



CENTRE OF EXPERTISE FOR GOOD GOVERNANCE

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Opinion on the draft Kyiv City Urban Plan

The present opinion was prepared by the Centre of Expertise for Good Governance,
Democratic Governance Department of Directorate General II - Democracy
in co-operation with PhD Assoc. Prof. Guinka Chavdarova (Bulgaria)

1. Introduction

The present opinion was prepared in response to the request formulated on 28 October 2019 by the Kyiv City State Administration and refers to the new version of the draft Kyiv City Urban Plan.

It was prepared after in-depth study of the draft Kyiv City Urban General Plan, taking into account the findings and recommendations of the Council of Europe Peer Team Review Report “Democratic governance in metropolitan areas, focusing on Kyiv Region” of July 2019¹ as well as on the basis of the international forum “Kyiv: facing the future” held in Kyiv on 16 December 2019 where the draft Urban plan was presented and discussed with the national stakeholders.

The opinion does not contain comments on the structure and the used regulations or standards for consumption or protection of environment and cultural-historical heritage, since these depend mainly on the legal framework and methodological requirements in Ukraine. The assessment is focused on modern European trends existent in the planning of sustainable and integrated development of the big agglomeration centres in Europe, as well as on the opportunities for their better reflection under the existing regulatory base and conditions in Ukraine. Furthermore, through comments and recommendations, it is aimed at turning the Draft General Plan into a better territorial and spatial basis for further development of the Kyiv Agglomeration Association on voluntary basis. Some of the proposed innovative approaches and ideas may not be needed or may not fully be in accordance with practice in the region, that is why this should be assessed by the competent local authorities.

It should be emphasized that all the objective factors for the development of the draft Kyiv City Urban General Plan are available, which corresponds to the modern European urban trends. On the one hand, the existing demographics, territorial and resource potential of Kyiv and its area of influence are commensurate with its European analogues. On the other hand, it becomes increasingly clear that the current management models do not work and do not provide the necessary integration, investment efficiency and sustainable development.

The main **merits** of the draft General Plan are:

- In the development of the proposed draft, the authors have adopted a more practical and regulatory-correct approach, both in terms of the territorial scope of the planned measures, as well as regarding the capacity and structure of the engineering and social-housing infrastructure. Minor adjustments have been planned within the city boundaries and developed so far promising standards or norms for consumption, protection of environment and cultural-historical heritage have been used. The areas, in which the adoption of new national standards is expected, are correctly delineated.

¹ See at: http://www.slg-coe.org.ua/wp-content/uploads/2019/08/CoE-Peer-Review-Report_Democratic-governance-in-metropolitan-areas-focusing-on-Kyiv-Region-1.pdf

- An in-depth analysis of the current situation and the reasons, which have led to the defaulting on/deviating from the planned indicators of the current General Plan, has been made. The problems related to their scale and area of manifestation are well outlined, which enables to plan in a more realistic manner a range of feasible solutions.
- Much effort has been made to overcome inherited imbalances from the past and to achieve a better balance in the development of the individual elements of the urban organism. In the same direction, some solutions are also sought for a more balanced development of the whole agglomeration, despite the existing conventions at this stage because of possible disagreements and disputes with neighbouring territorial communities. A large part of the planned proposals aims at achieving a sustainable balance between the job place and the place of residence, between territorial allocation of housing and the servicing area, between the economic zones and the infrastructure availability, etc. Thus, the placement of infrastructure facilities in Kyiv and its suburban zone could be accomplished with regard to the future migration flows. Therefore, the balanced development approach is one of the strongest features of this draft. It should be preserved and further developed during the next work stages.
- Throughout the document the first steps and actions are highlighted, which will help the development of envisioned numerous short-term strategies and programmes. Where this has not been clearly outlined, it should be done after appropriate consultation with local and executive authorities of Kyiv Oblast.
- In respect of degree of depth and completeness, Section 8 on the preservation of cultural and historical heritage and sections 9 and 12 which interrelatedly examine the environmental issues and the recreational resources, can be outlined. Much attention is paid to the provision of landscaping space common for Kyiv and its suburban zone.
- The planned activities in compliance with their nature are addressed at the appropriate planning levels: planning zones, urban districts, boulevards and streets, sources of natural resources. This will play a decisive role for the development of detailed plans, zoning plans, etc.
- The following European trends are also quite well reflected: population increase and housing stock at the periphery of the city, diversification of functions and effective use within the territory of industrial zones, gradual formation of secondary urban centres in order to be offloaded from some functions of the central part of the city, technology parks, construction and scientific-production zones, cultural-historical heritage and clean environment conservation.

