

A Study On The Urban Transformation Project Format Done By The Leadership Of The Local Governments In Turkey

Hasan Cagla and Saban İnam, Turkey

Key words: Urban Renewal, Local Governments, Participation

SUMMARY:

The planning agenda of Turkey has been focused on urban transformation since the 2000s. The current laws after 2004 were changed all of the statements on the urban transformation of the country.

Today, urban transformation has been perceived as an era of revision of the approaches for urbanization, forming continuous and healthy places in a city, giving a new content to the current reconstruction plans by revising the plans and their applications.

To realize an urban transformation project, legal and administrative instruments, financial opportunities, staff and the institutions which will apply the project has a great importance.

In our country, in order to realize the urban transformation projects, a strategy plan in national scale, and a legal arrangement with institutional structure related to the plan and a fund are needed.

In this study, suggestions will be put forth about the transformation projects which will be carried out by the leadership of the local governments with the participations of the civil society institutions.

Türkiye’de Yerel Yönetimler Öncülüğünde Yapılan Kentsel Dönüşüm Projeleri Üzerine Bir İnceleme

Hasan Çağla, Şaban İnam, Türkiye

Anahtar Kelimeler: Kentsel Yenileme, Yerel Yönetimler, Katılım

ÖZET

Türkiye’nin planlama gündemi, 2000’li yıllardan başlayarak kentsel dönüşüm üzerinde odaklanmıştır. 2004 yılından sonra devreye giren yeni yasalar, ülkenin kentsel dönüşüm üzerine olan tüm söylemlerinin değişmesi sonucuna yol açmıştır.

Günümüz dünyasında, kentsel dönüşüm, kentleşmeye yönelik yaklaşımların yeniden gözden geçirildiği, sürdürülebilir ve sağlıklı kent mekânların oluşturulması, mevcut imar planlarının ve uygulamasının gözden geçirilerek yeniden içerik kazandırılacağı bir dönem olarak algılanmaktadır.

Bir dönüşüm projesinin gerçekleştirilebilmesi için yasal ve yönetsel araçlar, mali imkânlar, personel ve uygulayıcı kurumlar büyük önem taşır.

Ülkemizde kentsel dönüşüm projelerinin gerçekleştirilebilmesi için ulusal ölçekte bir strateji planı ve plana bağlı olarak kurumsal bir yapı ile yasal düzenlemeye ve bir fona ihtiyaç vardır.

Bu çalışmada, yerel yönetimlerin öncülüğünde yapılacak, kentsel dönüşüm projelerinin, sivil toplum kuruluşlarının birlikteliğinde, bütüncül bir çerçevede, dönüşüm projelerine katılımı üzerine öneriler getirilecektir.

1. INTRODUCTION

The planning agenda of Turkey has been focused on urban transformation since the 2000s. The current laws after 2004 were changed all of the statements on the urban transformation of the country. Law no. 5216, “Metropolitan Municipality Law”, law no. 5393, “Municipal Law”, law no. 5162, “Collective Housing Law”, law no. 5366, “Renovation and Utilization of Deteriorated Cultural Properties” and the “General Regulations on Production, Appropriation, Renting and Selling of a Land” defines the new application tools of presenting house and business places.

The concept of the urban transformation emerges with full of positive meanings at first because of dealing with the cities and metropolitan areas which are formed unplanned and out of control.

It is known that the unplanned and uncontrolled area development has created negative life and sheltering conditions for the poor class dwellers and it is also known that transformation projects would provide certain improvements.

Today, our cities have been deformed due to the intensity of over population, economical conditions, social unconsciousness, wrong places selection, and supply- demand trends. The deformation which is seen in our country as in the world, is not only observed in the developing countries which are still having pains of urbanization, but also in the developed countries which have been living the rapid transformation process since the 19th century. The collapses in the cities because of the various factors forced some the circles to find out the solutions. The concept of the urban transformation (renewal) was put forth as a solution for the result of the searches (Çakılcıoğlu ve Cebeci,2003).

2. THE AIMS OF THE URBAN TRANSFORMATION APPLICATIONS

In a general aspect, urban transformation is expressed as changing, transforming, improving or regaining the city by regenerating the urban structure, which become old, dilapidated, deserted or abandoned in some cases in time because of different reasons, by taking the socio-economic and physical conditions into consideration (Özden,2001).

Historical cores of the city, industrial and storing areas which were built for a certain purpose at once, and abandoned in time, authentic neighbourhoods and similar places of which structures and dwellers were changed has been losing their functions, abandoning to dilapidate and vanishing in urban area.

