



Republika e Kosovës
Republika Kosovo - Republic of Kosovo
Kuvendi - Skupština - Assembly

Law No. 04/L-174

ON SPATIAL PLANNING

Assembly of Republic of Kosovo,

Pursuant to Article 65 (1) of the Constitution of Republic of Kosovo,

Approves

LAW ON SPATIAL PLANNING

CHAPTER I
GENERAL PROVISIONS

Article 1
Purpose

1. Purpose of this Law is to provide a sustainable and balanced development of spatial planning throughout the entire territory of Kosovo as a common national value, through good governance, rational use of space, environmental and cultural heritage protection.
2. Purpose of this Law is to provide sustainable governance, efficient use of public funds, preconditions for balanced economic development, sustainable space regulation, ensuring equal treatment, provision of free movement, and adequate access to public services for citizens.

Article 2

Scope

This Law determines the basic principles of spatial planning, methodology of spatial development and regulations, types, procedures, contents as well as the responsibilities of the administrative entities at central and local level for the drafting and implementation of spatial planning documents, administrative supervision for enforcement of this Law, and related activities undertaken in spatial planning and territorial regulation in the Republic of Kosovo.

Article 3

Definitions

1. Terms used in this Law shall have the following meaning:

1.1. **Spatial Planning Document** – the Spatial Plan of Kosovo, Zoning Map of Kosovo, Spatial Plan for Special Areas, Municipal Development Plan, Municipal Zoning Map and the Detailed Regulatory Plan, as defined by this Law, for which is provided public access through websites of the Ministry and municipalities.

1.2. **Spatial Plan of Kosovo** – the spatial planning document of the national level, in accordance with provisions of Article 12 of this Law.

1.3. **Zoning Map of Kosovo** – the spatial planning document of the national level, in accordance with provisions of Article 13 of this Law.

1.4. **Spatial Plan for Special Zones** – the spatial planning document of the national level that establishes a particular organization of development, protective use and regime for Special Zones defined in the Zoning Map of Kosovo, in accordance with provisions of Article 14 of this Law.

1.5. **Municipal Development Plan** – the spatial planning document of the local level in accordance with provisions of Article 15 of this Law.

1.6. **Municipal Zoning Map** – the spatial planning document of the local level in accordance with provisions of Article 16 of this Law.

1.7. **Detailed Regulatory Plan** – the spatial planning document of the local level in accordance with provisions of Article 17 of this Law.

1.8. **Settlement** – an area with urban characteristics, village, city or other dwelling.

1.9. **Urban Area** – an area that physically creates the part of a city and is characterized with important parts of the constructed areas, high population and residence density, employment and considerable transport and other infrastructure. Urban areas may also contain green areas usually used for recreative purposes.

1.10. **Rural Area** – an area characterized with a low level of construction, population density and technical, public and social infrastructure, and of employment through

development of agriculture, rural tourism, healing centers and of manufacturing that doesn't pollute the surrounding environment.

1.11. **Zone** – a contiguous group of cadastral parcels with the same classification by use, character, or protected status using the zoning definitions in this Law.

1.12. **Residential Zone** – an area designated mainly for residence purposes.

1.13. **Perimeter** – official boundary of a territory with common characteristics of development, protection and preservation.

1.14. **Commercial Zone** – an area for development of office buildings and/or commercial buildings.

1.15. **Industrial Zone** – an area designated for development of buildings for industrial production.

1.16. **Technological Zone** – an area designated for development of higher education, scientific research and technological production.

1.17. **Agricultural Zone** – an area of land designated for cultivating crops and livestock: arable field, garden, orchard, vineyard, meadow, pasturage, fishponds, swamps, etc.

1.18. **Mixed Use Zone** – an area designated for mixed use of residential buildings, commercial buildings, agricultural, industrial, or other activities.

1.19. **Protected Zone** – an area around the perimeter of the protected natural resources and cultural heritage, determined by the competent institution, in order to prohibit any development or activity that might cause damage to the visual settings natural resources or cultural heritage.

1.20. **Protected Area** – the part of the territory determined for purposes of preservation of natural resources of cultural heritage, protection from environmental pollution or creation of spatial conditions for exercise of activity without impediment, and for security of residents and surrounding zones that should be specified by the National Spatial Plan and the Zoning Map of Kosovo, and that may be classified by the Ministry as a Special Zone.

1.21. **Special Protected Zone** – the zone established by Law No. 03/L-039 on Special Protected Zones.

1.22. **Special Zone** – a zone identified in the Spatial Plan of Kosovo and Zoning Map of Kosovo, as having specific characteristics that require a particular organizational development, use and protection regime developed the Ministry through Spatial Plan for Special Zone.

1.23. **Cadastral Parcel** – as defined in Law No. 04/L-013 on Cadastre, means a determined land surface identified by the cadastral parcel number and registered in the cadastre map with a real surface in mapping projection and surface recorded in the

Immovable Property Rights Register pursuant to Law No. 2002/5 on the Establishment of Immovable Property Rights Register and Law No. 04/L-009/2011 for Amending and Supplementing the Law No.2002/5 on the Establishment of the Immovable Property Rights Register.