At the same time, taking into account the declared assessment objectives, additional efforts may be made to improve the draft Kyiv City Urban General Plan in the following areas:

2. Territorial scope of the plan

The area of influence of Kyiv City in different development sectors is relatively well justified. On this basis, the long-term planning model of Kyiv and its adjacent territorial communities has been determined. It covers the capital, 10 administrative raions, Irpin City Council and 8 cities of oblast significance. At the same time, the main measures are logically concentrated on the territory of the city (with minor changes in its boundaries), without causing conflict with neighbouring territorial communities, or giving rise to conflicts of jurisdiction. But the task related to the development of transport and engineering infrastructure is more complex, as well as the environmental policy, which require actual integration of Kyiv and its suburban zones into a single system. The recommendations of the Council of Europe Peer Team Review Report of July 2019 related to the establishment of effective culture of trust and collaboration among interested local authorities require good justification of the common interest areas concerning the future development of the whole region.

The major measures and investment projects in and around urban areas are outlined, which based on dialogue and compromise are expected to receive support from the central and local authorities in the agglomeration area. They should become a part of the main agenda for the future activity of the Association. Therefore, it is appropriate in each section of the plan to better highlight these types of measures, justified and accompanied by a possible variability of decisions. The achieved level of development makes it relatively easy to accomplish this task. Measures requiring less integration, but rather coordination and agreement between certain local authorities, should be approached in the same manner. It is possible that all these sites and activities of supra-municipal nature, which require integration and co-operation, will need to be systematized afterwards in a separate appendix and not as a separate plan section (as may be the intention of the authors). At this stage the plan will stay **open** towards the development of a suburban zone to an extent, which reflects the integrity of each of the planned activities in the modern organisation. If this is done, the principle of integration and co-operation can be added to the basic principles. Independent consideration of all development aspects of the suburban zone, within the existing boundaries considering the sensitivity of their possible change, is not only difficult to achieve, but also methodologically challenged. The mechanical aggregation of urban plans from the agglomeration scope, or the attempt for their external change, cannot provide the desired effect from the integrated efforts of the various local authorities and from the numerous decisions of central authorities or of their deconcentrated structures.

3. Planned trends in the development of the separate sectors

It is noticeable that according to some basic parameters of development, the current trends of the past 20-year period are completely preserved and carried over to the next period - same growth of the permanent and actual population, housing stock, number of dwellings, etc. It is understandable that for some of them the authors have used external specialised projections, but this strongly influences the quantitative characteristics of the planned activities. At the same time, outdated or

traditional solutions are planned in the service sphere, which is increasingly changing under the influence of new information technologies. For example, in section 7.2 (health care) the primary health care is correctly prioritized and increase in number of the emergency centres is well justified, but their impact on development of hospital network, which is projected to experience an extremely high rate of development, is underestimated. The parameters for development of some types of social institutions also need rethinking. On the contrary, reduction in the sites of markets and restaurants is envisioned, which can hardly be accepted, considering the priority development of tourism declared. Tourism sector deserves more attention in the draft. It is also noteworthy to pay attention to the planned increase in number of places in the movie theatres of more than 3.5 times, compared to a much different trend in Europe and the USA.

4. Approach to avoid potential conflicts

In almost all countries, the planning of the location of certain sites, which are important for the development, provoke social tension and discontent. These sites are usually waste management plants, water intakes, water treatment plants, electrical stations, road corridors, etc. The tension in this connection occurs among the population living in the affected area. Another type of potential conflict is created by the introduction of the established requirements for technological re-equipment and relocation of a number of industrial enterprises. In both cases the implementation of health or environment-important standards, as well as other standards, is delayed or postponed. To avoid hasty reactions in such cases, either a wider perimeter for subsequent selection of a concrete location is delineated or/and alternative location options are justified. At the same time, it is appropriate to envision certain compensation mechanisms for the negatively affected entities.

5. Supplementation of the system of measures and planned solutions

During recent years, the urban planning in Europe has been adapting to some new forms of operation and service provision, driven by the emerging needs and attitudes of the information society, which have not yet been commented in the Draft General Plan. It is appropriate for the capital and its region of influence to begin to implement these innovations, albeit as a pilot test. One should also not neglect the fact that these innovative approaches require frequently **less resources** consumption and are accompanied by continually **expanding donor's support**. These mainly refer to:

- **Deinstitutionalisation** in the field of social and some health services. Transition towards deinstitutionalisation results in the expansion of the services provided at home or in a similar environment and closure of institutions with a large concentration of serviced persons in an isolated from social contacts environment. The care provided to elderly people at their homes, building of family type centres for the provision of care to children with specific problems, accommodation of abandoned children or orphans in the so-called foster families does no longer require the construction of big buildings and facilities. In this connection, the set parameters for the social services can be revised - for example, the high increase in the number of places at the nursing homes, neuropsychiatric centres (5 times), etc. At the same time, it is

possible to plan creation of mobile or remote service providing centres, family-type centres for 6-10 and slightly more children within the residential neighbourhoods. This process takes a long time and in the first 10-15 years both types of services will be developed in parallel. Innovative smart medicine projects can also be planned through establishment of telemedicine centres with a defined package of services in the field of primary health care.

