Kosovo Environmental Programme

(2016/07076)

Detailed Regulatory Plan for Prevalla Zone III National Park Sharri

Version N.001

31 December 2019
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Disclaimer
The opinions expressed in this Report are those of the authors and do not necessarily reflect the opinions of the Swedish Embassy in Kosovo or any other organisation mentioned. As a result, these will be verified before implementation of any of the recommendations contained herein.
# Detailed Regulatory Plan for Prevalla Zone III

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1 INTRODUCTION

1.1 THE KOSOVO ENVIRONMENTAL PROGRAMME (KEP)

On 16th June 2016 the Embassy of Sweden (EoS) signed a Framework Agreement with ORGUT Consulting AB, then purchased by FCG Sweden, hereinafter simply called “FCG”, as Framework Service Provider (FSP) in partnership with EPTISA Servicios de Ingeniería (Spain), simply called “EPTISA”, for the implementation of the “Kosovo Environmental Programme”, also called “the Programme” or “KEP” (document proposed to EoS on June 2015), reference n.2016/07076, funded by the Swedish International Development Cooperation Agency (Sida) and agreed with the Ministry of Environment and Spatial Planning of the Republic of Kosovo (MESP). The Framework Agreement formally started on 4th July 2016 with an overall duration of 4 years until 3rd July 2020.

The aim of the Programme is supporting the development of the capacity of the MESP, the Inter-Ministerial Water Council (IMWC), municipalities, and other stakeholders in environmental monitoring and management. More specifically KEP intends to develop the capacity of implementing the environmental legislation in compliance with EU directives and to support the Kosovo Environmental Protection Agency (KEPA) to enhance knowledge, to protect the biodiversity and to improve the management of trans-boundary protected areas, based on the national priorities deriving from the MESP policy documents, including the Kosovo Environmental Strategy (KES) and the National Environmental Action Plan (NEAP). The Programme aims also at strengthening the knowledge of Kosovo’s water resources improving their management and enhancing resilience to environmental and climate change. To achieve these objectives, KEP has been divided in the following Components:

**KEP components**

| 1. Strengthening KEPA’s capacity for environmental monitoring, assessment and reporting |
| 2. Conservation of bio-diversity through Red Book of animal species in Kosovo |
| 3. Strengthening the management of trans-boundary natural areas |
| 4. Establishment of groundwater monitoring network in Kosovo |
| 5. Strengthening capacity for implementation of environmental legislation at central-local level |
| 6. Groundwater investigation in Drini River Basin |
| 7. River basin management plan for Drini River Basin |
| 8. Support to Inter-Ministerial Water Council |
| 9. Provision of Technical Assistance Services to Programme Facilitation Unit (cross-cutting) |

The Component 3 of the Programme is mainly focused on the finalisation of at strengthening the management of transboundary areas through the implementation of the following main tasks and activities:

**A3 Strengthening the management of transboundary natural areas**

| A3.01 Development of National Park “Bjeshkët e Nemuna” Management Plan and Regulation Plans for 3rd zones for 2 NPs |
| A3.01.01 Engagement and cooperation with local communities, including women and youth, to define NP zoning plan and protection regimes |
| A3.01.02 Conduction of fieldwork to assess the biodiversity, landscapes and historical sites within the NPs for inventory developing purposes |
| A3.01.03 Conduction of fieldwork to assess natural resources use and management with roles, and knowledge of persons living in the parks |
| A3.01.04 Drafting of a Management Plan for National Park “Bjeshkët e Nemuna” under broad consultation and participation of local communities |
| A3.01.05 Drafting of 4 Regulation Plans for third zones for both NPs, 2 for National Park “Sharr” and 2 for National Park “Bjeshkët e Nemuna” |

| A3.02 Strengthening the capacities of National Park Directorates to manage the natural resources |
| A3.02.01 Assistance of KEPA in organising 20 workshops and trainings aiming at enhancing the capacities of the two National Park directorates |
| A3.02.02 Development of plans for regular maintenance of the park’s landscapes, ecosystems, habitats and species and historical sites |
| A3.02.03 Assistance to MESP/KEPA in developing a strategy to establish operational national park information centres; design of touristic sites, etc. |
| A3.02.04 Conduction of an analysis of the NPs’ potential for socio-economic development and for developing businesses promoting best practices |
| A3.02.05 Assistance to MESP in preparing a preliminary plan to organise fairs and promotion of traditional product brands |
| A3.02.06 Procurement to the organisation of awareness campaigns for preservation of natural values, biodiversity and cultural heritage promotion |

| A3.03 Enhancement of transboundary cooperation and coordination for nature conservation |
| A3.03.01 Assessment of pressures and impacts of human activities on landscape, biodiversity and cultural heritage |
| A3.03.02 Development of the plan and programme of measures to protect and/or restore natural ecosystems, habitats and species |
| A3.03.03 Organisation of a study tour to neighbouring countries for experience sharing on the management of transboundary protected areas |

Kosovo Environmental Programme (KEP) 2016/07076
A Sida-funded project managed by the Swedish Embassy in Kosovo
This Report on “Detailed Regulatory Plan for Prevalla Zone III” has been finalized on 31 December 2019 within the activity A3.01.05, which related tasks have been implemented from 3 January 2017 to 4 July 2020. The main issue of the task is to provide support to the Ministry of Environment and Spatial Planning and the two National Parks “Sharr” and “Bjeshkët e Nemuna” that are facing several challenges.

Among those challenges is the urgent need for finding solutions how to deal with illegal construction activities in some areas of the National Parks, mainly for private and touristic purposes. Also, future development of constructions in settlements and villages within the National Parks boundaries need strict regulation.

One instrument for dealing with such challenges are spatial plans on local level. In Kosovo there is an instrument, the so called Detailed Regulatory Plan (DRP) including an administrative instruction for this DRP. This report provides a best practice, how to prepare local spatial plans based on international experience and compares international best practice with the current instrument in Kosovo.

Critical review of this DRP (and the corresponding administrative instruction) shows that the current procedure of preparing regulation plans on local level is very wide and complex and several items should be reduced, deleted or handled with flexibility, in order to have a more practical and effective approach in regulating constructions in National Parks. Within this framework, the Detailed Regulatory Plans (DRP) for 2 areas in National Park “Sharr’ (Prevalla and Struzhe/Zapliuxhe) and 2 areas in National Park “Bjeshkët e Nemuna” (Boge and Gropa e Erenikut) have been drafted.

This Report has been prepared in order to provide the competent authorities and key stakeholders of an useful tool, a Manual, Handbook, Guideline, to facilitate the further elaboration of the further plans that will characterise the development of the Natural Parks of Kosovo.

During this period, a multi-disciplinary group of international, regional and Kosovan experts has been engaged to support the staff of KEPA and the related Directorate for National Park Bjeshkët e Nemuna in the finalisation of such Component 3 and in the printing of the related deliverables.

These 5 external experts were:
- Mr. Jorge MALUENDA (International Expert on Natural Park Management Planning);
- Mr. Daniel BOGNER (International Expert on Natural Park Regulatory Planning and Trounsboundary Cooperation);
- Ms. Pranvera MUCAJ (Kosovan Expert on Urban Planning for NP Sharri);
- Ms Lumnje GASHI SHABANI (Kosovan Expert on Urban Planning for NP BeN);
- Mr. Tomor ÇELA (Kosovan Expert on Urban Planning for NP BeN).

The work of all these Short-Term Experts (STEs) was under the direct coordination and supervision of Mr. Luan NUSHI (initially) and of Mr. Bajram KAFEXHOLLI, Director of the Directorate of the National Park Bjeshkët e Nemuna who worked under the direction of Mr. Ilir MORINA, Chief Executive Officer (CEO) of the Kosovo Environmental Protection Agency (KEPA) to implement the overall Component 3 of the KEP, with the assistance of 2 Key Experts: Mr. Giuseppe RAZZA, Programme Team Leader and Team Leader of Components 1÷4 of the KEP and Mr. Tush MARKAJ, Local Team Manager of the same Components.

In addition, the staff of the National Parks of Bjeshkët e Nemuna and Sharr, are thanked for their assistance during the realization of some of the field trips in these protected areas.

This report also provides recommendations for future handling of local spatial plans and on responsibilities in administration, because at the moment National Parks Directorates are not at all involved in spatial planning or construction permissions.

However, it is important to mention, that for having any effect in practice, along with preparing local spatial plans there is an obvious need for capacity building among Municipalities, National Parks and Ministry for enforcement of local spatial plans.
METHODOLOGY

2.1 LEGAL FRAMEWORK

The methodology for the drafting of a Detailed Regulatory Plan (DRP) in Kosovo is based on international experience and best practice as well as on several legislative documents, of which some of the relevant are:

- Law on Spatial Planning No. 04/L-174 (2013)
- Law on Nature Protection No. 03/L-233 (2010)
- Law on National Park “Sharri” No. 04/L - 087 (2013)
- Spatial Plan for National Park Sharri (2013)
- Administrative Instruction on Detailed Regulatory Plans (2018)
- Municipal Development Plan (MDP) for Prizren Municipality (2013-2025)
- Urban Regulatory Plan for Prevalla (2006)
- Informal concept for the development of the southern part of zone III of Prevalla (2018)

According to the Kosovo Law on Nature Protection 2010 and the Kosovo Law on Spatial Planning 2013 (Articles 3, 14 and 17), competent authorities can draft “Detailed Regulatory Plans” (DRP) for areas, where a regulation and control of spatial development is needed, especially for areas in National Parks. DRPs are a specific instrument for local spatial planning.