1.24. **Regulatory Line** – the distance from the boundary of cadastral parcel foreseen for the construction of the technical infrastructure, where no kind of construction is allowed.

1.25. **Construction Line** – the distance from the boundary of cadastral parcel and regulatory line where the construction of general usable area is allowed.

1.26. **Public Services** – a general term to designate services of the technical, public and social infrastructure provided directly or indirectly to citizens by public authorities.

1.27. **Technical Infrastructure** – means the coverage of existing buildings, and underground and overground installations of electrical and thermal energy supply, water supply and sewer systems, telecommunication and other similar installations.

1.28. **Public Infrastructure** – the coverage of buildings for distribution and collection of mail, health care, education, public administration and other similar services.

1.29. **Social Infrastructure** – the coverage of space and facilities for development of sports and cultural activities, fishing, hunting, libraries, public parks, community centers, public media institutions and other similar ones.

1.30. **Terms of Construction** – the terms of construction, as defined in Article 21 of this Law.

1.31. **Spatial Planning Technical Norms** – a document which sets out the basic requirements for drafting all documents of spatial planning.

1.32. **Spatial Planning Authority** – the Ministry of Environment and Spatial Planning and the municipal authority responsible for spatial planning and management, as defined by this Law.

1.33. **Ministry** – the Ministry of Environment and Spatial Planning.

1.34. **Municipality** – Municipality in this Law shall have the meaning assigned thereto by the Law No. 03/L-040 on Local Self Government.

1.35. **Institute** – Institute for Spatial Planning within the Ministry of Environment and Spatial Planning.

1.36. **Spatial Planning Database** – a digital central collection of all spatial planning documents and other editable data that have been prepared by spatial planning authorities in accordance with this Law and that contain data on designation and

regulation of land usage in the territory of Kosovo as part of the National Spatial Data Infrastructure in accordance with Law No.04/L-013 on Cadastre.

1.37. **Basic Digital Data** – the digital content of the basic text and drawings that should be used during drafting of the Municipal Development Plan, Municipal Zoning Map, and Detailed Regulatory Plan.

1.38. **Public Participation** - the participation of one or more natural or legal persons, participation of associations or organization in the drafting of spatial planning documents.

1.39. **Public Review** – an event that is open for public participation and developed in appropriate places by the spatial planning authority, which through a public notice citizens, experts and interested parties are invited to raise their objections, comments or suggestions, prior to finalization of the spatial planning document.

1.40. **Public Notice** - the prior notice to interested parties and/or public about the time, place and purpose of conducting the public review.

1.41. **Informal Settlements** - settlements where the residents do not enjoy their rights for an appropriate standard of living or housing and do not have a legal possession of the property or, adequate access to public services, and governance, and that live in an environment with high risk.

Article 4 Principles

1. Spatial planning and regulation shall be done based on the below principles:

1.1. promotion of common interests of citizens of Kosovo, by protecting natural resources, cultural heritage and by supporting sustainable development;

1.2. promotion of democratic process of public participation and inter-sector inclusion in formulation of development strategies and spatial planning documents;

1.3. promotion of transparency in the process of planning and decision making, by providing public access to data, maps, charts, rights and in all spatial planning documents for interested parties;

1.4. promotion of basic, transparent and planned framework of use of development, protection of environment, cultural heritage and property rights;

1.5. promotion of equal economic, social and environmental opportunities for all citizens of Kosovo;

1.6. promotion of high quality of life and sustainable systems for development of dwellings;

1.7. promotion of integrated spatial planning through efficient procedures;

- 1.8. promotion of public participation in drafting of spatial planning documents;
- 1.9. promotion of balanced and sustainable development based on public and economic of public interests; and
- 1.10. promotion of continuous harmonization with best international practices and European principles for spatial planning.
- 1.11. sustainable and proportional development of community through efficient use of public funds; and
- 1.12. international principles of spatial planning, sustainable development, and governance in harmony with EU norms.

CHAPTER II

LEVELS OF SPATIAL PLANNING, DOCUMENTS AND RESPONSIBLE ENTITIES AT CENTRAL AND LOCAL LEVEL

Article 5

Levels of Planning and Spatial Planning Documents

1. In Kosovo there are two levels of spatial planning:

1.1. central level planning for the entire territory of Kosovo through spatial planning documents, such as:

- 1.1.1. Spatial Plan of Kosovo;
- 1.1.2. Zoning Map of Kosovo; and
- 1.1.3. Spatial Plans for Special Zones.

1.2. Local level planning for the entire territory of municipalities through spatial planning documents, such as:

- 1.2.1 Municipal Development Plan;
- 1.2.2. Municipal Zoning Map; and
- 1.2.3. Detailed Regulatory Plans.

Article 6

Responsible Entities

1. Responsible entities that exercise functions, powers and respective responsibilities that are based on legislation in force for matters of spatial planning are:

1.1. at national level:

1.1.1 Assembly of Kosovo;

1.1.2 Government of Kosovo; and

1.1.3. Ministry of Environment and Spatial Planning;

1.2. at local level:

1.2.1. Municipal Assembly;

1.2.2. municipal authority responsible for spatial planning and management.

