept design development.** This stage should also include all the required diagnostics and surveys (historic, archaeological, topographic, architectural, soil investigations, etc.). List the expected resulting documents by discipline, stating the expected/prescribed drawing scales.
- 16) **Scheme design development.** List the expected resulting documents by discipline, stating the expected/prescribed drawing scales.
- 17) **Preparation of bidding documents.** The bidding documents shall be prepared according to the World Bank «Standard bidding documents/procurement of works» (may 2004) or « Standard Bidding Document/Procurement of Works/Smaller Contracts» (may 2004). List the expected resulting documents by discipline, stating the expected/prescribed drawing scales.
- 18) **Works supervision.** State the objectives, activities and expected results of the work supervision activity.
- 19) Other tasks, such as technical assistance, should be listed here.

KEY STAFF

- 20) Identification of a team of experts to design, manage and supervise the proposed interventions. Every position should be clearly defined, stating the general professional qualification and the specific experience required.

REPORTS, BUDGET AND TIME SCHEDULE

- 21) State clearly the language of the documents, the format (electronic media and/or hard copies) and the number of copies for the submittal.
- 22) State the budget of the services expressed in man-months.
- 23) Present a table of the duration of the tasks and of the intermediate and final approvals.

3.4.5 CULTURAL DISTRICT

Cultural Heritage valorisation became a process increasingly associated with the process of conservation. This process of valorization is part of a wider logic which aims to achieve the promotion of a specific territorial basin with the overall objective of giving emphasis to the local most unique resources. The expected result of this policy is to transform these resources into an engine for local development using their capacity of attraction on the potential visitors.

The concept of Cultural District, defines a general pattern for local development tending to combine the valorisation of the cultural asset of a specific territory with the process of valorisation of all the other resources including: environmental resources, cultural events as well as products of the tangible and intangible heritage of the same area.

By merging into Districts, the Territorial areas with a homogeneous cultural identity could set the objective of creating a shared programme for the valorisation of their territory, as well as, for the enhancement of the quality of their cultural 'offer'. A new integrated promotion addressed to cultural tourism will be achieved as a result.

Cultural Heritage would then undertake a key role within the Territorial basin they are located in and be able to attract resources and investments that are external to the local socio economic fabric.

The push towards the creation of a Cultural District arises from the intention of creating a cultural offer very well identified, under the same label, symbolising the uniqueness of the offer seen in its overall values and authenticity

The label (identifying the Cultural District) will reflect a strong integration between the unique components of cultural sector and those of the other sectors directly related to it, including among them:

- Territorial identity: Environmental resources, the cultural itineraries, the hosting structures (hotels, guest houses, etc.)
- Communication concerning museums, theatres, publications (and in a wider sense visibility programmes)
- Academic culture as well as training (professional/vocational)
- Handicraft and specialised schools
- Traditions
- Eno - gastronomic culture (traditional food industry)
- Traditional fairs, events and local performances related to the Cultural District

The main objectives in the development of the Cultural Districts would focus on the 'sustainable' urban/territorial revitalisation especially in particularly degraded areas. However, in this process a number of mechanisms need to be introduced to create a new trend aimed at transforming the mostly unproductive interventions on cultural heritage, into 'new cultural en-

terprises' able to create new economic opportunities for the local communities.

These "enterprises" must combine both cultural activity with managerial skills to make it possible for the economic management turning them into a qualifying factor to be taken as a reference at the wider possible territorial scale.

Cultural Districts in Italy were turned into a development model that in recent years gained great credit among the field experts. Specific strategies for the creation of Cultural Districts have been introduced in UK and other European countries as well as in North America. Strategies finalised to start development processes mostly aimed at the revitalisation of degraded or underutilised urban areas in critical conditions.

The activity of the Cultural Districts should be supported by an adequate legislation setting the following principles and criteria:

- Cultural Districts should be promoted by both private and mixed private/public subjects, and they should be impact homogeneous cultural heritage areas in need of particular care for both their protection and promotion, Cultural Districts that can be integrated within the Tourist network;
- Cultural Districts must be set with the main objective of promoting the protection and conservation of Cultural heritage as well as the promotion of cultural tourism;
- The best modalities to promote protection and conservation of cultural heritage, as well as its promotion should be studied by a committee that must be integrated by representatives from public institutions, governmental agencies, religious institutions, private sector as well as NGOs and other representative of the cultural districts' communities.
- Each district could decide, to participate in national organisations highly representative in the field of culture;
- The income generated by the entrance fee paid by visitors to Museums, archaeological parks and sites, and Cultural heritage as a whole can be used in some cases to financially support the cultural districts.

Following is a study case implemented in Italy that can be used as a reference:

Lazio Regional Authority, in cooperation with the European Commission, in 2004, launched a project for the creation of eleven cultural districts in the region. The project was implemented within the framework of the Innovative Actions of The FESR 2000-2006 (CCI 2001 IT 16 0 PP 144, INN-GOVERNANCE). A complete documentation is available on the web site: www.filas.it