This document applies only to third zones in the two National Parks, which are foreseen for construction for different purposes.

2.1.1 Law on Nature Protection (2010)

Article 6.2.3 Nature protection shall particularly be implemented through putting conditions and measures of nature protection in the spatial planning document.

Article 125.2. states: In procedure of drafting regulatory urban plans and detailed regulatory plans of the area of national park and nature park, the Ministry appoints to the plan holder to design requirements for the preparation of spatial plan: data, planning directions, documents provided, conditions and measures for the nature protection, conserving directions of the ecological system areas with cartographic presentation.

Article 143.2. Municipalities in accordance with this Law, Strategy, the program of nature protection and spatial regulation documents are obligated to: 2.3. provide conditions for protection and conservation of protected areas within their competence (e.g. local spatial planning)

2.1.2 Law on Spatial Planning (2013)

Article 3 Definitions:


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

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.

1.22. 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.

Article 5 Levels of Planning and Spatial Planning Documents:
1.2. Local level planning for the entire territory of municipalities through spatial planning documents, such as: 1.2.3. Detailed Regulatory Plans.

Article 9 Responsibilities of the Ministry for Spatial Planning:
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 ... (comment: here it could be added: “Providing support for the elaboration of local spatial planning documents”)

Article 10 Responsibilities of the Municipal Assembly in Spatial Planning:
2. Municipal Assembly is responsible for:
2.3. approval of Detailed Regulatory Plans, after approval from sector directorates of the municipality;

Article 11 Responsibilities of the Municipal Authority Responsible for Spatial Planning:
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,

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.
7. Detailed Regulatory Plan must be in accordance with the Municipal Development Plan (MDP) and Municipal Zoning Map. (comment: what if there is no approved MDP or the MDP is not complete?)
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. (comment: Administrative Instruction for DRP).

Article 18 Protected Areas:
4. In the protected area is not allowed the:
4.6. urban and rural spatial planning from the local level; (comment: which makes it unclear who is responsible for drafting and approving a DRP in a National Park!)

DRPs are a specific instrument for local spatial planning. Following the relevant administrative instruction, a DRP contains 3 parts:

- Justification report (see chapter 2.3 Justification)
- Textual section (this document)
- Cartographic section (attached maps to this document)

The main principles (related to the 4 pilot areas) for drafting DRPs are:

- DRPs shall only be drafted if there is a specific need for more detailed spatial development conditions for a specific area over what has been provided in the relevant zoning map;
- DRPs can be drafted only if the Planning Authority gives a clear justification why the detailed regulation of space is needed;
- Detailed Regulatory Plans are detailed plans for residential areas or other areas where construction will be allowed;
- Promotion of social and economic development of the planned area;
- Preserving the nature and historical and cultural character and environmental resources of the planning area;
- Provide spaces for road and transport infrastructure efficient and effectively;
- Promotion of open space and recreational facilities suitable to envisaging development needs.
2.2 INVOLVED PARTIES / STAKEHOLDERS

Within the frame of the KEP this process of drafting regulation plans is following a capacity building approach; the process of drafting DRPs was guided through a series of workshops, also designed as a training programme.

Several stakeholders have been involved in the planning process during a series of workshops/trainings; Stakeholders were from Ministry for Environment and Spatial Planning, National Park Directorates, Municipalities, NGOs and local land owners. The baseline for this process is described in a training program for local spatial planning as well as a report on best practices in local spatial planning. Both documents were delivered in February 2018 to KEP and MESP.

The main steps through the capacity building process were:

- Selection of 4 pilot areas for preparing a DRP
- Recording of current status in pilot areas
- Best practice on local spatial planning
- Analysis + assessment of current status
- Definition of objectives for spatial development
- Scenarios and development framework
- Presentation and discussion of first draft of DRPs in a workshop with municipality Prizren, local land owners and National Park staff

The main stakeholders to be involved in the process can be summarised, but not limited, in the following:

- Developers: Applicants, natural or legal persons who want to construct a building for private, public or business (touristic) purposes;
- Municipalities: administrative body by the Law on Local Self Government
- National Park: administrative body for National Parks
- Ministry for Environment and Spatial Planning
- Public

During the finalisation of this Detailed Regulatory Plan, the following main workshops and meetings with stakeholders were held (see also Photos 2.2.1 and 2.2.2 of the following page):

- 16. June 2017: Field visit to Prevalla area;
- 13. September 2017 (Hotel Sharri, Prizren/Prevalla): Establishment of working group and defining the frame of the process;
- 08. November 2017 + 09. November 2017 (Hotel Magra, Boge): definition of criteria for pilot actions and selection of pilot areas with the working group;
- 21. February 2018: recording, analysis + assessment of current status in NP BeN, expanding the working group; best practices from EU countries;
- 13. April 2018: meeting with Municipality of Prizren and NP Sharri
- 19. April 2018 (Hotel Sharri, Prizren/Prevalla): recording, analysis + assessment of current status in NP Sharri, expanding the working group; best practices from EU countries;
- 13. November 2018: Field visit to Prevalla;
- 15. November: Meeting with municipality Prizren;
- 20. December: Meeting with National Park and local community in Prevalla

The main comments and recommendations received during such key workshops and meetings are integrated in this report.
Detailed Regulatory Plan for Prevalla Zone III

Photo 2.2.1: Discussion of Detailed Regulatory Plan (DRP) with local stakeholders in Prevalla on 20. Dec. 2018

Photo 2.2.2: Discussion of Detailed Regulatory Plan (DRP): Tomor Qela (local GIS Expert), Valton Ceku (National Park Sharri) and local stakeholders in Prevalla on 20. Dec. 2018
2.3 JUSTIFICATION

Article 7 of the Administrative Instruction for DRPs requests a justification report for drafting a DRP. The intention behind is to save taxpayers money. However, it also states:

- 5. No Justification Report is necessary for drafting of Detailed Regulatory Plans that relate to the following needs:
  - 5.1. Post-disaster planning and rebuilding; or
  - 5.2. A Detailed Regulatory Plan has been anticipated and its drafting approved in the Municipal Development Plan or Municipal Zoning Map.

As the need for Development of Urban Regulatory Plans is foreseen / mentioned in the MDP of Prizren and also in the NP Sharri Spatial Plan, the condition 5.2 is fulfilled.

Moreover, following the ToR of this task in the frame of KEP, Component 3, the Ministry of Environment and Spatial Planning proposed / requested the Drafting of 4 Regulatory Plans in the National Parks.

However, a justification for the selection of the 4 pilot areas was also made in one of the workshops (08. November 2017 + 09. November 2017, held in Hotel Magra, Bogd). During this Workshop the area of Prevalla was selected.

<table>
<thead>
<tr>
<th>Potential Area</th>
<th>Selection criteria / justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>NP Sharri</td>
<td>Area is in zone III</td>
</tr>
<tr>
<td></td>
<td>Area has a high potential for touristic development</td>
</tr>
<tr>
<td></td>
<td>Already infrastructure existing and several activities ongoing</td>
</tr>
<tr>
<td></td>
<td>An Urban Regulatory Plan was implemented 2006, but is no longer valid</td>
</tr>
<tr>
<td></td>
<td>There are ideas and plans for investments</td>
</tr>
<tr>
<td>Prevalla</td>
<td>There is a request of Municipality Prizren and the area is planned for touristic development in the Prizren MDP</td>
</tr>
</tbody>
</table>
2.4 PURPOSE

The purpose is to prepare a Regulation Plans as an example for the future and other areas in the National Park Sharri. Following the AI, a DRP is:

- Establishing conditions for the regulation of space in specifically designed parts of zones or planning area, including terms of construction. Conditions for the regulation of space are more detailed than the conditions set in the Municipal Zoning Map and other spatial planning documents of higher level.
- Establishing a framework for capital investments and complex projects, including integrating development with technical, road, public and social infrastructure.
3 PLANNING AREA

3.1 GEOGRAPHICAL LOCATION

The planning area under consideration is called Prevalla; it is located in the Municipality of Prizren and it is part of the Zhupa valley; it is also situated in National Park Sharri. The area is designated as Zone III within the National Park Sharri boundaries, however, for this Regulation Plan the planning areas was extended (based on workshop results), because there are existing buildings outside Zone III. Details are shown in:

- Map 1 - Existing Situation of planning Area including boundaries, national park boundaries, orthophoto, land use existing buildings and roads;
- Map 2 - Cadaster and land ownership: Map with private and publicly owned cadastral parcel within the planning area.

In the following photos some views of the Prevalla area are shown:

Photo 4.1: Photo of Prevalla area (2018)
Photo 4.1.2: Photo of Prevalla area (2018)

Photo 4.1.3: Photo of Prevalla area (2018)
3.2 **Socio-Economic Analysis**

As the planning area is situated in the Municipality of Prizren, the Municipal Development Plan (MDP) of Prizren is a relevant document; according to the definition in the Law on Spatial Planning, it is a “multi-sectoral plan that determines the long-term goals of economic, social and spatial development”. Information in this chapter is widely based on the Prizren MDP.