Article 7

Responsibilities of the Assembly of Kosovo in Spatial Planning

1. The Assembly of Kosovo in accordance with provisions of this Law is responsible for approval of funds allocated by the Government of Kosovo for implementation of this Law.

2. The Assembly of Kosovo is responsible for final approval of:

2.1. proposals for decisions on drafting Spatial Plan of Kosovo, and Spatial Plans for Special Zones after they are approved by the Government of Kosovo;

2.2. Spatial Plan of Kosovo, after its approval by the Government of Kosovo;

2.3. zoning map of Kosovo after it is approved by the Government of Kosovo;

2.4. Spatial Plans for Special Zones after their approval by the Government of Kosovo; and

3. The Assembly of Kosovo in accordance with provisions of this Law, on annual basis, reviews the Monitoring Report on Implementation of goals and objectives stated in the Spatial Plan of Kosovo, Zoning Map of Kosovo and Spatial Plans for Special Zones prepared by the Government.

4. All Spatial Planning documents approved by the Assembly of Kosovo shall be published in the Official Gazette of Kosovo.

Article 8

Responsibilities of the Government of Kosovo in Spatial Planning

1. Government of Kosovo in accordance with provisions of this Law is responsible for allocation of funds for:

1.1. drafting of Spatial Plan of Kosovo

- 1.2. drafting of Zoning Map of Kosovo;
 - 1.3. development of Spatial Plan for Special Zones;
 - 1.4. implementation of goals and objectives as determined in the Spatial Plan of Kosovo;
 - 1.5. action measures as determined in the Zoning Map of Kosovo;
 - 1.6. implementation of goals, objectives and action measures as determined in Spatial Plans for Special Zones; and
 - 1.7. creation and maintenance of the Consolidated Spatial Planning Database.
2. Government of Kosovo is responsible for:
- 2.1. review and approval of the Spatial Plan of Kosovo before it is submitted for approval in the Assembly of Kosovo;
 - 2.2. review and approval of the Zoning Map of Kosovo,
 - 2.3. review and approval of Spatial Plans for Special Zones before their submission for approval in the Assembly of Kosovo;
 - 2.4. review and approval of revision of Zoning Map of Kosovo,
 - 2.5. review and approval of revision of Spatial Plans for Special Zones; and
 - 2.6. review and approval of other documents stipulated by this Law.
3. Government of Kosovo on annual basis drafts the Monitoring Report on Implementation of goals and objectives stated in the Spatial Plan of Kosovo and Spatial Plans or Special Zones.
4. Government of Kosovo shall in regularly coordinate and harmonize the policies and sectoral strategies of the relevant Ministries.
5. Government of Kosovo coordinates collection of reports for strategic development of each Government sector and submits it to the Ministry six (6) months before the development of the Spatial Plan of Kosovo and the Zoning Map of Kosovo begins.

Article 9

Responsibilities of the Ministry for Spatial Planning

1. The Ministry in accordance to provisions of this Law is responsible for:
 - 1.1. preparation of policies for the scope of the spatial planning;
 - 1.2. drafting and coordination of legal framework of spatial planning;

1.3. preparation of proposal-decisions for the drafting of Spatial Plan of Kosovo and Zoning Map of Kosovo, and Spatial Plans for Special Zones, and for their revision. There shall be attached the program for drafting and management of planning process, which contain the following data:

1.3.1. type and definition of the spatial planning document;

1.3.2. the purpose of drafting;

1.3.3. the border of the territory;

1.3.4. entity responsible for drafting;

1.3.5. means and mechanisms required for drafting;

1.3.6. terms and conditions of implementations; and

1.3.7. Other important matters for drafting.

1.4. drafting and coordination of:

1.4.1. Spatial Plan of Kosovo every eight (8) years;

1.4.2. Zoning Map of Kosovo, nine (9) months after final approval of the Spatial Plan of Kosovo;

1.4.3. revision of the Zoning Map of Kosovo four (4) years after its final approval, in accordance with the procedure established for the initial development and approval, if less than forty percent (40%) of the measures foreseen for this period in Zoning Map of Kosovo, are implemented; and

1.4.4. Spatial Plans for Special Zones, in cooperation with relevant ministries, municipalities and institutions.

1.5. coordination of spatial and territorial planning objectives of central authorities in the Spatial Plan, Zoning Map of Kosovo and Spatial Plans for Special Zones;

1.6. encouragement and to ensure that public participation is involved in the drafting and implementation of spatial planning documents;

1.7. creation, organization, management and maintenance of Consolidated Spatial Planning Database, with all the spatial planning documents of central and local level, which have been approved by the Spatial Planning Authorities, as well as additional data that is related to spatial planning;

1.8. updating the Consolidated Spatial Planning Database with spatial planning documents within fifteen (15) days after its final approval;

1.9. development of spatial planning research and assessments and suggesting measures to the Government that need to be undertaken in order to improve the legal

framework and the procedures for drafting and implementation of spatial planning documents;

