

[Detailed Plan for the Areas of National Importance, pursuant to Law No 107, dated 31.07.2014 “On territorial planning and development”, as amended by Decision of the Council of Ministers \(DCM\) No 686, dated 22.11.2017 “On approving the territorial planning regulation”](#)

- **Law No 107, dated 31/07/2014, “On territorial planning and development”, as amended,**
 - **Article 3 “Definitions”**
 7. “Issues, areas and facilities of national importance in territorial planning” means those issues, areas and facilities that are identified with or related to state or national interests.

 - **Article 18 “Detailed plans for areas of national importance”**
 1. The detailed plans for areas of national importance shall be drafted in compliance with the national planning instruments, for management, for the purpose of their protection, preservation and sustainable development.
 2. The initiative to draft a detailed plan for an area of national importance shall be endorsed by the Minister responsible for the issue of national importance under discussion based on a decision issued by the NTC, pursuant to Article 16 (3) of this Law.
 3. The detailed plan for the area of national importance shall be drafted by the Minister responsible for the issue of national importance, and approved by the NTC.
 4. The NTC shall make a decision on the approval of the detailed plan within 90 days from the date of submission of the entire documentation for review.
 5. The structure and form as well as the process of initiative, drafting and approving of the detailed plan for an area of national importance shall be specified in the planning regulation.
 6. The development permit for works in an area of national importance for which a detailed plan is drafted shall be issued by the NTC on the basis of this plan.

- **DCM No 686, dated 22/11/2017 “On approving the territorial planning regulation”**
 - **Article 5 “Coordinating the planning instruments”**

The coordination of the Detailed Plan for the Areas of National Importance shall be conducted in compliance with the definitions of Article 23 of the law, through the Forum for Coordination and Planning at a Central Level (FCPCL).

 - **Article 30 “Issues, areas and facilities of national importance in planning”**
 1. Issues, areas and facilities of national importance in planning shall be subject to national planning.
 2. Issues, areas and facilities of national importance are characterised by special cultural, historical, economic, social or environmental values of one or several structures, installations, networks or areas directly aiming the realization of national interests in parts of the territory, such as:
 - a) cultural monuments, historical centres, archaeological parks and sites;
 - b) forests and natural protected areas, natural monuments, ecological networks, endangered ecosystems and biodiversity;
 - c) coastal strips, shores and water resources, lagoons, rivers, lakes;
 - ç) agricultural lands;
 - d) natural endangered areas;
 - dh) dykes and dams;
 - e) mineral and natural resources and networks, industrial centres and parks;
 - ë) national transportation infrastructure;
 - f) energy and telecommunication engineering infrastructures;
 - g) areas with a priority of tourism development;
 - gj) military zones;
 - h) education, health, social, cultural and artistic, sports facilities and structures, which, due to their features, are important for the activities of state institutions, as provided by the law.

3. Issues, areas and facilities of national importance include those announced by a Decision of the Council of Ministers and the National Territory Council, pursuant to the by-laws in force on environment, culture, economy, tourism, infrastructure, urban planning/development, etc.
- **Article 32 “The development of areas of national importance for planning”**
 1. The development of areas of national importance in compliance with the constraints and conditions of the respective by-laws shall be carried out through construction permits in territories with predefined development conditions deriving from territorial planning processes.
 2. Where the development is proposed on unurbanised areas, the respective territory, part of the area of national importance, must be subject to a detailed and special planning.
 3. This planning process shall be conducted by drafting a Detailed Plan for the Area of National Importance (DPANI).

 - **Article 33 “Scope of DPANI”**
 1. The detailed plans for areas of national importance shall be drafted to ensure the protection, preservation and sustainable development of areas of national importance.
 2. The scope of the Detailed Plan for an Area of National Importance shall be:
 - a) The area and/or issue of national importance in territory planning or parts thereof, unaffected by development, where interventions with development priority within the legal and by-legal constraints are proposed.
 - b) Important and strategic investments that foster the territory development and involve a national impact.
 3. The Detailed Plan for an Area of National Importance shall be drafted for the area announced as such or parts thereof.
 4. The boundaries of the DPANI territory are defined based on:
 - a) Zoning of plans with a sectoral character for the area of national importance (cultural heritage, protected areas, economic zones, etc.), as appropriate.
 - b) Zoning provided by planning instruments, by observing their hierarchy related to the DPANI.
 - i. The General National Territorial Plan;
 - ii. National Sectoral Plan;
 - iii. General Local Plan, which, where appropriate, may become the baseline, where the above zoning is missing.
 5. Where the Detailed Plan for an Area of National Importance is being drafted and implemented, it shall follow the planning principles, as a continuous working process.

