Besides the megacity and other cities

Building moratorium as a future instrument for tackling unsustainable urban growth
Aim of research

**OBJECTIVE:** Explain the mechanism of moratorium on the issuance of building permits.

**FOCUS:** How and under which circumstances governments can legitimately use it.

**QUESTION:** What are the repercussions?

**METHODOLOGY:** Theoretical research & Case study research.
Moratorium

Definition of the term

“A building moratorium halts the construction of a project or projects. Building moratoriums are imposed by cities, towns and the courts, and for a variety of reasons” (Bankrate, 2018).

Why halting construction?

- **Balance the big demand to development**
  - To prevent unsuitable and not carefully considered growth
  - To take time in order to raise awareness to a new issue in planning
  - To prevent the disadvantaged outcomes that the public and landowners could face in accordance to a construction that might be conflicting with the future plan strategies

- **After a disaster:** To stop the environmental degradation and safety. - as a resilience mechanism

How to halt construction?

- NO issuance of building permits
- It can be agreed upon all the interest parties or it may be imposed by operation of law
Types of Moratorium

**TIME SPAN:**
- *Short term* - 3 months to 12 months
- *Long term* - more than 1 year and up to 10 years according to the framework set by the local government

**BUILDING PERMIT TYPE**
- *General* - all types of buildings in one zone
- *Specific* - certain land use in one or more zones
UK
moratorium on assets of community value

“In England, an asset of community value (ACV) is land or property of importance to a local community which is subject to additional protection from development under the Localism Act 2011” - Wikipedia recognizing a valuable asset in form of a park, old building, any open or closed space that is a private ownership and protect it from further development.

USA
housing moratorium in San Francisco Bay area

Stabilising the housing prices which went from average to the highest in the country in the 70s.

Mismanagement between supply and demand.

In this scenario the residents of the affected area opted for different advanced land use control mechanism and building moratorium showed fastests results.
CASE STUDY
BUILDING MORATORIUM IN SKOPJE

Problems in the urban sphere
- Due to privatisation of the national land
- From the greenest city in former Yugoslavia to one of the most air polluted city in Europe.

Moratorium declaration and media fuss
- Based on the fact that urban plans are not compatible with the general urban plan/strategy for growth.
- ‘Construction blockade’ was demanded by the citizens
- A working group for making site analysis was created with objective to review thoroughly the valid plans, as well as the ones in the process of adopting.

The aftermath
- Moratorium lasted for 1.5 year
- All revisions made BUT no significant changes in the urban plans and policies
- The Constitutional Court ruled in favour of the Chamber of Construction that filed charges on the Municipality of Centar based on the argument that the category of moratorium is not recognised in the legal system.

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A methodology adopted for analysing the urban plans

(based on the building standard law and the masterplan regulations)

- Analysis of the existing situation: by mapping
  - mapping of inventory
  - Implementation of a previous plan
  - Ownership of empty plots

- Comparison of existing conditions with planned conditions:
  - 3D visualization comparison
  - Shadow analysis:
  - Comparable numerical indicators

- Analysis of the planned condition
  - Comparison of numerical indicators between the GUP and DUP in the procedure
  - The area of land aimed for construction and it’s intensity
  - The need of facilities for public use
  - Green area, public and private
  - Mapping of plots that do not allow underground parking on -2 level
  - Number of public parking lots and analysis of street profiles
  - mapping objects that do not meet the parameters for the mutual height, depth and disposition
  - Number of population, density and demography

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Conclusions

Lessons learned

- Reduced municipal budget due to pending communal service tax form the real estate owners. (in the case of Skopje)
- New urban plans and policies adopted and new Law on Construction.
- Large construction companies will rapidly issue building permits so that they can minimize the economic disruptions afterwards.
- The advantages to the municipality must outweigh the negative consequences of a moratoria to potential developers.

Economic repercussion of the mechanism should be further researched.

Q: What can urban planning and development strategies do to promote liveability, well-being, sustainability, innovation and responsive governance for their dwellers?
A: Moratorium has the potential of a sophisticated growth management tool that can be used by governments worldwide but the instrument is yet to be explored.