1.10. development of trainings for public and private sector whose scope of work is spatial planning or implementation of this law and related sub-legal acts;

1.11. determining the terms of construction and building permit for constructions within the protected area;

1.12. coordination with municipalities, local and international organizations in order to harmonize spatial planning in Kosovo with EU and international norms;

2. The Ministry ensures that the development of spatial planning documents at the local level are in accordance with the provisions of this law, by providing technical assistance to the municipal authority responsible for spatial planning and management through:

2.1. delivering Elementary Digital Data and Spatial Planning Technical Norms that are to be used during drafting of the Municipal Development Plan and Municipal Zoning Map, and detailed regulatory plans;

2.2. developing trainings for using Elementary Digital Data and Spatial Planning Technical Norms before the drafting of Municipal Development Plan and Municipal Zoning Map commences;

2.3. coordination of compliance assessment of the Municipal Development Plan and the Municipal Zoning Map and compliance with the Spatial Plan of Kosovo and Zoning Map of Kosovo as well as their revision with Basic Digital Data and Spatial Planning Standards, and notifies the responsible municipal authority for spatial planning and management of the decision on:

2.3.1. approval of the Municipal Development Plan and Municipal Zoning Map within thirty (30) days from the date of their submission;

2.3.2. the request for changes and amendments and to the Municipal Development Plan and Municipal Zoning Map, within thirty (30) days from the date of their submission; and

2.3.3. approval of the corrected Municipal Development Plan and Municipal Zoning Map that contains the requested changes and amendments; within ten (10) days from the date of their submission.

3. All public institutions at central and local level are obliged to assist the Ministry with supporting documentation of the various sectors, which are vital for the preparation of the Spatial Plan of Kosovo and Zoning Map of Kosovo.

4. The Ministry, for the development of spatial planning documents, can also secure donations from local and international institutions, in addition to financial resources allocated by the Government.

5. The Ministry, by a sub-legal act, shall determine the Spatial Planning Technical Norms that ought to be applied in the drafting of spatial planning documents.

6. The Ministry, by a sub-legal act, shall determine the scope and responsibilities of the Institute for Spatial Planning.

Article 10 **Responsibilities of the Municipal Assembly in Spatial Planning**

1. Municipal Assembly, in compliance with provisions of this Law is responsible for the approval of funds allocated for the implementation of this Law.

2. Municipal Assembly is responsible for:

2.1. approval of proposal of decision for drafting of the Municipal Development Plan, Municipal Zoning Map, and the Detailed Regulatory Plans;

2.2. approval of the Municipal Development Plan and Municipal Zoning Map, after approval from the sector directorates of the municipality at the following two phases of drafting:

2.2.1. after completion of the Municipal Development Plan; and

2.2.2. after the completion of the Municipal Zoning Map.

2.3. approval of Detailed Regulatory Plans, after approval from sector directorates of the municipality;

2.4. revision of the Zoning Map of Kosovo, after approval by the sector Directorates of the municipality;

2.5. revision of Detailed Regulatory Plans, after approval from the sector directorates of the municipality;

2.6. other documents stipulated by this Law.

3. Municipal Assembly on annual basis reviews the Monitoring Report of the Implementation of the goals and objectives stated in the Municipal Development Plan and Municipal Zoning Map, and the Detailed Regulatory Plans prepared by sector directorates of the municipality.

Article 11 **Responsibilities of the Municipal Authority Responsible for Spatial Planning and Management**

1. Municipal authority responsible for spatial planning and management in accordance with the provisions of this Law is responsible for:

1.1. spatial development, through design and implementation of goals and objectives stated in spatial planning documents;

1.2. development of spatial planning documents in full compliance with the Spatial Plan of Kosovo, Zoning Map of Kosovo and Spatial Planning Standards;

1.3. preparation of proposal-decisions on drafting the Municipal Development Plan and Municipal Zoning Map and Spatial Plans for Special Zones, and for their revision. There shall be attached the program for drafting and management of planning process, which contain the following data:

1.3.1. type and definition of spatial planning document;

1.3.2. the purpose of drafting;

1.3.3. border of the territory;

1.3.4. entity responsible for drafting;

1.3.5. means and mechanisms necessary for drafting;

1.4. coordination of sector directorates and human resources within the municipality for drafting the Municipal Development Plan within every eight (8) years;

1.5. drafting of Municipal Zoning Map in accordance with Zoning Map of Kosovo and Spatial Planning Standards, nine (9) months after final approval of the Municipal Development Plan, through:

1.5.1. coordination of sector directorates and human resources within the municipality; or

1.5.2. through design contest, in accordance with Law No. 03/L-241 on Public Procurement in the Republic of Kosovo;

1.6. drafting of Detailed Regulatory Plans, in accordance with the Municipal Zoning Map, Spatial Planning Standards, the provisions of Law No. 03/L-039 on Special Protected Zones, through:

1.6.1. coordination of sector directorates and human resources within the municipality; or

1.6.2. through design contest, in accordance with Law No. 03/L-241 on Public Procurement in the Republic of Kosovo;

1.7. revision of the Zoning Map of Municipality four (4) years after its final approval, in accordance with the procedure established for the initial development and approval, if less than forty percent (40%) of the measures foreseen for this period in Zoning Map of Municipality, are implemented;

1.8. development of training by representatives of the Ministry for the receipt and use of Digital Data Base that will be used during the development of spatial planning documents;

1.9. submission and presentation of the Municipal Development Plan and Municipal Zoning Map to the Ministry, to verify compliance with the Spatial Plan of Kosovo, Zoning Map of Kosovo and Spatial Planning Standards in the following three phases:

1.9.1. before public review of the Municipal Development Plan;

1.9.2. before public review of the Municipal Zoning Map;

1.9.3. before inclusion of data in the Consolidated Spatial Planning Database.