Data on migration flows show that migration to Prizren is in one direction - out of Prizren, almost in all commune villages. Based on the interviews it appears that there were mainly three major migrations in the 1950s, 1970s and 1990s. The beginning of the '50s can respond to the global redevelopment and industrialization period after the Second World War. Prizren has been influenced socially during these years with a general out-migration. The other migration flow of the population is also related to industrialization, particularly because of the large influx of Germany in the 1970s. This migration has accelerated in the 1990s when the political situation deteriorated in Kosovo.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Inhabitants in Prizren Municipality</td>
<td>97,714</td>
<td>134,526</td>
<td>200,776</td>
<td>240,000</td>
<td>n.a.</td>
</tr>
</tbody>
</table>

**Tab. 4.2.1:** Development of the population of Prizren during the last 5 decades

High unemployment and lack of opportunities coupled with the upheavals of the 1990s and the conflict in 1999 have added to traditional patterns of movement, revealing that Kosovo has experienced and continues to experience significant population migrations. Much of this has been observed in the shift from rural to urban areas across Kosovo, as well as in emigration abroad. Many Emigrants are living abroad, mainly returning back to Kosovo during the summer. More than 90% of the population in Municipality Prizren are Albanians.

According to the MDP, the Vision for Prizren is to have a central position as a modern tourist cultural center which is connected with the natural values of Sharri Mountains. This includes the goal of development of mountain and cultural tourism, linked to the protection of cultural, historical and natural heritage. Further goals are to raise the awareness about the preservation of natural heritage and to improve professional and governmental co-operation in terms of natural heritage management. Regarding economic development, the MDP points out that adequate tourist activities such as winter tourism, health tourism and eco-tourism will be established and developed.

The MDP states, that natural tourist zones are Zhupa Valley (where Prevalla is located) and Sharri Mountains. The area has potential for natural tourism, camping and field sports, but can also include hotels, motels, camping areas, camps for observers, sports facilities, restaurants, socio-cultural facilities, parks, recreational areas and health parks.

The eastern part of Prizren municipality is called Zhupa and in includes the Prevalla area. It is a mountainous region where the geography of this region has a big potential for livestock, forestry and tourism development, where these potentials enable the economic development of this region. The region’s economy is largely based on livestock. Here comes the cultivation of dishes, sheep and goats as well as beekeeping. The soil is very fertile and can grow many types of fruits and vegetables. This region has many natural resources that can be used in production. Although there is high livestock potential, support activities for forestry and livestock farming, unemployment remains one of the key problems in the region. Zhupa has potential, but there is lack of infrastructure and investment for production. Production activities are only for their own family needs.

Tourism is one of the greatest potentials of the region, especially for the development of mountain and health tourism in the Sharri Mountains. The National Park Sharri is an important natural asset. The tourism potential is closely linked to the geographic position of the country as well as to the rich natural resources, prosperity with cultural and historical objects and rich folklore. However, there is a lack of hotel and service facilities for tourism development.

Prevalla is also a site well known for its touristic development. Types of tourism seen at Prevalla are: mountain tourism, winter, summer tourism, nature activities, health tourism, tourist excursions.

However, there is no adequate tourist infrastructure at Prevalla and development until now has been improvised and created only for “provisional” uses (weekend-houses, restaurants, motels, tents). Service provision to tourists is made of poor, unplanned services, and not pursuant to sustainable development criteria.
Prevalla has its own local water supply system, supplying water to the few hotelier and service facilities located there. The area is supplied insufficiently with electricity.

No permanent residents are staying in Prevalla and there is no social or health infrastructure, no school, no industry and only little agriculture.

Accessibility to Prevalla is very good, because it is located on the regional road R115 from Prizren to Strpce.

In 2006 the Municipal Assembly of Prizren has drafted a “Urban Regulatory Plan” for the Prevalla Area, which is no longer valid, because a number of houses were built after that in contradiction with this plan. This means that uncontrolled construction and development was increasing. Unplanned and uncontrolled development within the Park resulted in various problems, such as drinking water supply, waste water discharge, waste collection and other services, and further the use of inadequate construction materials for mountainous areas, construction of fences and girdles, etc. Next to the Prizren MDP the Spatial Plan for National Park Sharri (2013) is an important document for the area under consideration. It explains how National Park Sharri is structured in three types of areas of environmental protection. The first area is defined as strictly natural reserves where there must be no economic activities but only walking trails for visitors. In the second zone, a limited economic development is envisaged where the technical infrastructure should be established only for the transport of skiers and other tourist activities.

Development and economic activities are proposed in the third zone while respecting the terms and concepts of sustainability. These activities include sports tourism, summer and winter tourism, health tourism, ecotourism, rural and cultural tourism, research and tourism tourism, alpine tourism and cycling tourism. **Prevalla is situated in such a Zone III, designated for development within certain frames.**

The vision of the plan is defined in the following three statements:

- A carefully managed Park for future generations of biodiversity, characteristic landscape, surrounding settlements, and traditional life culture that is valued, preserved and developed
- A park where profit is generated from economic and tourist activities in favor of the community and the protection of the environment
- A park with easy access that creates opportunities and enjoyment for tourists, recreation, sports, research and cultural activities at any time.

The main goals from National Park Sharri Spatial Plan for Prevalla:

- Construction of a main access point to the National Park in Prevalla
- Draft an URP – Urban Regulatory Plan for the Tourist Centre Prevalla
- Construction of a sports/tourist center in Prevalla, pursuant to the regulatory plan
3.3 Environment and Nature

As explained and described before, natural heritage is of great economic importance for the area of Prevalla, with a huge potential of touristic development.

Unfortunately, loss of natural heritage is evident and the causes are different: chaotic constructions close to areas of natural heritage, uncontrolled forest cuttings, erosion, destruction of valuable nature monuments, pollution of mainly tourist areas, all due to the inefficiency of management bodies for the protection of natural heritage in accordance with international and local criteria, as well as the low awareness of the population for the preservation of protected areas as a potential for development of tourism and the country's economy.

With its rich natural characteristics, such as topographic surface, climate and hydrological properties as well as the biodiversity of flora and fauna, the national park has been designated as the center of scientific and educational research in natural sciences and rural economic development and ecotourism. But the park is at high risk of pollution and degradation of the environment as a result of the irrational use of natural resources, as well as the illegal cutting of forests and the high level of erosion.

The National Park Sharri has botanical, animal, ecological, tourist, recreational, sports, educational and cultural values. The park is very rich in biodiversity not only for Kosovo but also for the Balkan Peninsula region and represents a treasure trove of plant species where some of them are endemic, rare or endangered by extermination.

The National Park is of particular importance to ensure the protection of geological and geomorphological diversity of the region and biodiversity, including the rich water resources and endemic species of the region.

The Sharri National Park territory includes several restricted natural reserves (zone I) close to Prevalla:

- Maja e Arnenit with fir forests (Pinetus heldreichii), is located at Prevalla (the eastern part of Oshlak). It was put under protection in 1960, with an area of 30 ha. This area holds endemic and relict forests of Pinus heldreichii. This reserve requires adequate maintenance for value protection (considering a large fire some years ago), otherwise it will lose its value as a natural protected reserve.
- Oshlak Mountains are west of Prevalla and are home to rare flora and fauna species. A part of this zone, named “Oshlak” Natural Reservation (Zone I), covering 20 ha, with Seslerio – Pinetum heldreichii forests, placed in the western part of the mountain was declared a natural reservation in 1960. Except for pine forests, Oshlak reservation also includes certain significant endemic flora species and relicts. Oshlak Reservation is rather important in the ornito-faunal aspect as well, since it represents a habitat of certain important bird species, specified in Annex I of the Bird Directive and also bird species that are on the IUCN Red List. Research in this region shows that this zone of the National Park holds significant natural and scientific values. Part of the rich biodiversity are numerous endemic plants.