Urban transformation projects having the aim of forming healthy cities, includes:

- a) Transformation of the unlicensed building areas,
- b) Transformation of the dwelling or other using areas which are situated at inconvenient places where directly affected from the natural disasters,
- c) Transformation of the business areas of which usage is inconvenient in the city centre,
- d) Transformation of the featureless, unhealthy areas and areas which are out of the city standards,
- e) Transformation of the historical places which lost their characteristics, and the protection places.

Urban change and transformation which is lived in settlements in today's world and a process has been perceived as an era of revision of the approaches for urbanization, expressing the formation of healthy and continuous places, and giving a new content to the current reconstruction plans and their applications (Akar,2006).

Understanding the importance of the relation between the historical and cultural inheritance, and economical development, caused urban conservation to become the most important thing in urban transformation since 1990's. Regeneration projects aimed urban conservation especially in European cities in last term was determined to perform in four areas:

- Regeneration of the deserted historical places,
- Regenerating the historical centres,
- Regeneration of the industrial and trade areas which have historic value,
- Protection of the small and medium historical cities (Drewe, 2000).

Transformation process in cities which have a dynamic structure has developed in different periods and in different ways. In many countries different intervention styles have seen in different times related to the transformations. All these interventions have done for removing the deformation in cities (Kara,2007).

It is observed that when the solutions for the different transformation projects applied by the local governments in Turkey, the transformation problems generally reduced to transformation of the physical place whereas its economical and environmental aspect were neglected. However, urban transformation can be successful when it is considered with a comprehensive and total approach with not only transformation of the physical area but also providing the social development, economical improvement, protecting the natural balance related with the environment and its continuity.

3. INFLUENCE OF THE NEW LEGAL REGULATIONS ON URBAN TRANSFORMATION

To realize a renewal Project, legal and administrative tools, economical opportunities, staff and applicator organization are very important (Özden,2001).

Laws which are the base of the applications in urban areas in Turkish Republic are given in chronological order below:

The Buildings Law dated 1883,

1956 dated law no. 6785 Reconstruction Law,

1983 dated and law no.2805 and 1984 dated and law no.2981 Procedures for the buildings against the Reconstruction and Shanty Law and the law amending an article of law no.6785 Reconstruction Law,

1985 dated law no.3194 Reconstruction Law,

1989 dated law no.3542 the law amending law no. 3194 Reconstruction Law,

2003 dated law no.5006 the law amending law no. 3194 Reconstruction Law,

The laws above are all about the reconstruction and urbanization, and they were aimed to solve the problems of the reconstruction of the country and to present best living places, and the laws put their extent to basis of the needs. But, the laws including reconstruction in its content for Turkey which performs continuous change in the development line are far beyond the expectations in short periods and they are needed to be changed or renewed (İnam, Çay and İşcan, 2004).

The first application method about regenerating the shanty areas and gaining them to the urban plot market in Turkey are the improvement reconstruction plans. The Improvement Reconstruction Maps includes the areas which is ex officially done or given to contractor by the governorship or municipality to make reconstruction areas apt to improvement reconstruction plans including the areas which consist law no. 2981 Procedures for the buildings against the Reconstruction and Shanty Law and the law amending an article of law no.6785 Reconstruction Law, in this areas cleaning, bringing the substructure and parcellation are in the responsibility of the municipality where the new settlements can be determined after the agreement between the shanty and the contractor (Uzun and Çete, 2006).

The first step towards preparing the basis of the legal concept of the urban transformation began with the regulation regarding the article 73 “Urban Transformation and Development Area” in Municipality Law, law no. 5393. By this regulation, very important management authorization was given to the local governments (İnam and Çağla,2006).

The urban transformation projects which started to gain importance in the agenda of the cities after 1980’s become an important tool for the local governments. The urban transformation projects are very important for regenerating the deserted areas and producing healthy life areas in place of the shanty areas. But, what a pity that the urban transformation projects has been turned into income source for the local governments and different benefit groups instead of its aim must be regeneration of the economical, social, physical and environmental structure of transformation areas. This situation causes occurring unhealthy urban environment. In recent years, intensive arrangements in the laws helps urban transformation projects to reach its aim of regenerating the economical, social physical and environmental structure.