1.10. reviewing and monitoring the implementation of the objectives set out in spatial planning documents in the entire territory of the municipality;

1.11. providing all spatial planning documents within seven (7) days after their approval by the Municipal Assembly and relevant information to the Ministry and ensure the accuracy and completeness of the data included in the Consolidated Spatial Planning Database;

1.12. encouragement and ensuring public participation in the process of drafting and implementation of spatial planning documents;

1.13. coordination with the Ministry in order to harmonize the spatial planning with the existing legislation in Kosovo;

1.14. informing the Ministry annually on the state of Municipal Development Plan and Municipal Zoning Map and Detailed Regulatory Plans and their implementation status.

1.15. public notification and public review before Municipal Development Plan and Municipal Zoning Map and Detailed Regulatory Plans is finalized; and

1.16. preliminary review of all requests for changing the existing boundaries of land parcels, prior to decision by the authority responsible for cadastre.

2. The authority responsible for spatial planning and management ensures that the Municipal Development Plan and Municipal Zoning Map contains:

2.1. graphic data of the Spatial Planning of Kosovo and Zoning Map of Kosovo; and

2.2. all Urban Regulatory Plans and Detailed Regulatory Plans, that have been approved.

3. All public institutions at national and local level of government are obliged to help the authority responsible for spatial planning and management, with supporting documentation of various sectors, which are necessary for the preparation of the Spatial Plan of Kosovo and Zoning Map of Kosovo.

CHAPTER III

SPATIAL PLANNING DOCUMENTS

Article 12

Spatial Plan of Kosovo

1. Spatial Plan of Kosovo is a multi-sectoral document that identifies in spatial aspect development-social, economic and spatial policies with the purpose of creating a sustainable and balanced development in the whole territory of Kosovo.
2. In order to establish sustainable strategic priorities, Spatial Plan of Kosovo reviews and evaluates the existing conditions of:
 - 2.1. demographic data of the country;
 - 2.2. exploitation of economic resources in relation to the objectives of the Government sector's strategic development plans;
 - 2.3. existing technical infrastructure of the center level, in relation to the objectives of the Government sector's strategic development plans;
 - 2.4. existing public infrastructure of the central level in relation to the objectives of the Government sector's strategic development plans;
 - 2.5. existing social infrastructure of the central level in relation to the objectives of the Government sector's strategic development plans;
 - 2.6. threats from natural disasters and other disasters as well as environmental pollution and degradation; and
 - 2.7. protected areas, Special Zones and Special Protected Zones.
3. Spatial Plan of Kosovo defines the vision, principles, objectives and strategic development priorities upon which the drafting of Municipal Zoning Map is based.
4. Objectives of strategic development plans of different sectors of the Government, public administration, education, science and technology, agriculture, forestry, rural development, public safety, cultural heritage, cultural events, sports, environment, social wellbeing, health, infrastructure, economy, trade, industry, telecommunications, public transport, electricity generation and thermal energy, natural resources and minerals, etc.;
5. The Ministry with a sub-legal act shall determine the basic elements and requirements for the drafting, implementation and monitoring of the Spatial Planning of Kosovo.

Article 13

Zoning Map of Kosovo

1. Zoning Map of Kosovo is a multi-sectoral document that through charts, maps, photos and text determines the type, destination, planned use of space and action measures that are based on the duration and projections of available public and private investment for the entire territory of Kosovo for a period of at least eight (8) years;

2. Zoning Map of Kosovo designates surfaces and measures for:

2.1. economic development;

2.2. development of agricultural areas, residential, commercial, industrial, technological and mixed use, and terms of construction;

2.3. improvement of a central level technical infrastructure;

2.4. improvement of a central level public infrastructure;

2.5. improvement of a central level social infrastructure;

2.6. improvement of a central level public safety;

2.7. protection from natural disasters and other disasters as well as environmental pollution and degradation;

2.8. decrease and minimization of threats from natural disasters and other disasters;

2.9. protected areas, Special Zones and Special Protected Zones;

2.10. implementation provisions; and

2.11. monitoring implementation provisions.

3. Drafting of Zoning Map of Kosovo is based on:

3.1. vision statement, principles and sectoral strategic development goals;

3.2. creation of better living conditions, equal economic opportunities and environmental protection and natural heritage, cultural and archaeological sites;

4. The Ministry shall determine the elements and basic requirements for the design, implementation and monitoring of Zoning Map of Kosovo.