 - **Article 34 “DPANI drafting stakeholders”**
 1. The DPANI shall be drafted with the initiative of a public authority or upon a request of any other stakeholder.
 2. The process of DPANI drafting requires coordination between several sectors, and as such, it should be coordinated by the authority responsible for territorial planning at a central level and the Agency responsible for territorial planning.
 3. The coordination shall be implemented by a cross-sectoral working group, based on a decree of the Minister of line for the area / issue of national importance, or the authority responsible for territorial planning at a central level, where several sectors are involved.
 4. The Detailed Plan for an Area of National Importance (DPANI) shall be drafted by working groups composed of specialists from public institutions, licensed experts of different fields, local or foreigners, contracted by the initiating public authority or a public entity, lead, in each case, by the Minister responsible for the area/issue of national importance or the

authority responsible for territorial planning at a central level, where several sectors are involved.

- **Article 35 “DPANI drafting, coordination and counselling”**

1. The DPANI drafting process starts upon the endorsement of the initiative by the NTC and its publication in the National Registry of Territorial Planning (NRTP), where it is agreed to provide opportunities for the development of the area of national importance or parts thereof.
2. The Detailed Plan for an Area of National Importance may be drafted in 1-3 phases, pre-defined under the initiative document.
3. Upon the completion of each phase, the authority responsible for drafting DPANI shall publish the drafted material in the National Registry of Territorial Planning, and the Agency should conduct a technical review and approve this document for the next phase.
4. The DPANI shall be drafted in accordance with the national planning and development principles and in the framework of the territorial sustainable development and under the plans as per the hierarchy of planning, and all the applicable legislation and regulations.
5. The DPANI documents for each phase shall be consulted and coordinated with all central and local institutions which are affected by the development of the area of national importance or parts thereof, through the National Registry of Territorial Planning.
6. The coordination of DPANI shall be conducted through the Forum for Coordination and Planning at a Central Level (FCPCL), pursuant to the provisions of Articles 5 and 6 of this regulation.
7. The DPANI consultation shall be conducted by publishing the document in the registry, informing the stakeholders through one or more traditional information channels and organising public meetings with them, where requested.

- **Article 36 “The initiative to draft DPANI”**

1. The work process for DPANI starts with the initiative to draft it.
 - a) The authority responsible for taking the initiative, pursuant to Article 18(2) of the Law, shall be the Minister responsible for the respective area/issue of national importance or the authority responsible for territorial planning at a central level, where several sectors are involved.
 - b) The authority responsible for endorsing the initiative shall be the National Territory Council.
2. The initiative document shall be drafted by the National Territorial Planning Agency, in cooperation with the ministry responsible for the area of national importance and the initiating actors.
3. The document of the initiative to draft DPANI defines the specific duties for drafting DPANI and includes:
 - a) the territorial boundaries of DPANI;
 - b) the scope and need for drafting DPANI;
 - c) the constraints and permits pre-defined by the plans and decisions in force;
 - ç) DPANI drafting phase(s);
 - d) the documents constituting DPANI, according to the phases;
 - dh) the experts (fields of expertise) constituting the DPANI draft working group;
 - e) the action plan for drafting, coordinating and consulting the DPANI documents;
 - ë) DPANI drafting budget;
 - f) where appropriate, the decision for suspending the development for all or parts of the territory, under Article 33 of the Law, accompanied by the respective map.
4. The initiative shall be made public and published in the Registry by the responsible authority:

- a) The decision of the authority responsible for taking the initiative shall be published in the Registry within 10 (ten) days from the date when the initiative is taken, pursuant to Article 56 (1) and (4) of the Law.
 - b) The decision of the authority responsible for taking the initiative shall also be published on its website.
5. The NTC decision for endorsing the initiative shall enter into force after the decision is published in the Registry by the NTC Secretariat:
 - a) The decision of the NTC for endorsing the initiative together with the initiative document shall be published in the Registry within 10 (ten) days from the date of its endorsement, pursuant to Article 56 (1) and (4) of the Law.
 - b) The NTC decision and the initiative document shall also be published on the website of the NTC Secretariat, the responsible authority and the Agency.
 6. The initiative endorsed by the NTC shall be implemented by establishing the working group and drafting the DPANI, pursuant to its provisions.

- **Article 37 “DPANI implementation phases”**

1. The Document of the Detailed Plan for an Area of National Importance (DPANI) is based on national planning documents and the legislation in force.
2. The drafting of DPANI document goes through the following phases:
 - a) Phase I, which includes:
 - i. Territorial analyses;
 - ii. Territorial strategy.
 - b) Phase II, which includes:
 - i. Development plan;
 - ii. Preliminary regulation of the plan;
 - iii. Strategic environmental assessment.
 - c) Phase III, which includes:
 - i. The detailed development plan;
 - ii. The detailed regulation of the plan;
3. Depending on the DPANI, phase I and II may be overpassed, where their content is completed by overlapping applicable planning documents, such as National Sectoral Plans or General Local Plans.