4. THE LOCAL GOVERNMENTS AND THE URBAN TRANSFORMATION

The local government system in Turkey composed of province, city, village and units which means functional corporations. In the first rank, there are municipalities which are the administrative units of cities and the mukhtars (the elected head of a village or of a neighbourhood within a town/city) of the villages which are the administrative units of the country settlements. In the second rank there is special province administration in the province. Local government corporations are structures instituted among the three administration type for one or more objectives. There are 81 special province administrations, 3.226 municipals, 35.000 villages and nearly 1.079 local government corporations took part in Turkey (URL1).

Local governments are autonomous units according to the laws. They service not under the hierarchical control of central government but the tutelage control. The content and the borders of the tutelage of central government on the units have to be determined clearly. Developing a policy, planning, coordination and guidance in the relationship between the central and local governments constitute main axis.

Besides the changes in places where the regeneration is taught to take place, people living in that neighbourhood also have inevitably had partly great changes in their lives. In this respect, urban regeneration is a type of planning which the dwellers of the city can / must take part mostly. In general, urban regeneration is made for the dwellers to have better life conditions and to remove and reduce the problems of place and even the social problems. The aim here is not to force the people in regeneration area to move another place but gain them in the regeneration process.

The applications which are done ex officio by the municipality or the governorship have been continuing according to the 18th article of the law no.3194 reconstruction law which was regarding to regeneration and making reconstruction plots for place in cities (Uzun, 2006).

Law no.5393 dated 2005 Municipal Law regarding transformation and regeneration in urban areas has provided a big opening in application. The 73rd article of this law gives authorization to the municipalities to restore and regenerate the old part of the city suitable for the development of the city, to constitute housing sites, industrial and trade areas, technology parks and social equipments, or to take precautions for the earthquake risk or to protect the historical and social structure. According to the article of the law, the municipality may apply urban transformation and development projects to restore and regenerate the old part of the city apt to the development of the city, to constitute housing sites, industrial and trade areas, technology parks and social equipments, or to take precautions for the earthquake risk or to protect the historical and social structure.

The areas which are subject to the urban transformation and development are declared with the decision of the absolute majority of the members of the municipal assembly. In order to declare a place as an urban transformation and development area, the area must be in the borders of the municipal or the neighbouring area and it must be at least 50.000 meters square.

It is essential to negotiate on vacating, pulling down and nationalization of the buildings in the urban transformation and developing Project areas. The trials which will be brought by the property owners contained by the urban transformation and development projects are discussed and decided primarily at courts.

Urban transformation projects are long term projects. For that reason, although institutional structures change, constitution and continuity of the running corporations between the different interest groups must be carry on. Another important factor to continue the urban transformation projects is the possession of the projects by the interest groups and carrying on the common effort.

Planning system of the urban areas in Turkey has a structure which follows the housing and not flexible, has large extent planning management which can't provide enough participation and activity. In this aspect, planning has been used as a tool on missing the historical arts and the source of common life, developing the areas without equipments, in the process of horizontal and vertical intensity, making the illegal improvements to be legal (Koç and Gül, 2003).

Transformation process in cities which have a dynamic structure has developed in different periods and in different ways. In many countries different intervention styles have seen in different times related to these transformations. All these interventions have done for removing the deformation in cities. A rapid urbanization process was lived after 1950s in

Turkish cities. In 1980s urban transformation was started to be important besides rapid urbanization in big cities like İstanbul, Ankara and İzmir (Kara,2007).

Today, in all developed countries, urban transformation applications are the most important matter of agenda of the local governments. It is time to act in this subject in our country which is developing rapidly.

In our country, in order to realize the urban transformation projects, a strategy plan in national scale, and a legal arrangement with institutional structure related to the plan and a fund are needed. In order to realize regeneration projects in an area, some institutional and non-institutional organizations are needed towards the strategic plans prepared in district level by the leadership of metropolitan municipalities. Organizational schemes about the transformation projects in the areas where urban regeneration will be done are shown in Figure 1 and Figure 2 (Göksu,2004).