Article 14

Spatial Plans for Special Zones

1. Spatial Plans for Special Zones are prepared for the areas identified in the Spatial Plan of Kosovo and Zoning Map of Kosovo, with special features and require specific organizational,

development, use and protection regime. Such areas include national parks and other areas with unique natural, economic, mineral, agricultural, and cultural heritage value.

2. Spatial Plans for Special Zones define the statement of visions, principles and goals of sectoral strategic development, surfaces and measures:

2.1. economic development;

2.2. development of agricultural areas, residential, commercial, industrial, technological and mixed use, and terms of construction;

2.3. development of technical, public and social infrastructure;

2.4. protection from natural disasters and other disasters as well as environmental pollution and degradation;

2.5. enforcement provisions; and

2.6. monitoring implementation provisions;

3. Drafting of spatial plans for special zones is based on:

3.1. creating better living conditions, equal economic opportunities and protection of environment as well as natural and cultural heritage;

3.2. objectives of strategic development plans of different sectors of the government, public administration, education, science and technology, agriculture, forestry, rural development, public safety, cultural heritage, cultural events, sports, environment, social welfare, health, infrastructure, economy, trade, industry, telecommunications, public transport, electricity generation and thermal energy, natural resources and minerals, etc; and

3.3. international principles of spatial planning, sustainable development, and governance in harmony with EU norms.

4. The Ministry, in collaboration with other ministries and municipalities shall review annually the implementation of Spatial Plans for Special Zones.

5. Where the Special Protected Zones are within Special Zones, spatial planning documents are drafted in accordance with the provisions of Law No. 03/L-039 on Special Protective Zones.

6. Drafting of Spatial Plans for Special Zones is in accordance with the Spatial Plan of Kosovo and Zoning Map of Kosovo for a period of at least eight (8) years.

7. The Government by a sub-legal act shall determine the classification, duties, responsibilities and content of elements and requirements for the design, implementation and monitoring of Spatial Plans for Special Zones.

Article 15

Municipal Development Plan

1. Municipal Development Plan is a multi-sectoral document that defines the long-term limits of economic, social and spatial development. Municipal Development Plan shall include the plan for development of urban and rural zones for a period of at least eight (8) years.

2. In order to establish solid sustainable priorities, the Municipal Development Plan reviews and evaluates the existing conditions of:

2.1. demographic data of the country;

2.2. exploitation of economic resources in relation to the objectives of governmental and municipal strategic development plans;

2.3. existing technical infrastructure of local level, in relation to the objectives of governmental and municipal strategic development plans;

2.4. existing social infrastructure of local level, in relation to the objectives of governmental and municipal strategic development plans;

2.5. protection from natural disasters and other disasters as well as environmental pollution and degradation;

2.6. development of tourism and protection of cultural heritage;

2.7. informal settlements.

3. Municipal Development Plan defines the vision, principles, objectives and priorities of the strategic development upon which the drafting of Municipal Zoning Map is based.

4. Neighboring Municipal Assemblies in collaboration can approve the proposal for a decision to establish and develop a joint Municipal Development Plan which covers the whole territory of these municipalities.

5. The Ministry by a sub-legal act shall determine the elements and basic requirements for the drafting, implementation and monitoring of the Municipal Development Plan.

Article 16

Municipal Zoning Map

1. Municipal Zoning Map is a multi- sectoral document through using graphs, photos, maps and text determines in detail the type, destination, planned spatial use and action measures that are based on the duration and justifiable projections for public and private investment for all the territory of the municipality, for a period of at least eight (8) years;

2. Municipal Zoning Map defines the areas and measures for:

2.1. economic development;

- 2.2. development of agricultural areas, residential, commercial, industrial, technological and mixed use, and terms of construction;
- 2.3. improvement of local level technical infrastructure;
- 2.4. improvement of local level public infrastructure;
- 2.5. improvement of local level social infrastructure;
- 2.6. improvement of public safety;
- 2.7. protection from natural disasters and other disasters as well as environmental pollution and degradation;
- 2.8. development of tourism and protection of cultural heritage;
- 2.9. treatment of informal settlements;
- 2.10. implementation provisions;
- 2.11. monitoring implementation provisions.

3. Municipal Zoning Map based on:

- 3.1. objectives of strategic development plans of different Municipal and Governmental sectors for public administration, education, science and technology, agriculture, forestry, rural development, public safety, cultural heritage, cultural events, sports, environment, social welfare, health, infrastructure, economy, trade, industry, telecommunications, public transport, electricity and thermal energy distribution;
- 3.2. sustainable development by using public funds efficiently;
- 3.3. treatment of informal settlements;
- 3.4. Zoning Map of Kosovo, Municipal Development Plan and Spatial Planning Technical rates.

4. The Ministry by a sub-legal act shall determine the elements and basic requirements for the design, implementation and monitoring of the Municipal Zoning Map.

Article 17 **Detailed Regulatory Plans**

1. Municipalities dependent on the needs for spatial development can prepare Detailed Regulatory Plans for all or any of the zones defined by the Municipal Development Plan and Municipal Zoning Map.