Livadhi i mbretit – Jazhince Lake – is located south east of Prevalla, under the Bistra top. Apart from the lake, the area holds important plant communities.
3.4 **ASSESSMENT OF EXISTING SITUATION**

This chapter is based on results from workshop with stakeholders. It is also providing assessment and comments based on international experience and best practice as well as on Spatial Plan for NP Sharri (2013). A first and rather general assessment related to the objectives of the Spatial Plan for NP Sharri specified in chapter 4.1 is presented here:

**Settlements and Infrastructure:**

<table>
<thead>
<tr>
<th>Topic</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Regulatory Plan (URP) was developed in 2006 but is not valid anymore</td>
<td>This plan covers the northern part of the Zone III (north of the regional road from Prizren to Shterpce); parts of the plan were implemented; however, this plan does not respect the zone III of the National Park Sharri; as a consequence, some constructions are made in Zone II; some constructions are not according to the plan.</td>
</tr>
<tr>
<td>About 200 constructions exist and many are without permisson</td>
<td></td>
</tr>
<tr>
<td>Existing constructions only to some extent according to plans</td>
<td></td>
</tr>
<tr>
<td>Existing constructions are outside Zone 3 and in Zone 2 of NP</td>
<td></td>
</tr>
<tr>
<td>Regulatory plan is urgently needed</td>
<td></td>
</tr>
<tr>
<td>The area can easily be accessed through the road from Prizren, which continues to Shterpce</td>
<td>This is a good precondition for touristic development</td>
</tr>
<tr>
<td>There is electric power supply for the area</td>
<td>According to statements of local stakeholders the electric power supply is not sufficient for further development and needs to be improved</td>
</tr>
<tr>
<td>There is unplanned Infrastructure (unpaved roads, electricity, water supply, sewage)</td>
<td>Infrastructure was improvised with unplanned development and needs to be managed in the future along with the planned development</td>
</tr>
<tr>
<td>Lack of sidewalks</td>
<td></td>
</tr>
<tr>
<td>Lack of parkings</td>
<td>It is very important to have several parking areas for the future</td>
</tr>
<tr>
<td>Lack of social services (Ambulance, Emergencies, Information Center, Police Station etc.)</td>
<td>It is important to have sufficient social services in place</td>
</tr>
<tr>
<td>Lack of waste management</td>
<td>It is very important to have several waste collecting points with functional waste management in the future</td>
</tr>
<tr>
<td>Lack of a proper skiing track</td>
<td>In the southern part 2 small skiing lifts can be established for winter tourism</td>
</tr>
</tbody>
</table>

Fig. 4.4.1: Plan of Prevalla area developed as part of the URP 2006
Detailed Regulatory Plan for Prevalla Zone III

**Environmental Aspects**

<table>
<thead>
<tr>
<th>Topic</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>The area is a big touristic attraction because of its landscape</td>
<td>Prevalla has a good basis for touristic development because it is an excellent viewpoint and offers views to several parts of Sharri mountains</td>
</tr>
<tr>
<td>There is a strong human impact on the area and degradation of the nature</td>
<td>Due to the fact that there is uncontrolled activities ongoing in the area, there are also negative effects on the environment: Constructions, waste, sewage, no parking, no visitor guidance</td>
</tr>
</tbody>
</table>

**Socio-economic situation**

<table>
<thead>
<tr>
<th>Topic</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private and public properties exist</td>
<td>The area is lively and suitable for touristic development as already explained; It has good potential for touristic development and therefore also for creating jobs and economic perspectives for local people; joint efforts of all administrative levels (municipality, National Park and Ministry for Environment) are necessary to guide development in a sustainable direction</td>
</tr>
<tr>
<td>Activities in the area: hotels, restaurants, inns, markets and a ski-lift (works during winter), selling of agricultural products like cheese and honey</td>
<td></td>
</tr>
<tr>
<td>Employment is mostly in hotels, services and a small kind of merchandise from the area’s residents. Tourists are influencing the economic development of the area</td>
<td></td>
</tr>
<tr>
<td>The demographic structure of tourists is of all ages and this area is used for recreational, sports, health and other purposes.</td>
<td></td>
</tr>
<tr>
<td>One dairy farm is still active, and the animals are using and crossing parts of the area</td>
<td></td>
</tr>
</tbody>
</table>
4 SCENARIOS AND DEVELOPMENT FRAMEWORK (OBJECTIVES)

4.1 OBJECTIVES FOR SPATIAL DEVELOPMENT

The Spatial Plan for National Park Sharri (2013) provides a Vision Statement which is in line with experiences from other Parks in EU countries:

- A carefully managed Park for the future generations, a Park of biological diversity, landscape specialties, settlements and traditional lifestyle that are appreciated, protected and developed;
- A Park in which economic benefits shall serve the interest of environmental protection and its community;
- An accessible Park, offering its visitors permanent satisfaction and opportunity for recreational, sports, cultural and scientific research activities.

The Spatial Plan for National Park Sharri (2013) further provides several goals; a subset of relevant goals is presented here:

- **Goal 2**: Protection, preservation and use of natural and cultural heritage in the park and surrounding Settlements:
  - Protection and preservation of the Park biodiversity;
  - Provide physical existence and maintenance of complete authenticity of the areas and buildings of cultural heritage;
  - Provide the necessary infrastructure for the areas and facilities of cultural heritage.

- **Goal 3**: Mutual impacts between the Park and settlements within and around the Park:
  - Planned and controlled development in areas within and around the Park;
  - Inter-municipal cooperation for rural development between municipalities in which the Sharri Mountain lies upon;
  - Support to settlements around the Park in producing a tourist offer, and offering traditional eco-products;
  - Provision of quality public services for provisional accommodation within the Park and settlements around;
  - Awareness raising for preservation of traditional culture of communities living around the Park, and activities affecting eco-tourism development.

- **Goal 4**: Sustainable economic development of the Park
  - Public-private partnerships for attracting new investments for recreational facilities;
  - Establishment of monitoring and surveillance facilities for the Park;
  - Revenues from ecological usages of the Park;
  - Inclusion of tourism industry topics within education curricula.

- **Goal 6**: Technical infrastructure development:
  - An improved access through paths and roads to all areas of the Park that are suitable and worthy of visiting;
  - Ensuring public transport and sufficient parking places;
  - Ensuring uninterrupted electricity supply for the Park and settlements around it;
  - Establishment of a public water supply and sewage system within the Park and settlements around it;
  - Provision of post and telecommunications services for the Park and settlements around it;
  - Efficient waste management.
4.2 SCENARIOS FOR DEVELOPMENT

In this chapter several scenarios are presented and assessed. Scenarios are widely used in spatial planning, because in order to support sustainable development with local spatial planning, it is necessary to have some perspectives about future development; for example, if the population in a municipality is rapidly growing, space for residential construction in suitable areas will be needed.

However, the issue of prediction of future scenario in spatial development is a quite complex issue. Numerous methods for scenario development exist and personal experience has shown that the following approach can be recommended for practical use:

- **Zero-Scenario**: the development that will take place if there is no plan;
- **Sustainable Development Scenario**: an environmentally friendly and sustainable development, based on a plan that has been developed in close cooperation with local stakeholders, is within the frame of objectives and strategies of documents on higher levels and is based on the experiences from other highly developed national parks;
- **“20 Million Euro” investment Scenario**: Several Hotels with several floors, designed in modern style but also numerous smaller houses will be built; the whole area of zone III will be used for construction and infrastructure.

In the following chapter, these three scenarios are described based on a set of criteria; after description an assessment of the scenarios is based on the objectives stated above in the previous chapter, which are derived from the Spatial Plan of NP Sharri and also based on best practice from EU countries. Finally, it needs to be mentioned that scenarios always are based on assumptions.

4.2.1 Development of Scenarios

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Indicators</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zero scenario</td>
<td>Development process</td>
<td>not coordinated development, leading to conflicts between stakeholders on different levels and with negative impact on environment</td>
</tr>
<tr>
<td></td>
<td>Buildings</td>
<td>Uncontrolled development; some smaller and some bigger houses and hotels could be built without any standards for construction</td>
</tr>
<tr>
<td></td>
<td>Health care center</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Camping</td>
<td>Mobile homes and caravans might be used and parked uncontrolled in the area</td>
</tr>
<tr>
<td></td>
<td>Roads</td>
<td>Roads will be built individually</td>
</tr>
<tr>
<td></td>
<td>Waste</td>
<td>There will most probably be no coordinated waste management</td>
</tr>
<tr>
<td></td>
<td>Drinking water management</td>
<td>Central and individual solutions for fresh water use</td>
</tr>
<tr>
<td></td>
<td>Waste water management</td>
<td>Central and individual solutions for waste water treatment, most probably individual sewage tanks</td>
</tr>
<tr>
<td></td>
<td>Heating of houses</td>
<td>not coordinated, individual solutions</td>
</tr>
<tr>
<td></td>
<td>Parking</td>
<td>not coordinated, individual solutions</td>
</tr>
<tr>
<td></td>
<td>Electricity</td>
<td>not coordinated, individual solutions</td>
</tr>
<tr>
<td></td>
<td>Social infrastructure</td>
<td>No social infrastructure</td>
</tr>
<tr>
<td></td>
<td>Touristic infrastructure</td>
<td>Several small ski lifts</td>
</tr>
</tbody>
</table>

1. The “20 Million Euro” metaphor is used because one of the local stakeholders was using this term during discussions.
### Sustainable development Scenario

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development process</td>
<td>Planned development in cooperation with stakeholders and administrative levels</td>
</tr>
<tr>
<td>Buildings</td>
<td>Planned development; small typical buildings, hotels and restaurants based on strictly defined criteria in foreseen areas</td>
</tr>
<tr>
<td>Health care center</td>
<td>Health care center combined with green area in a foreseen area</td>
</tr>
<tr>
<td>Camping</td>
<td>Camping in foreseen area from April till October with strict management</td>
</tr>
<tr>
<td>Roads</td>
<td>Planned development of roads</td>
</tr>
<tr>
<td>Waste</td>
<td>Central waste management in coordination with municipalities</td>
</tr>
<tr>
<td>Drinking water management</td>
<td>Central solution for fresh water use</td>
</tr>
<tr>
<td>Waste water management</td>
<td>Central solution for waste water treatment</td>
</tr>
<tr>
<td>Heating of houses</td>
<td>Central heating system; combined with use of solar power</td>
</tr>
<tr>
<td>Parking</td>
<td>Several parking areas foreseen in the plan</td>
</tr>
<tr>
<td>Electricity</td>
<td>Improvement of existing situation</td>
</tr>
<tr>
<td>Social infrastructure</td>
<td>Info center, markets, shops with local products</td>
</tr>
<tr>
<td>Touristic infrastructure</td>
<td>2 small ski lifts in winter</td>
</tr>
</tbody>
</table>