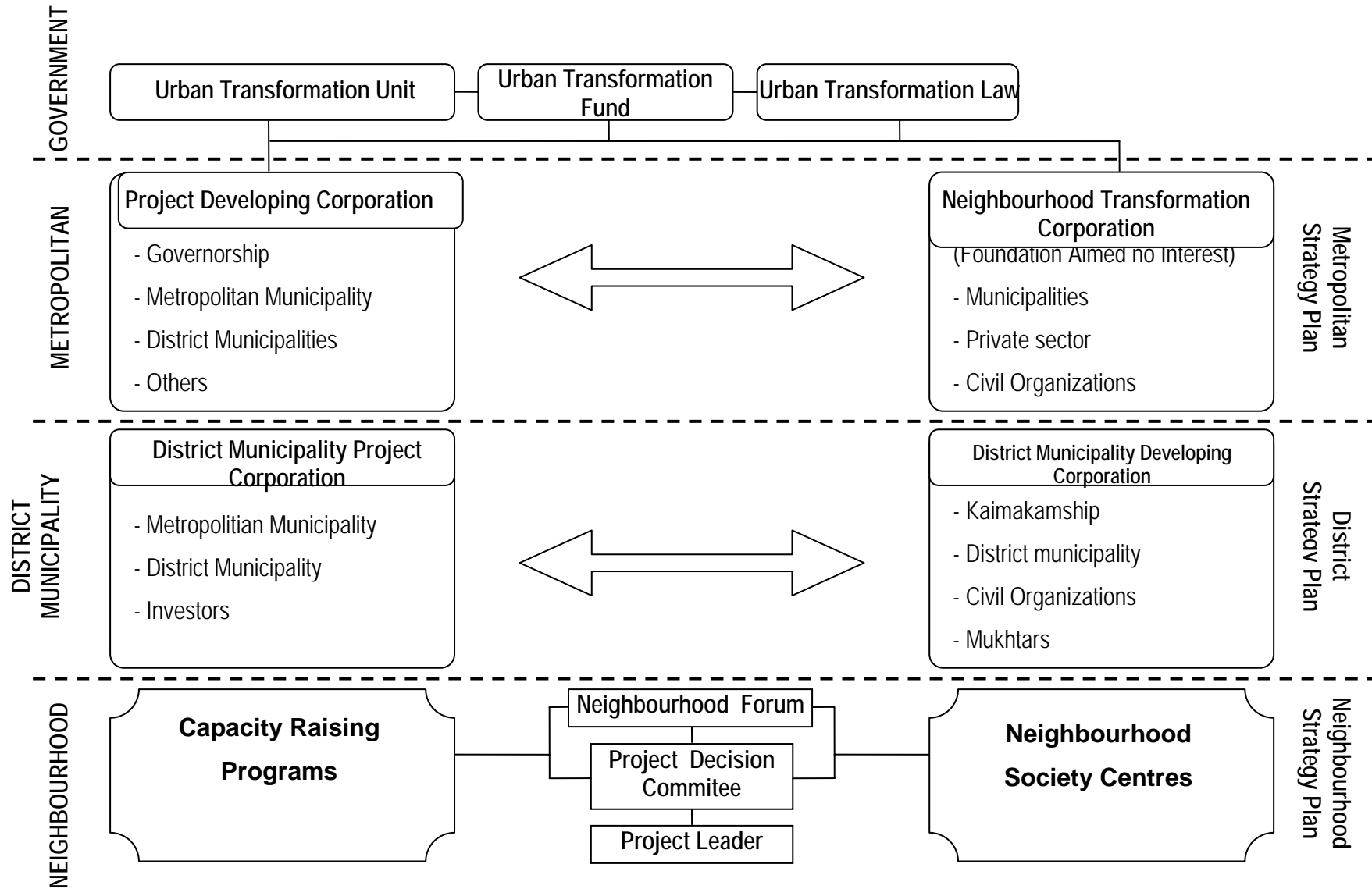


Figure 1. Institutional Structure in Urban Transformation Project

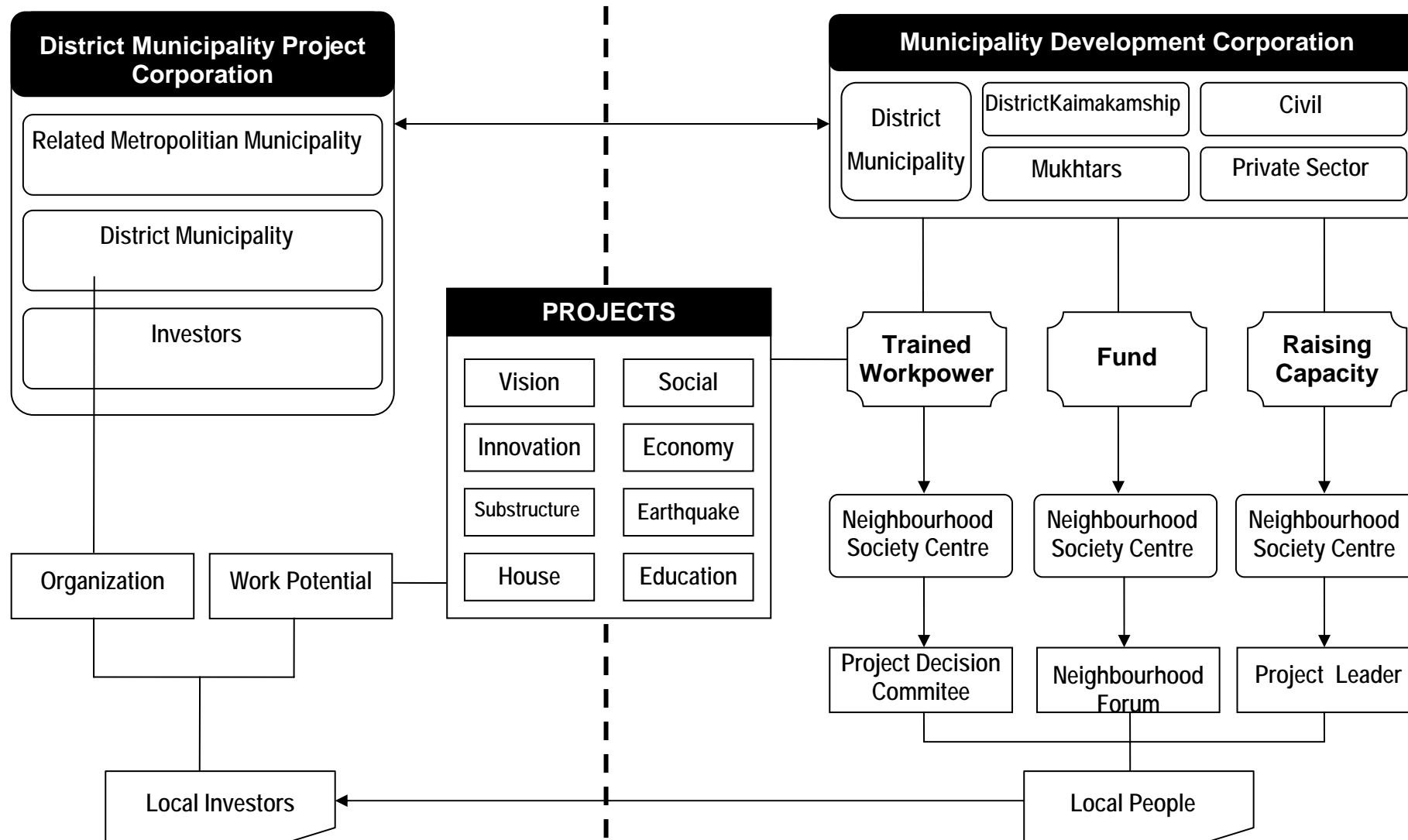


Figure 2: District Municipality Association Model and Participation

5. CONCLUSIONS AND SUGGESTIONS

It is necessary to regain the urban pieces which lost their functions and/or became old and dilapidated, and has a potential value in spite of their unhealthy structure and comfort conditions, towards social and economical programs, and with the contribution of the related actors.

The objective is to form all of the settlement areas in a healthy, secure way towards the continuous development principle that obeys the rules of science, technique and art, to provide the regeneration of the areas in urban standards and resistant to the disasters, and for this purpose, to open new settlement and development areas, producing cheap houses and building sites by determining the social participation based principles and bases of the regulations and the application methods.

Demographic, environmental and sociologic content must be defined in every urban transformation project.

While this process was being performed, physical reconstruction plan and their application to ground and current cadastral layouts will be renewed, the state of property usage will be updated and urban places will be formed where people can live. In this aspect urban transformation must be used as an important tool in raising the quality of physical environment by handling the cities again with renewal understanding. As urban transformation is very important for constituting continuous cities, those who are related with the subject must take part together. Those are:

- The local people committee who are chosen from dwellers must take part in consulting service.
- Technical committee consisting Surveyors, City and Region Planners, Architects, Economists, Environmentalists and Lawyers must serve as a consultant to local governments.
- Representatives of local governments who have responsibilities on the application and control of the plans.
- Central government representatives who are responsible for controlling the local government.
- Civil Society Institutions (Associations, Charities, Unions) and property owners (Çağla,2007).

Besides, being a specialist on their subject for the members of the reconstruction commission working for the municipality must become an obligatory; the municipalities must constitute “Contractual Consultant Institution”; the lack of technical application staff and equipment must be removed.