- **Article 38 “Content of DPANI”**

The content of DPANI documents for each phase shall be, at least, as follows:

1. Phase I:
 - a. Territorial analyses, which includes:
 - i. an analyses of the documents and legislation on the local unit territory;
 - ii. a general territory analyses: location in the area of national importance, special geographical and environmental conditions, soil fertility, natural resources, natural protected areas and cultural and historical heritage areas, environmental analyses;
 - iii. analyses of specific sectoral constraints and exclusive development elements;
 - iv. analyses of the existing situation of land use and infrastructure;
 - v. land ownership relationship analyses
 - b. Territorial strategy, which includes:
 - i. compulsory projections deriving from DPANI and, where appropriate, from the SNP in force or the drafting process, which affect the territory;
 - ii. summary of the findings from the assessment of the existing situation of the territory and identification of the issues to be resolved by the strategy;
 - iii. the vision for the development of the area and the directions for its development;
 - iv. strategic development goals for the area;
 - v. development programs and projects;

- vi. action plans for implementing programs and projects, including implementation priority and time frame, human and financial resources, necessary institutional and legal amendments, implementation monitoring indicators;
 - vii. existing territorial instruments accompanied by the respective tables and indicators, which identify the differences between the systems resulting from the implementation of the strategy.
- c. Accompanying maps for each of the above points.
2. Phase II:
- a. Development plan, which includes:
 - i. land use plan; territorial structuring and zoning as provided under Chapter III of this regulation, in compliance with the constraints of the area of national importance and the sectoral ones; distribution of population over the territory (holding capacity); definitions on development guiding instruments under the law;
 - ii. the public infrastructure and service plan: transport infrastructure (road, and where appropriate, rail, water and air infrastructure) and engineering networks (energy, telecommunication, water and waste administration); defining the necessary public services;
 - iii. environment protection plan: landscape, green spaces, environment quality and solution to environmental issues, where appropriate;
 - iv. the implementing action plan: defining the implementation for the development of structural units, public infrastructure and projects, according to priority and time frames, accompanied by the monitoring indicators;
 - b. The preliminary regulation of the plan, including:
 - i. definitions of the terms used and explanation of the codes;
 - ii. the general rules on the land use according to categories, subcategories of land use and, where appropriate, specific uses, with the respective explanations, pursuant to Annex I hereto;
 - iii. rules for each unit: development conditions, allowed, constrained and prohibited uses; the applicable planning rates, indicators and standards, pursuant to Annex II hereto;
 - iv. legal rights and constraints, public or private, deriving from the use of the development conditions;
 - v. instruments that may be used to guide development according to the law, including legal rights and constraints deriving there from;
 - vi. rules on infrastructure: defining and describing the road network categories, pursuant to the special legislation, the technical conditions and size, defining the engineering infrastructures;
 - vii. setting the construction line (red line);
 - viii. rules for protecting the environment, landscape, natural resources, cultural heritage sites and facilities: defining the protection line along the water resources (blue line); development norms and standards that affect environment, health and landscape pursuant to the applicable special legislation; norms, standards and rules on cultural and historical heritage sites and facilities;
 - ix. architectural and aesthetic rules.
 - c. Strategic environmental assessment, pursuant to the legislation in force.
 - d. Accompanying maps for each of the above points.
3. Phase III:
- a. The detailed development plan, which includes:
 - i. dividing the unit in structural sub-units, following the reorganisation of plots through division and/or unification;
 - ii. defining the land use for each sub-unit in sub-categories and functions, pursuant to Annex I and II hereto;
 - iii. defining the technical infrastructures;

- iv. defining the development conditions for each sub-unit, pursuant to Annex II hereto;
 - v. defining the cultural protected areas/facilities, based on the respective legislation in force, where appropriate;
 - vi. programs for the use of development guiding instruments, pursuant to Articles 30 to 36 of the Law, where appropriate;
 - vii. action plan on the implementation of the detailed plan - setting up public infrastructures and services.
- b. The detailed regulation of the plan, including:
 - i. definitions of the terms used;
 - ii. explanation of the codes used;
 - iii. development rules, data and conditions for each sub-unit, pursuant to Annex II hereto;
 - iv. rules on the division and unification of plots;
 - v. rules on the implementation of the development guiding instruments, pursuant to Articles 30 to 36 of the Law, where appropriate;
 - vi. technical conditions and rules on the implementation of infrastructures;
 - vii. rules on distances, setting the red line, and, where appropriate, the blue line;
 - viii. environment and landscape protection rules;
 - ix. rules on the preservation of cultural heritage sites, facilities, where appropriate;
 - x. architectural rules;
 - xi. rules to adjust facilities to the needs of people with disabilities.
 - c. Accompanying maps for each of the above points.
4. A constituting part of the DPANI document in each phase shall be the geo-spatial information package integrated in the GIS platform, in compliance with the standard of the National Registry of Territorial Planning.