### “20 Million Euro” investment Scenario

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development process</td>
<td>Uncontrolled construction of several big hotels of different size and style</td>
</tr>
<tr>
<td>Buildings</td>
<td>A few huge constructions with many floors, construction designed in modern style</td>
</tr>
<tr>
<td>Camping</td>
<td>Uncontrolled camping</td>
</tr>
<tr>
<td>Roads</td>
<td>Roads are planned and constructed for the needs of the hotels</td>
</tr>
<tr>
<td>Waste</td>
<td>Central waste management</td>
</tr>
<tr>
<td>Drinking water management</td>
<td>Each hotel has an individual solution</td>
</tr>
<tr>
<td>Waste water management</td>
<td>Each hotel has an individual solution</td>
</tr>
<tr>
<td>Heating of houses</td>
<td>Each hotel has an individual solution</td>
</tr>
<tr>
<td>Parking</td>
<td>Several parking areas connected to hotels</td>
</tr>
<tr>
<td>Electricity</td>
<td>According to the needs of hotels</td>
</tr>
<tr>
<td>Social infrastructure</td>
<td>Integrated in hotels but also stand for selling products outside the hotels</td>
</tr>
<tr>
<td>Touristic infrastructure</td>
<td>several ski lifts</td>
</tr>
</tbody>
</table>
4.2.2 Assessment of the proposed scenarios

In this chapter the assessment of four scenarios again is given on a scale / in categories compared to the vision statement and relevant goals described in the Spatial Plan for National Parks Sharri:

<table>
<thead>
<tr>
<th>Vision / Goal</th>
<th>Zero Scenario</th>
<th>Sustainable development</th>
<th>“20 Million Euro” investment</th>
</tr>
</thead>
<tbody>
<tr>
<td>In accordance with Vision Statement</td>
<td>Almost no conformity</td>
<td>High conformity</td>
<td>No conformity</td>
</tr>
<tr>
<td>Goal 2: Protection, preservation and use of natural and cultural heritage</td>
<td>No conformity</td>
<td>High conformity</td>
<td>No conformity</td>
</tr>
<tr>
<td>Goal 3: Mutual impacts between the Park and settlements</td>
<td>No conformity</td>
<td>High conformity</td>
<td>Some conformity</td>
</tr>
<tr>
<td>Goal 4: Sustainable economic development</td>
<td>Some conformity</td>
<td>High conformity</td>
<td>Almost no conformity</td>
</tr>
<tr>
<td>Goal 6: Technical infrastructure development</td>
<td>Almost no conformity</td>
<td>High conformity</td>
<td>Some conformity</td>
</tr>
</tbody>
</table>

The four scenarios that have been described above, will be briefly assessed here:

This table makes clear that scenario “Sustainable development” is the preferred option. Based on this the following chapters describe the frame of development.

Within the scenario no. 2 as sustainable long-term solutions for the development of tourism according to the regulation of tourist villages using the capacities offered by Prevalla as a tourist area - with medical treatment capacities. According to this scenario we will have sufficient development of hotel capacities and other recreational activities, including the development of the following infrastructure (Road Network, Water Supply, Electricity Network, Wastewater Network and other services).

The Sustainable Development Scenario provides a balance in the distribution of hotel and rehabilitation activities throughout the area, by shaping the concept of supporting the development of periphery and private property, while public properties are mainly used for accompanying infrastructure. This development is the concept of integrating properties into the periphery of the area by ensuring that the core of the area (private and public property) is preserved and untouched only for recreational and sporting activities.

- Separation in construction zones creates the possibility of developing two forms for residential buildings: Houses that are constructed in accordance with the old plan with P + 1/2. These objects continue to be built in plots with a surface of 2.7 to 3 ar.
- While the second form is that of Villa which can be constructed with the same P + 1 floor, but the parcels in which the villas are planned to be built should not be less than 5 ar.
4.3 **Spatial Development Concept**

The area has a high potential for eco-touristic development, because:

- It is situated in a beautiful mountain region in the outer part of NP Sharri in a Zone III for development;
- It has a good road connection to Prizren as well as to Kacanik;
- Prevalla is already established as a well-known and well visited touristic area;
- There are villages in the surroundings that can support the area with local products;
- There are several stakeholders who are willing to invest;
- Prevalla is a good starting point for summer and winter tourism and recreation in the National Park;

All this makes clear that the area is highly suitable for further touristic development, based on local activities. This should contribute to local economic development.

The frame for development is to have a maximum of small new houses for accommodation of tourists (approx. 218 beds); New houses for accommodation of tourists should be built on private properties of local land owners (mainly in the northern part of the Zone III).

These facilities should not have more than 1+1 floors, including small kitchen and bathroom, designed with two sided roofs and should be constructed in traditional style from wood and stones; maximum size of footprint of the buildings should not be more than 60-70 m².

13 Hotels, restaurants, or coffee shops, (approx. 474 rooms, 948 beds)

2 Medical Health centre (approx. 140 beds)

5 Market area for local products

Parking for more than 2000 vehicles

public green area for barbecue, camping and free time activities

info center and the necessary infrastructure for water, energy, waste etc.

Camping shall be permitted from April till October in the foreseen area. From November till March all camping devices need to be removed and the area can be used for winter tourism.

No residential houses are foreseen for permanent stay.

Two ski lifts could be installed during winter season in the camping area.

Details are shown in the Map of Fig. 4.4.1: this map shows where construction of residential houses, restaurants, hotels or accommodation houses can be built and where shall be no construction: green areas.
According to scenario no. 2 (Sustainable development), surface utilization is planned as in the table:

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Ownership</th>
<th>Area</th>
<th>Floors</th>
<th>Area total</th>
<th>Rooms</th>
<th>Parcel</th>
</tr>
</thead>
<tbody>
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<td>0</td>
</tr>
<tr>
<td>70</td>
<td>Parking</td>
<td>Public</td>
<td>542</td>
<td>1</td>
<td>542.01</td>
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<tr>
<td>71</td>
<td>Construction area</td>
<td>Private</td>
<td>3550</td>
<td>1</td>
<td>3549.94</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>72</td>
<td>Construction area</td>
<td>Private</td>
<td>1093</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>73</td>
<td>Green space</td>
<td>Private</td>
<td>328</td>
<td>1</td>
<td>327.98</td>
<td>0</td>
<td>0</td>
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<tr>
<td>74</td>
<td>Health care center P+4</td>
<td>Private</td>
<td>1188</td>
<td>1</td>
<td>1187.65</td>
<td>24</td>
<td>0</td>
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<tr>
<td>75</td>
<td>Parking</td>
<td>Private</td>
<td>722</td>
<td>1</td>
<td>722.4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>76</td>
<td>Green space</td>
<td>Private</td>
<td>627</td>
<td>1</td>
<td>626.54</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>77</td>
<td>Construction area</td>
<td>Private</td>
<td>47675</td>
<td>1</td>
<td>47675.22</td>
<td>0</td>
<td>0</td>
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<tr>
<td>78</td>
<td>Hotel P+4</td>
<td>Private</td>
<td>1331</td>
<td>3</td>
<td>3993.63</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>79</td>
<td>Green space</td>
<td>Private</td>
<td>1462</td>
<td>4</td>
<td>5847.81</td>
<td>117</td>
<td>0</td>
</tr>
<tr>
<td>80</td>
<td>Business Area P+2</td>
<td>Private</td>
<td>1322</td>
<td>3</td>
<td>3965.83</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Total Rooms: 578
5 CONDITIONS FOR SPATIAL REGULATION

As part of a DRP the conditions for the regulation of surface include land development conditions, construction conditions and safeguards need to be determined. These are conditions and additional measures that are not already specified with any spatial planning document of a higher level. In the Spatial Plan for National Park Sharri there are several conditions already defined:

Within the development area, settlements in the Park and around the Park, mixed purpose facilities are planned (housing, tourism, trade, etc.) and individual hostels, to provide for rural tourism respecting criteria:

Constructions of weekend houses (“Villa”, “Vikendicka”)
- New constructions shall be designed in accordance with the tradition, dimensions and traditional materials.
- Multi-level buildings shall be allowed only for hotels in some specific areas designated in the plan.
- Only individual objects are allowed, and twin objects shall only be allowed in special cases.
- Objects in principle must be constructed with double coverage roofs, and multiple coverage roofs only for public facilities.
- In construction plots, along housing objects, additional objects may be built (garages, wood stoves, summer kitchens, side rooms for tools and dairy, stables, hay, etc.)
- Construction of cots and stops, visitor sheds – wooden roofs and holding pillars are allowed, timber and shingle roofs are allowed.
- The construction plot or parcel may not be larger than 500m2;
- The development area within the parcel shall be 20% of the parcel area;
- The maximum flooring of objects shall be P+1 (ground floor and floor) or Su+P (subterranean floor, ground floor);
- The use of stone, wood and brick in construction is allowed.
- The roofs shall be double-covered, at a slope from 30-60 degrees, wooden insulation, shingle or any other modern materials, on all sides.