2. Detailed Regulatory Plans determine the conditions for regulation of space for urban or rural zones as defined in the Municipal Development Plan and Municipal Zoning Map.
3. Urban Regulatory Plans should set Terms of Construction.
4. Municipalities can use human resources of their directorates to prepare Detailed Regulatory Plans or to outsource this activity in accordance with Law No. 04/L-42 on Public Procurement in the Republic of Kosovo.
5. Before finalizing the draft Detailed Regulatory Plan; the municipality will put the draft available to the public, interest groups, government departments and other agencies for review and comment. Review and comment period will not be longer than thirty (30) days.
6. Municipality within thirty (30) days after the public review period, reviews, analyzes and incorporates proposals that are derived from public debate and submits the draft Detailed Regulatory Plan to Municipal Assembly for final approval.
7. Detailed Regulatory Plan must be in accordance with the Municipal Development Plan and Municipal Zoning Map.
8. The municipality shall review and if necessary amend Detailed Regulatory Plan every five (5) years.
9. Detailed Regulatory Plan covers a period of at least eight (8) years.
10. The Ministry, by a sub-legal act shall determine the elements and basic requirements for the design, implementation and monitoring of the Detailed Regulatory Plans.

Article 18 Protected Areas

1. Protected area defines the long-term protection and preservation of a geographical area with special features of natural resources, flora and fauna, and architectural, archaeological cultural heritage and cultural landscapes, with a potential of social and economic development for the country.
2. Protected area consists of site perimeter designated under state protection and the protective zone of the surrounding area with radius of fifty (50) or one hundred (100) meters from the perimeter, or as it is determined by the competent institution.
3. The aim of the protected area is to restrict constructions or other activities that can damage the natural and cultural heritage features.
4. In the protected area is not allowed the:
 - 4.1. construction of highways and regional roads;
 - 4.2. construction of higher buildings and those that are not in harmony with the existing neighboring buildings;

- 4.3. development of heavy industry activity;
 - 4.4. overground installations of electrical supply, telecommunications, digital transmitters, etc.;
 - 4.5. construction activities that affect deforestation, disposal or environmental pollution; and
 - 4.6. urban and rural spatial planning from the local level;
5. Depending on the needs for economic and touristic development by the sectors of the Government or the Municipality, a protected area will be announced by the Government as a Special Zone through Zoning Map of Kosovo.

Article 19 **Spatial Planning Database**

1. Ministry creates, organizes, updates and maintains the Spatial Planning Database for internal use by national and local bodies, and for public access to spatial planning documents, within one (1) year from the date of entry into force of this Law.
2. The database contains information on spatial planning and zoning for cadastral zones and cadastral parcels for the entire territory of Kosovo.
3. The database is public and allows access in accordance with Law No.03/L-215 on Access to Public Documents.
4. The Government shall, by a sub-legal act, determine the method of maintaining the database and obligations of public authorities, other legal or natural persons in terms of maintenance and submission of documents and data in the database.
5. The spatial data system contains the spatial planning documents provided by this Law, other data related to spatial planning and management, as well as other databases dealing with spatial planning.
6. The spatial data system is based on geodetic data, mutually comparable and interlinked, data and other databases, harmonized with the banks and statistical data.
7. The Ministry shall establish and maintain a Consolidated Spatial Planning Database within one year from the date of entry into force of this Law.

CHAPTER IV PARTICIPATION AND PUBLIC REVIEW

Article 20

1. Spatial planning authorities prior to finalizing all spatial planning documents provided by this law, through public notice inform the citizens and develop public consultations and reviews, in order to:

1.1. encourage transparent public participation;

1.2. include public assessments on the possible social, economic and environmental impacts;

1.3. timelines for public participation are sufficient and effective without causing undue delay; and

1.4. to ensure public participation in the drafting and implementation of spatial planning documents; and

1.5. accept petitions from landowners for changes of land use classification.

2. All spatial planning documents contain the report of the proposals and objections from the public review, and petitions from landowners.

3. Ministry by sub-legal act shall establish the responsibilities of spatial planning authorities, public notice, and the time and manner of development of public debate, processing petitions, as well as the preparation of the review report for the public proposals and objections.

Article 21 Terms of Construction

1. Terms of construction are the conditions that serve as the basis for the drafting of construction documentation for each cadastral parcel through zoning and land use classification, as defined in the Zoning Map of Kosovo, Spatial Plans for Special Zones, Municipal Zoning Map and Detailed Regulatory Plans.

2. Spatial planning documents should determine the terms of construction for all of the relevant territory, as determined upon paragraph 1 of this Article.

3. Terms of construction specified in Zoning Map of Kosovo should be in accordance with the Municipal Development Plans, Urban Development Plans and Urban Regulatory Plans, that have been approved by the Ministry and the Municipality.

4. Terms of construction that are specified in the Zoning Map of Kosovo, shall remain in force until the municipalities determine the terms of constructions through Spatial Planning Documents, as required by the Law No. 03/L-40.on Local Self-Government.