- **E-governance and gradual transformation of Kyiv into a smart city.** The envisioned development of the one-stop-shop system will need to be complemented more and more with the necessary communication and technical facilities to provide electronic services to citizens and businesses. On the other hand, elaboration of smart city principles is fundamentally changing the management of urban mobility, air quality control and waste collection, administrative work transparency and internal communication between different units, citizen participation etc. **Digitalisation and remote provision of traditional services** is increasingly developing in the information business. This applies mainly to the library and information activities, where digital libraries and specialised thematic information sites are being gradually developed, archives are being digitalised, and new document management models are being introduced (internal and external contractors). These trends should be taken into account, for example, when accounting for the significant increase in the number of the seats in the libraries or in the office buildings.
- **Implementation of energy saving technologies** and strong measures for energy consumption reduction. In some parts of the draft there are similar measures, mainly in the field of construction technologies. In many European countries, especially Central and Eastern Europe, there is already a massive shift towards a new type of energy-efficient urban development (e.g. complete refurbishment of street lighting based on energy-saving devices, lamps and adjustment, which reduces energy consumption by 50-70%). Reconstruction of old housing stock (broadly envisioned in the draft) is combined with a complete change in thermal insulation and the window and door frames (so-called renovation), which leads to energy savings of 30 to 50%, depending on the quality of the thermal insulation materials. The same applies to public buildings - hospitals, schools and kindergartens, theatres, museums, libraries, etc. For transport attention is increasingly focused on electrical transport, while priority is given to the road transport. If such trends are relevant and important for Ukraine, some of the solutions for energy system development and need for energy production increase by more than double may be revised.
- **Motivating, incentivising and compensation mechanisms** for the implementation of the General Plan. The draft contains a variety of measures for implementation of the planned activities, but most of them concern the subsequent development of planning documents of more specific and short-term nature. There are also proposals for changes in the regulatory framework. However, as the authors themselves point out, only 5% of the required financial resources will come from the public sector. Everything else will count on the interest of businesses, financial institutions, NGOs and donor programmes. Therefore, it is necessary to

envision the creation of incentivising mechanisms: for business – to participate in public-private and private-private partnerships, for local authorities – to develop inter-municipal co-operation, for potential donor programmes – to absorb funds in fair and open manner. Underestimation of motivation during the implementation process, replacement of economic or professional interest with administrative coercion in the post-socialist countries often results in devaluation of the planned activity.

Finally, it should be remembered that a high-quality General Plan is not able to provide modern European metropolitan governance unless there is timely implementation of the already identified steps in the PR report, which depend mainly on decisions of the central executive and legislative authorities. These steps concern first of all, review of the boundaries relevant to the existing territorial division, continuation of the territorial reform (amalgamation, inter-municipal co-operation), as well as review of powers and competencies distribution between the various territorial entities. It will then be able to move to the establishment of democratic metropolitan governance institutions, which will be able to assume the functions of strategic planning, managing/ coordinating of large-scale infrastructure investments, as well as coordination of key activities for improving quality of life within the overall metropolitan area.

6. Conclusion

After participation in the forum and a joint discussion meeting with the General Plan developers and with the Deputy Chairman of the KCSA the following **conclusions** were drawn:

- Significant progress has been made concerning both issues – development of the General Plan and formation of the Association “Kyiv Agglomeration”;
- There is a clear plan of further actions: public hearings in the city districts in Kyiv and a discussion of common interest issues with representatives of local authorities of the suburban zone. In parallel, it will be coordinated with the Ministry of Culture. It is expected that the General Plan will be approved in May-June 2020;
- The team developing the General Plan is open for the project improvement. The proposals included in this report were discussed in detail and accepted during the meeting;
- After conducting the Council of Europe international peer review, the Association was established and now it consists of 19 members. Some positive decisions from local deputies from 10 more territorial communities are expected. Thus, in the next months, more than a half of all 42 potential members might unite in the Association;
- Further development of decentralisation has also been introduced in draft amendments to the Constitution. At least at this stage it has not influenced the city of Kyiv status, has not removed the existing problems, and has not caused additional problems.

In conclusion, it is very important at this final stage to concentrate on:

- Discussion process for inter-municipal planning intentions among local and regional representatives of the agglomeration area in order to facilitate the process of co-operation;
- Development of information campaigns in the context of the General Plan, especially among deputies of Kyiv City Council who should make decisions relating to its approval. There might be a surreptitious resistance to this decision due to the interests oriented at continuation of the area uncontrolled development;
- Using high motivation of the mayor and leadership of Kyiv City authorities in order to complete the process of planning development of the Kyiv agglomeration before the local elections in October 2020; Continuing working with the Members of Parliament to move forward the legislative changes that were highlighted in the Council of Europe Peer Team Review Report.

In all cases, it is necessary to use skilfully reform attitudes among the new presidential majority in the Parliament. Further support for the development of the local self-government and decentralisation within the true European meaning and democratic values is needed.