Examples for constructions: double coverage roofs, use of stone and wood in construction, P+1 floor. (source: Urban development Plan for Prevalla 2006)
Detailed Regulatory Plan for Prevalla Zone III

Water supply:
- Water supply shall come from local water supply systems, in which reconstruction is allowed.

Waste water management:
- Waste water collection shall be resolved for each object, with non-permeable septic holes, or local sewage with biological cleaning.
- Waste waters are collected by each object individually, by non-permeable septic tanks, or biological cleaning local sewage.
- Hoteller objects, weekend houses require specific waste water treatment plants, which would discharge biologically clean waters into the nature.

Roads:
- Roads, paths and alleys may be reconstructed, by respecting landscape and relief attributes of the terrain, and shall exclusively serve the basic functions of the Park. In reconstructing road paths, side walls may be preferred. The final layer shall be constructed in natural materials, and asphalt may be used only in special cases.

Parking:
- In constructing parking lots, all technical criteria on parking construction shall be observed. These rules are issued by the Ministry of Transport and Post-Telecommunications MTPT;
- The number of parking spaces and their precise spatial location shall be determined by the Regulatory Plan for the relevant area. Standards of necessary parking spaces: Services – 1 parking place (PP) per 3 employees; Restaurants – 1 PP per customer table; Hotels – 1 PP per room;

Conditions in case of reconstruction:
- All public facilities may be reconstructed within existing boundaries and architecture forms, based on a project design drafted and approved.
- In cases of reconstruction, changes to buildings’ boundaries contrary to the urban regulatory plan are not allowed;
- Reconstruction is allowed at existing water supply infrastructure.
- Reconstruction of individual and household objects shall be subject to the same provisions as new constructions.
- In the context of reconstruction of existing housing and household objects, it is possible to change designation at the function of the National Park, and/or rural tourism. Existing objects may be reconstructed and rebuilt in accordance with norms of cultural heritage protection, namely use of materials and shaping spaces in the autochthonous traditional ways, preserving original landscapes;
- Reconstruction, for the purposes of these provisions, means: reconstruction of housing building; reconstruction of stables; reconstruction of old object structures; adaptation and reconstruction of sanitary facilities;
- construction of nonpermeable holes; internal functional reorganization of the residential area; functional reorganization of supporting facilities;

Touristic facilities in general:
- Tourist facilities shall be built far from strict protection areas, and access shall be planned and controlled, in terms of environmental capacity or damaging.
- Tourist complex sites shall not be designed in areas where basic infrastructure services (water supply and sewage, waste collection, electricity supply, telecommunications and other infrastructure) are remote.
6 TRANSPORT INFRASTRUCTURE

- **Roads:** Prevalla is on the regional road R115 from Prizren to Strpce. This road is in a good condition. For future development of the area, several driveways to buildings will be necessary.
- **Sidewalks:** Sidewalks and pedestrian areas are foreseen in the area.
- **Parking:** Parking for tourists will be foreseen with all accommodation facilities. Additionally, public parking plots will be foreseen for the size of 20 busses and 2000 cars (total approx. 16,800 m²).
- **Public transport:** A public transport should be established from/to Prizren.

7 TECHNICAL INFRASTRUCTURE

- **Water supply:** Central water supply for all facilities based mainly on the water catchment in the south of the area, but also from others.
- **Waste water / sewage:** Waste water collection will be in three central collectors.
- **Electric energy supply:** at the moment the is a 500 kV line, in the future 1200 kV is needed.
- **Telecommunication:** A public emergency telephone should be installed close to the info-point.
- **Waste collection point:** Central waste collection point is foreseen in a place which is protected from view and smell. Further regular waste management needs to be ensured.
- **Fire protection:** for the case of fire there needs to be a fire fighting facility.
- **Public toilets:** public toilets are planned close to the info point in the center, which is also close to the public parking. Regular maintenance is important.
- **Central chip wood heating facility:** it is proposed to establish a chip wood heating facility to provide hot water and heating to all buildings.

Details are shown in the Map of Fig. 4.4.1.

8 PUBLIC AND SOCIAL INFRASTRUCTURE

Social Infrastructure is a subset of the infrastructure sector and typically includes assets that accommodate social services. Examples of social infrastructure include schools, hospitals or public green. Social Infrastructure does not typically extend to the provision of social services, such as the provision of teachers at a school. In contrary to economic infrastructure which is often characterized by “user-pays”, social infrastructure is usually exclusively provided by a central or local government.

Most relevant target group for social infrastructure in this case are tourists. Hence their needs should be covered, which is information about the area, its nature and culture.

In the central part of the zone III an Info point (Entry point) for the National park Sharri should be built. This info-point could be used for temporary and permanent exhibitions about natural values of the national park and also about local tradition and cultural heritage; also, public information tools like brochures, hiking and biking maps, edutainment and others could be promoted here and contacts to local tour operators promoted.

Further, as already mentioned before, in the southern part which is public property, the green area should be used for camping, barbecue and leisure time activities. No buildings are planned here.

Details are shown in the Map of Fig. 4.4.1.
9 IMPLEMENTATION PLAN

9.1 IMPLEMENTATION STRATEGY AND ACTIVITIES

Details of spatial development are provided in §4.3 of this Plan.
## 9.2 Indicators and Monitoring of Implementation

The following table presents a list of indicators and explains the methodology briefly.

<table>
<thead>
<tr>
<th>Name of Indicator</th>
<th>Comments</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of houses for accommodation of tourists</td>
<td>Quantitative recording of the number of hotels or accommodations based on categories</td>
<td>Once per year</td>
</tr>
<tr>
<td>Number of restaurants</td>
<td>Quantitative recording of the number of restaurants and / or coffee shops</td>
<td>Once per year</td>
</tr>
<tr>
<td>Number of Hotels</td>
<td>Quantitative recording of the number of Hotels</td>
<td>Once per year</td>
</tr>
<tr>
<td>Conformity of houses with construction standards</td>
<td>Quantitative recording of nonconformities in combination with qualitative description of nonconformities</td>
<td>Once per year</td>
</tr>
<tr>
<td>Construction of roads</td>
<td>Quantitative recording of road and driveway constructions</td>
<td>Once per year</td>
</tr>
<tr>
<td>Maintenance of roads</td>
<td>Qualitative description how roads and driveways are maintained</td>
<td>Once per year</td>
</tr>
<tr>
<td>Construction of parking areas</td>
<td>Qualitative description and quantitative recording of size / parking areas</td>
<td>Once per year</td>
</tr>
<tr>
<td>Maintenance of parking areas</td>
<td>Qualitative description</td>
<td>Once per year</td>
</tr>
<tr>
<td>Not controlled parking</td>
<td>Quantitative recording of parked cars outside foreseen parking areas</td>
<td>Four times per year</td>
</tr>
<tr>
<td>Wastewater collection and treatment</td>
<td>Quantitative recording of individual and central waste water collection systems and of wastewater treatment</td>
<td>Once per year</td>
</tr>
<tr>
<td>Central waste collection</td>
<td>Quantitative recording of waste collection and qualitative</td>
<td>Monthly</td>
</tr>
<tr>
<td>Other environmental issues</td>
<td>Qualitative description</td>
<td>On demand</td>
</tr>
</tbody>
</table>
10 MANAGEMENT, IMPLEMENTATION AND MONITORING IMPLEMENTATION

The life cycle of implementation of spatial planning includes typically several steps that are somehow linked to each other:

- Development of the plan and its regulations
  - Initial step from developers
  - Stakeholder involvement
  - Development of the plan: recording of status, assessment, objectives, scenarios, framework
  - SEA for the regulatory plan
  - Public consultation
  - Adoption of the plan with consideration of opinions from National Parks and Ministry
- Implementation
  - Implementation and detailed planning of construction of houses, roads, parking, infrastructure etc
  - Permissions for activities based on the plan with consideration of opinions from National Parks and Ministry
  - Construction of facilities
- Monitoring and Evaluation of activities in comparison with the plan
  - Monitoring based on indicators
  - Evaluation of activities based on plan and its indicators

During these steps and processes it needs to be clear, who is responsible for which tasks. Some of the responsibilities and tasks are already defined in the relevant laws, however, as already discussed there is room for clarification. Therefore, we propose a scheme for responsibilities during the process of drafting and approving a regulatory plan in a National Park:

Involved Parties / Stakeholders
- Developers: Applicants, natural or legal persons who want to construct a building for private, public or business (touristic) purposes;
- Municipalities: administrative body by the Law on Local Self Government
- National Park: administrative body for National Parks
- Ministry for Environment and Spatial Planning
- Public

Responsibilities
- Responsible: the party that needs to act or is acting proactively;
- Involvement obligatory: a party that needs to be involved for providing comments;
- Involvement voluntary: a party that is invited to give comments; this can be any administrative body, local population, NGOs, experts; their comments are not binding;