As a result, the study of “ The Urban Regeneration Projects” must be evaluated which shows the complex urban transformation problem on determining of which models can be used with the contribution of the central government, related profession chambers, academics and our citizens in a whole aspect can be handled out, and in which extend the certain action areas can be determined.

6.REFERENCES

Akkar,Z.M., Kentsel Dönüşüm Üzerine Batıdaki Kavramlar,Tanımlar,Süreçler Ve Türkiye, Planlama TMMOB Şehir Palancılar Odası Yayını, 2006/2 ISSN 1300-7319,s 29-38,2006,Ankara

Çağla,H., Kentsel Dönüşüm Çalışmalarının Mülkiyet Kullanımına Olan Etkisi Üzerine Bir Araştırma Ve Konya Örneği,S.Ü FBE Yüksek Lisans Tezi,2007,Konya
Çakılcıoğlu, M.,Cebeci, F.Ö., 2003, Kentin Çöküntü Alanlarında Uygulamada Yetersiz Kalan İmar Planlarının Yerine Alternatif Planlama Süreçleri. Kentsel Dönüşüm Sempozyumu, 11-13 Haziran, İstanbul.

Drewe, P. European experiences.Peter Roberts ve Hugh Sykes (der.) *Urban Regeneration*,2000, London, Thousand Oaks, New Delhi: Sage. 281-293

Göksu, A.F., Zeytinburnu Kentsel Dönüşüm Projesi ve Katılım Modeli, 2004, İstanbul, www.kentselyenileme.org,2007

İnam,Ş.,Çağla,H., A Research On The Contribution Of Urban Transformation Projects To The Renewal Of Cadastral Activities İn Turkey, XXIII FIG Congress, Munich, Germany, October 8-13, 2006

İnam, Ş., Çay, T., İşcan, F., 2004,Kentsel Dönüşüm Sürecinde İmar Planı Uygulamalarının Sonuçları Üzerine Bir İnceleme, 8 Kasım Dünya Şehircilik Günü 28. KOLOKYUMU değişen Dönüşen Kent ve Bölge, cilt 1, s:401-417, 8-10 Kasım, Ankara.

Kara,G., Kentsel Dönüşüm Uygulamaları, 11.Türkiye Harita Bilimsel ve Teknik Kurultayı, 2-6 Nisan 2007, Ankara

Kayasu,S.,Yaşar,S.S., Kentsel Dönüşüm Üzerine Bir Değerlendirme:Kavramlar,Gözlemler. Kentsel Dönüşüm Sempozyumu, 11-13 Haziran 2003, İstanbul.

Koç,E.,Gül,A., Kentsel Dönüşümde İmar Uygulama Araçları. Kentsel Dönüşüm Sempozyumu, 11-13 Haziran 2003, İstanbul

Özden,P.P., Kentsel Yenileme Uygulamalarında Yerel Yönetimlerin Rolü Üzerine Düşünceler Ve İstanbul Örneği ,İ.Ü.Siyasal Bilgiler Fakültesi Dergisi, No: 23-24 (Ekim 2000-Mart 2001)

Uzun,B.,Çete,T., Gelişmekte Olan Ülkelerde Yasadışı Yerleşim Sorunlarının Çözümü için Bir model Yaklaşımı Önerisi. Jeodezi Jeoinformasyon Arazi Yönetimi dergisi, Sayı:93, 2005, Ankara.

Uzun,C.N.,Yeni Yasal Düzenlemeler Ve Kentsel Dönüşüme Etkileri, Planlama TMMOB Şehir Palancılar Odası Yayını,2006/2 ISSN 1300-7319,s 49-52

(URL1) www.yerelnet.org.tr

BIOGRAPHICAL NOTES

Mr. Hasan Cagla is a lecturer at Selcuk University in Turkey. He has been academic staff at the university since 1997. His research interests focus on high cadastral surveying, mapping, land registry, Land Consolidation, Development Planning

CONTACTS

Mr. Hasan CAGLA,
Selcuk University
Kadinhani Vocational School of Higher Education
Mapping-Cadastral Programme, Kadinhani
Konya
TURKEY
Tel. +90 332 8340306
Fax + 90 332 8340305
Email: hcagla@selcuk.edu.tr,
Web site: <http://www.hasancagla.com>

CONTACTS

Assis.Prof.Dr.Saban INAM
University of Selcuk
Faculty of Engineering –Architecture
Department of Geodesy and Photogrammetry
42075 Konya
TURKEY
Tel. +90 332 223 19 41
Fax +90 332 241 06 35
Email: sinam@selcuk.edu.tr