5. Terms of Construction should be in the following order and contain:

- 5.1. references number of cadastral parcel and cadastral zone;
- 5.2. references number for zoning classification of land use;
- 5.3. regulatory line;
- 5.4. construction line;
- 5.5. permitted height in proportion to the distance from the boundary of the cadastral parcel along the public road;
- 5.6. permitted height in proportion to the distance from the side and rear borders of the cadastral parcel;
- 5.7. percentage of the gross occupancy building footprint area in proportion to the surface of the cadastral parcel;
- 5.8. percentage of gross green natural area for absorption of atmospheric rainfall in proportion to the surface of the cadastral parcel;
- 5.9. percentage of gross construction area within cadastral parcel allowed in proportion to the surface of the cadastral parcel;
- 5.10. percentage of usable underground area in proportion to the surface of the cadastral parcel;
- 5.11. minimal requirements for vehicular parking;
- 5.12. daylight to existing windows;
- 5.13. materials that are allowed be used on exterior surfaces of new buildings;
- 5.14. unrestricted access to public roads and infrastructure;
- 5.15. environmental and noise pollution restrictions according to the relevant legislation in force; and
- 5.16. measures for the protection of the natural, historical and cultural values; and

6. Terms of construction shall require evidence of a legal right of access from the cadastral parcel to public roads. If the legal right is granted by an adjoining landowner, the documents constituting such evidence shall be duly executed and registered pursuant to the Law No.2002/5 on the Establishment on the Immovable Property Rights Register.

7. The terms of construction should be made available in the Consolidated Spatial Planning Database and upon request, shall also be made available in hard copies at the offices of the spatial planning authorities within seven (7) days from approval of spatial planning documents.

8. The Terms of Construction must comply with the National Spatial Plan and Zoning Map of Kosovo and any spatial planning document that municipalities may develop and record in the Consolidated Spatial Planning Database.

Article 22
Copies of Spatial Planning Documents

Competent municipal authorities provide copies of Spatial Planning Documents to anyone requesting them. Municipal authority may charge a cost reflecting fee for each copy.

Article 23
Environmental Implications of Spatial Planning Documents

All spatial planning documents, and their revisions and terms of construction must be in accordance with the Law No. 03/L-230 on Strategic Environmental Assessment.

CHAPTER V
SUPERVISION

Article 24
Administrative Supervision

Spatial planning authorities are responsible for supervising the implementation of this Law and other sub-normative acts issued in accordance with it.

Article 25
Applicability

Government on the proposal of the Ministry, within six (6) months from the date of entry into force of this law shall issue a sub normative act to regulate supervision, sanctions and measures against all forms of violation of this Law.

CHAPTER VI
TRANSITIONAL AND FINAL PROVISIONS

Article 26
Drafting and Harmonization of Spatial Planning Documents

1. The Ministry shall, within nine (9) months from the date of entry into force of this Law, draft the Zoning Map of Kosovo in accordance with Municipal Development Plans, Urban

Development Plans, Urban Regulatory Plans approved by the Ministry and Municipal Assemblies in accordance with the provisions of this Law.

2. Municipalities, within fifteen (15) days from the date of entry into force of this Law, are obliged to submit to the Ministry all drawings of the Municipal Development Plan, Urban Development Plan and Urban Regulatory Plans approved by the Ministry and Municipal Assemblies in CAD format.

3. Municipalities that possess the Municipal Development Plan, Urban Development Plan and Urban Regulatory Plans approved by the Ministry and Municipal Assemblies, within fifteen (15) months from the date of entry into force of this law, shall draft and approve Municipal Zoning Map in accordance with the provisions of this Law.

4. Except the Municipalities that are in process of public reviewing of Municipal Development Plan, all Municipalities that do not possess the Municipal Development Plan approved by the Ministry and the Municipal Assembly, within fifteen (15) months from the date of entry into force of this Law shall prepare and approve the spatial planning documents in accordance with the provisions of this Law.

5. Regardless of the provisions contemplated in Article 11 of this Law, the Ministry is responsible for development of Spatial Planning documents at local level, in cooperation with municipalities, if municipalities fail to fulfill their.

6. Terms of Construction specified in the Zoning Map of Kosovo remain in force until final approval of the Municipal Zoning Map.

7. Existing spatial planning documents which are approved shall remain in force until harmonized with the provisions of this Law.

8. Until issuing sublegal acts prescribed by the provisions of this law, existing sublegal acts apply if they are not inconsistent with the provisions of this Law.

Article 27 **Sub-legal acts**

Ministry shall issue sub-legal acts that are required by this Law and shall harmonize existing sub-legal acts within one (1) year from the date of entry into force of this Law.

Article 28 **Repealing Provisions**

With the entry into force of this Law, the Law no. 2003/14 on Spatial Planning and the Law No. 03/L-106 on Amending the Law No. 2003/14 on Spatial Planning shall be repealed.

Article 29
Entry into Force

This Law shall enter into force fifteen (15) days after its publication in the Official Gazette of Republic of Kosovo.

Law No. 04/L-174
31 July 2013

President of the Assembly of the Republic of Kosovo

Jakup KRASNIQI