Process steps (chronological)
1. Initial step: the initial step is in many cases taken by any developers, who plan to invest in construction, either for their private or for business reasons; this step can also be taken for construction for public purposes, like info-centers of National Parks;
2. Stakeholder involvement: this step makes sure, that all relevant perspectives and stakes are taken into consideration, before elaborating a Regulatory Plan;
3. Development of Framework and Regulatory Plan: based on existing laws and documents the most sustainable framework in terms of possible scenarios should be defined and the Regulatory Plan will be elaborated within this frame;
4. SEA on Regulatory Plan
5. Public consultation
6. Consent from Ministry on Regulatory Plan: without consent, that plan cannot be further implemented;
7. Approval of the Regulatory Plan from municipality
8. Development of projects + application for permissions: developers design objects for construction and apply for permission from the competent body;
9. Permissions for construction: a permit issued by competent body, which acts as the legal basis for implementing construction in accordance with the law;
10. Construction Activities
11. Monitoring of Activities
12. Evaluation of Regulatory Plan

The following chart provides overview over involved stakeholders, tasks and responsibilities

### Process scheme for Regulatory Plans in National Parks, Kosovo

<table>
<thead>
<tr>
<th>Process</th>
<th>Developers</th>
<th>Municipality</th>
<th>National Park</th>
<th>Ministry</th>
<th>Public</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Step</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Stakeholder involvement</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development of Regulatory Plan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SEA on Regulatory Plan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Consultation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consent on Regulatory Plan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approval of Regulatory Plan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development of projects + application for permits</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Permission for Construction</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction Activities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monitoring of Activities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evaluation of Regulatory Plans</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Legend:**
- Red: Responsible
- Yellow: Obligatory Involvement
- Green: Voluntary Involvement

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A Sida-funded project managed by the Swedish Embassy in Kosovo

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11 STRATEGIC ENVIRONMENTAL ASSESSMENT

To be implemented by an independent body
A.1 REFERENCE LAWS

In the following sections, the integral text of the following main laws is reported:

- Law on Spatial Planning No. 04/L-174 (2013)
- Law on National Park “Sharri” No. 04/L - 087 (2013)
A.1.1 Law n.04/L-086 “On Spatial Planning”

OFFICIAL GAZETTE OF THE REPUBLIC OF KOSOVA / No. 30 / 23 AUGUST 2013, PRISTINA

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 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 recreational 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** – and 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 Supplemeting 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.


1.34. 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.
1.29 **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 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.


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: \[\text{9}\]
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,
3. Detailed Regulatory Plan for Prevalla Zone III

infrastructure, economy, trade, industry, telecommunications, public transport, electricity generation and thermal energy, natural resources and minerals, etc.

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. 03L-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;


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. 641-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. The 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 thought 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 to 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

Promulgated by Decree No.DL-045-2013, dated 19.08.2013, President of the Republic of Kosovo Atifete Jahjaga
A.1.2 Law n.04/L-087 “On National Park “Sharri”

OFFICIAL GAZETTE OF THE REPUBLIC OF KOSOVO / No. 2 / 21 JANUARY 2013, PRISTINA

LAW NO. 04/L-087
ON NATIONAL PARK “SHARRI”

Assembly of Republic of Kosovo,
Based on Article 65 (1) of the Constitution of the Republic of Kosovo,
Approves

LAW ON NATIONAL PARK “SHARRI”

Article 1
Purpose

Part of the territory of Sharr Mountains as a spatial integrity which is characterized with natural values and rarities, with a large number of important forest ecosystems and other ecosystems preserved, with the number of endemic and relict species, with rich characteristics of geomorphologic features, hydrological and that have scientific values, cultural, historical, landscape, sportive, tourist – recreational and activities that contribute the economic development according to the environmental criteria, shall be declared National Park named as National Park “Sharri”.

Article 2
Borders

1. National Park “Sharri” includes a surface of 53,469 ha. and lies in the territory of the municipalities: Kaçanik, Shtrpice, Suhareka, Fritzen and Dragash in borders set by this Law.