- **Article 39 "Approval of DPANI"**

1. The approval process of the Detailed Plan for an Area of National Importance (DPANI) shall be conducted pursuant to the provisions of Article 25 of the Law.
2. The plan approval process includes, at least, the following steps:
 - a. Issuance of the certificate of compliance by the Agency;
 - b. The request of the responsible authority to NTC to review and approve the planning document;
 - c. The NTC decision;
3. Materials submitted/published on the approval of the planning document shall be:
 - a. The initiative endorsed by the responsible authority;
 - b. The DPANI documents, as defined by the initiative;
 - c. The certificate of compliance by the Agency or the silent compliance confirmation;
 - ç. Environmental statement, pursuant to the special legislation in force, where appropriate, as defined under the initiative document.
4. After the publication of the full DPANI documents in the registry, as defined under the initiative document, the responsible authority shall submit a request to obtain the certificate of compliance by the Agency.
5. The review of the planning document shall be conducted as follows:
 - a. The Agency shall review the conformity of the detailed plan documentation for the area of national importance within 30 (thirty) days from the date of the submission of the full documentation for review.
 - b. Upon the termination of the 30-days period to review the conformity of documentation, the Agency shall publish in the registry the DPANI technical assessment report, and the certificate of compliance, where appropriate.

- c. Where the plan document is reviewed/improved by the responsible authority, the Agency shall repeat the process for reviewing the compliance of the plan document and drafting the technical assessment report until compliance is achieved.
 - ç. In case of failure to meet the above mentioned deadlines, the requesting authority shall notify
the Agency regarding this failure to respect the deadline and the issuance of the compliance confirmation goes silent.
6. The review/improvement of the document and the consideration of the Agency remarks is conducted as follows:
 - a. Following the publication of the DPANI technical assessment report in the registry, the Agency, the responsible authority shall review/improve the plan document to reflect the remarks and suggestions, if any.
 - b. The responsible authority shall republish the full plan document containing the remarks and suggestions, accompanied by a report of the changes.
 7. After the publication of the full DPANI materials in the Registry, as defined under paragraph 3, the responsible authority shall submit a request to the NTC to review and approve the planning document.
 8. The Detailed Plan for an Area of National Importance (DPANI) shall be approved by NTC pursuant to Article 18 (4) of the Law. The basis for the decision-making on the approval of DPANI consists of the documents listed under paragraph 3 of this article.
- **Article 40 "Entry into force of DPANI"**
 1. The detailed plan document for an area of national importance (DPANI) shall enter into force with the full publication in the Registry of the NTC decision and its accompanying documents in accordance with Article 56 (2) of the law.
 2. The NTC decision shall be published in the registry, and, in any case, on the official website of the NTC Secretariat, the responsible authority and the Agency, within 15 (fifteen) days from the date of adoption, in accordance with Article 25 (4) of the Law.
 - **Article 41 "Implementing and monitoring the implementation of DPANI"**
 1. The detailed plan for an area of national importance is implemented through construction permits, in accordance with the activities and regulations of this plan.
 2. Entities benefiting development rights based on the approved DPANI, upon a request shall be provided with a development permit, within the meaning of Article 38 of the Law.
 3. The DPANI shall be registered in the immovable property register, as a basis for conducting property transactions. New plots created by the subdivision and / or merger of existing plots shall be subject to a transaction only after being registered in the immovable property register, upon the request of developers.
 4. Construction permits for construction within the area, for which DPANI is designed, shall be issued on the basis of this plan by the responsible authority, the National Territorial Council or the local authority in case of delegation of competences, in accordance with Article 29 (a) of the Law, and the provisions of the development regulation, in compliance with the Law.
 5. Monitoring of the implementation of DPANI shall be conducted by the authority responsible for drafting the plan, in accordance with Article 10 (1) (a) of the Law, as well as by the Agency, in accordance with Article 10 (2) of this regulation.
 6. Monitoring of the implementation of the plan shall be conducted on the basis of the action plan and the document of the monitoring indicators, approved as an integral part of the plan document, periodically evaluating the mid-term budgetary programs and the realization of the foreseen investments.