2. Boundary of National Park “Sharri” begins in the eastern part of the jaws of Kurte foreland (1650 m.), in the state border of the Republic of Kosovo and Republic of Macedonia and continues westward and south-west along the state border by going beyond quotas, respectively highest Sharr mountains crown, the Luboten crown (2499 m.), Castle (2314 m.), Meadow (2491 m.), Lake of Çuka (2604 m.), Bistra (2604 m.), Black Crown (2584 m.), Kobilica (2526 m.), Vërtop (2555 m.), Kara Nikola (2106 m.), Bardhaleva (2334 m.), Tërpeznica (2610 m.), Gelepinë (2554 m.), Rudoka (2658 m.), Vraça e Madhë (2592 m.), until border point of three countries (Kësula e Priftit), Kosovo, Macedonia and Albania. From here the border continues in north-west direction until Kallabak quote (2174 m.), from where takes direction to the north, following the state border with Republic of Albania, through the peak Murga (2025 m.) cut the river of Restelica, then the river of Flaja until the quote of 1702 m. in the Kontniku mountain. The border then turns to north-east direction, goes through Llugri i Këeq and goes out in the forest road quote of 1343 m. following the road including in the Kodra e Eres, going through Rrasa near Ara e Brekajtori through the quote of 1273 m., including in the hill Gollina until the quote of 1246 m. which belongs to the territory of Dragash municipality. From here the border takes south-east direction until the hill of Kopruva (1493 m.) living out the out of the border the forest of Bronza. From here goes until the Bunari i Hamittjes then takes the east direction going down the hill of Ahishfo approximately one kilometer on the east side of the Buce village. Then the border takes the south direction to the Brinja living out of the border Brinja and Ara e Rekhes going in direction of Costaku forest and going down until the road to Korseci i Madh village going through the quote of 1407 m. always continuing the south-west direction including in almost all Kontnik mountain, until the Pjetri stream taking then the east direction through the Çula quote (1201 m.) going down until the water flow of Flaja river to the other noname river. From here the border line follows the flow of Flaja river until to some 250 m. fare from the border with Albania. Then from here the border takes the south direction almost in parallel with state border in the east side of the Orqushë village. The
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border goes always in south-south-east direction through the forest which divides the Gosi forest with Maja e Zeze (1581 m.), going just near to Glibocica village in the east side of it for about 700 metres fare. The line then follows the stream which goes through Rudce going down until the flow of Rostelica river. From here the line always follows the river flow in the already south direction going through the quote of 1107 m. Then the border line takes east direction to reach the road that brings you to the Krushevo village. This line follows the road until the cemetery of Krushevo village, cutting again the river flow of Rostelica and going up hill through quotes of 1390 m., then quote of Kolenica (1489 m.). From here the border line takes north direction taking in Jeliku forests. Then the line goes in the road to Rostelica going nearby in the west of Rostelica village to the quote of 1426 m., from where the line takes west direction always taking in forest in the east side of Rostelica going through the Kadiu bridge then the quote of 1644 m. After then the border starts to take south direction going left and right to the Copur stream. Afterwards the line turns to the south-west following the river to be connected with another back-street right side of the river. From here border line follows the line between private and public property in the south-east direction until the main road Rostelica – border to Macedonia. The line follows the road until the village Rostelica always between private and public property. From the road that line touch it in the south of the village, border line take the east direction following the Rostelica river going up until the quote 1581 m. from where the border take north direction respectively north-west until the quote 1818 and another quote 1857 making half circlal living out of the border peak of Kerstella of 1937 m. From here inside the border line is included higher mountain peak Ovcinec (2177 m.) then gain near the other peak Maja e Zeze (2033 m.). From here the line takes the west direction to the Zıpotok village going just below the village houses. Following always west direction the border line touch the main road to the Zıpotok village in the quote 1414 m. respectively to the village cemetery. From this point the line takes the north-east direction overtaking the cemetery taking in the mountain peak Popovica (1567 m.), than the other peak Bigor going in direction to forest Leska above Dikanca hidroplante until the Brodi river. From here the border line follows the Brodi river upstream until the village Brod where the line overtake the village going up to the Rudina slope until the quote 1463 m., than the border takes the east direction going through the river to bridge Shëlla respectively to the junction of the Llova and Dushkaja river streams. Afterwards border line follows the line of public property going through the quotes 1790 m., than the quote 1432 of the right stream of the Brodi river near the Brod village cemetery. Border line continues in irregular circlal through quotes 2081 respectively 1680 m covering almost all Brod village living the village aout of the border. Further more the border line goes until the main road Dikanca – Brod following it until Dikanca village. After the border continues to take north direction respectively north-east passing near quote of Vinj 1682 m., respectively 1598 going near the Lleshan village through Bocilishë, Shillovice until Radosha river to quote 1436 m. From this quote the line takes the south-east direction through the Zagrejci stream taking in very slope site of Zagrejci after 1500 meters the line takes north-east direction going up to the Livaxha mountain near 1950 m. quote, under the quote 1992 m. After from here takes direction down to Srdnica village from where the quote 1722 m. From here the border line in some 500 meters follows the riverbed going after again in the north direction through Bogdanci mountains until the Guri i Marushan quote in the riverbed of Piljaniku. The border line continues in the north direction until Kroi Obcinoca and quote 1572 m., near the Surmili hill from where takes the north-east direction. The Kopuna stream in north-west to the Kuk village. The line takes over the river taking almost east direction passing the Shullani hill going down to river Reka e Shehjt te Madh to quote of 1628 m. From here the line again takes the north-east direction passing the Guri i Torishtes and going down to river Reka e Shehjt te Vogel. After the border takes north direction going left and right taking in places of Guri i Korbit, Guri i Grishe and Brezhska until Dridza slope, one kilometer on the south-east part of the Zaplizha village. From these hill sites the line touch the quote of 1367 m., then the quote of 1680 m in Ugar, the other quote of 1609 m. arriving to Gafe dhe Shpëtries near the quote of 1625 m. From this quote back in the east border and down to the street to continue until ravine unnamed river Manastrica takes direction from where the south along the river to the other unnamed ravine. The boundary then climbs to the ravine towards south-east and the flats last quote Guri i Pishës (1192 m.) out of the quotes of Guri i Qellit (1060 m.). From here the boundary pull down to the valley in the east to the river Pubenica which follows in the north-east direction until Ilojipsa 1050 m. to the (Wilde) Kosa e Gjërë (place of ravine discharge
in River Pubenica) from where back on east through the quota in 1093 m. through quotas Brod (1048 m). From this quote takes the head limit of north-east, ascend to the back of Stërge e Kumançit and continues along the meadows of the Lubinjë e Epërme to 1401 m. quotas. Moreover boundary extends north-east through the Livadhat e Epërme quota (1430 m.) and down the valley to the quotas in 1107 m (Petricëshca River) to continue toward the north-east by cord attached to the ravine of Mares (1230 m. izohispe). From this point the boundary turns north-west and follows the line 1230 m. until the quote of 1227 m. from where it continues in the north-east to the Shpatjet e Groπjis (1192 m.). The boundary then extends east through the quote (1195 m.) along the slope of Çuka until the stream of Mahallë e Epërme neighborhood of Katunë i Epërme (izohispe 1301 m.) from where the north-east direction until sticky Lushnje (izohispe 1430 m.) to continue in the north-west of the Katunë i Epërme and continues in regional road Prizren-Shtrëpçë on the slope of the Stërnjargit (500 m. east of quotas Prisoj 1330 m.). From this point the boundary follows the road westward until, “Kthesa e Gjashtit”, then continues through quotas Gabor (1190 m.) (1207 m.) (1056 m.) to the ravine of village Pillanjan down in terms of south-west, passing through quotas in 894 m. to 803 m. down in Limbard (650 m.) which quotas the follow up to 532 m. and passes through quotas 974 m. and 867 m. from where the cord comes down to the north-west ravine of Katerohësë Bunaret which includes within. From here take the boundary of the north-east direction, extends Lumbard, regional road, and climbs the rocks of Verfolp cord, including the eastern part of rocks, and get the south-eastern direction, passes through back of mountain Đuka, and after that grips the mouth of ravine of Vërbinç, relates back to Tociv in izohispe of 900 meters. From here cord continues eastwards to quotas Maja (1507 m.), where back in the north-east and out of forest vegetation along the forest road to the village Novosele introduc-ing hillock within the boundary of the Bušëcicik meadows. The boundary then under the road down to 1560 m. izohispe which attends to Kroni i Akut (who is in the road forest), by inserting into the boundary Ujërat e Grupura. Then the boundary continues along the road towards the quotas to 1500 m. (Ravenyi), from where the cord comes down to the Guri i Mullimit. From this point the boundary turns north-east and goes along the mountainous cord, quotas and 1052 m. to 1569 m. to the Meadows where Sulëa cord descends north-west to the ravine (east of Tepë te location 1271 m.) to get up then cord toward the north-east to the border Shkrejati being stuck inside Ashta. The boundary then follows through izohispe in 1730 m. to the neck of Shpati Padhe Buburec (1709 m.) located on the mouth of Rusenica. The border then goes down through mountain back in the north-west direction the Guri i Livaštë (1448 m.) and continues cord in the north-east to the entrance to the mouth of Rusenica (758 m.), where back in the south-east to continue then north-east along the forest vegetation (border mountain meadows) to quotas 830 m. (lower part of Liebichca). From this quote izohispe boundary coincides with the 850 meters and follows it to 768 meters quotas (Kallic) including Lëkoma and Selimi Field. Then the boundary runs along the mouth of ravine and neck of Nëpët to Perslap (quota 1069 m.) from where the receiving direction of south-east and passes around the lower parts of the mouth (Kësura) and Guri i Përdsaprët up the quotas in 1212 m. From here the boundary turns north-east and follows izohispe of 1200 m. to Imer pump and continues through until the 1335 quote of Kroni i Mbretit. The boundary then descends cord mountainous Montenegro quotas King until 1068 m., from where they return to south-east and beyond the quota Tëbarat Bukoshi (1546 m.) and 1655 m. out of quotas Upper plain (1443 m.) always followed through natural boundary (ravine, valley and mountain ridge). From this quote towards the boundary continues south and south-west through the 1094 quota to the quota Çuka m. (1216 m.), where back in the west and through the Vishevicës peak (1230 m.) and to quota Preslap Cross (1291 m.). The border then south-west down to the ravine Zëshicëta (1000 m.) and continues along ravine in the south-east direction to the shed ravine Vazl (lower part of the Guri i Vardhshit) from where the return to south-west and climbs cord mountainous Llakëshites until quotas of Pështa e Vogel (1495 m.) to continue westward until Rudina quote (1530 m.). From this quote towards the boundary continues south along the mountainous cord and deadline Tumba (1382 m.) to be shed in River Tisi on Lepenc river (1119 m.) from where they return to south-east up to the Seëve village through quotas Gobelin (1297 m.); Kuk (1251 m.); Çuka e Posthme (1260 m.) until the quota of Guri i Prusht (1376 m.) from where the cord comes down to the river bridge the regional road Prizren-Shtrëpçë. Then the boundary continues north-east along this road and through the Lower quotas Borja (1232 m.); Muzhënsca River (1036 m.); quota (1086 m.); Penjarupa (1169 m.); Shkembë i Bëkës (1228 m.); Llazovi (Vlak) (1100 m.); Barojca, Gjavas
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(1228 m.); White Water (1100 m.); Kësura River (1031 m.); Zmijaica of Drakovic (1126 m.); Krivdeil on Firaje (1080 m.); Kreme (904 m.); Great ravine on the Mahala Elezeve (780 m.) to lower parts of Jasika on Mahala e Celideneve (850 m.). From this point the boundary turns south-east up to 900 on Mahala e Elezeve, isohipses which follows the south up to 900 m quotas to continue cord mountain to mountain Shulan quota (1514 m.) across the brook cliff. Then the boundary turns south-east up to 941 m in quotas forest road which follows the path to regional Shërpec-Doganaj - Glogocica. Boundary further continues south along the regional road curves to the Kepi i Kurtjes from where the south-west towards the mouth of the Kepi i Kurtjes to be concluded at the starting point isohipses state in 1050 in Kosovo - Macedonia border.

3. Boundary of the National Park “Sharr” is lineament in cartographic documentation, size of 1:25,000 and is integral part of this Law.

4. Cartographic documentation with borders of National Park “Sharr” is stored in the Ministry of Environment and Spatial Planning and in the Kosovo Institute for Nature Protection.

Article 3
Protection Regimes

1. In the National Park “Sharr” territory placed under the protective regime of areas:

1.1. the first area - includes parts of the territory of the National park “Sharr” with exceptional natural features, with rare species, endangered plants and animals and types of habitats in the wild conditions of nature. This area belongs to the regime of strict protection;

1.2. the second area - active management includes parts of the territory of National park “Sharr” that is characterized by ecosystems, landscape values and other values where may be exercised ecotourism, traditional agriculture and activities that are not inconsistent with the purposes of defense;

1.3. the third area - sustainable use, includes parts of the territory of National Park “Sharr” scheduled for construction, reconstruction, protection of traditional and recreational facilities, tourism and the needs of inhabitants in the territory of National park as well as use of pasture and economic use of anture resources according to the Law on Protection of nature and in compliance with relevant laws and Spatial Plan of National Park the limited and selective use of natural resources;

1.4. buffer zone - the space of fifty (50) meters from the border of National park “Sharr” that serves to prevent adverse impacts on National park.

2. Determining of protection regimes shall be made by the National Park “Sharr”. Spatial plan while the activities and actions shall be conducted according the Management plan of the National park and legislation in force.

Article 4
Administration

Ministry of Environment and Spatial Planning with decision establishes the Directorate for Administration of National Park “Sharr” within three (3) months from the date of entry into force of this Law.

Article 5

Property rights and denominationalization shall be regulated with special laws and are not object of this Law.
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Article 6
Repeal

On the day of entry into force of this Law shall cease to apply law on the National Park "Sharr Mountain" (OGSAPK) 11/86).

Article 7
Entry into force

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

Law No. 04/L-087
13 December 2012

LAW NO. 04/L-087
ON NATIONAL PARK “SHARRI”

ANNEX I
CARTOGRAPHIC PRESENTATION OF NATIONAL PARK “SHARRI”
The Sida Framework Environmental Programme
For Kosovo

The project is funded by the Swedish International Development Agency and managed by the Swedish Embassy in Kosovo.

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