

PLAN MODIFICATIONS WITHIN THE CONTEXTS OF
PLANNING CONTROL MECHANISMS
MERSIN CASE

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ABSTRACT

PLAN MODIFICATIONS WITHIN THE CONTEXTS OF PLANNING CONTROL MECHANISMS MERSIN CASE

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Urban development plans in the Turkish planning system envision that a time would come and the spatial development of any city would be completed in the specific planning period. The allegation of the planning system is to control every detail during urban development. However, the static nature of development plans within the *regulatory context* cannot provide strategies to manage the dynamic nature of the *socio-political context*. This contradictory situation involves *tensions in planning control mechanisms* and creates *cleavages* within the *spatial context*. ‘Changes in the spatial context’ are the indicators of such cleavages. They are conceived to be significant since they might enhance or erode the distinctiveness of a place.

To the extent that possibility of change is disregarded in static nature of urban development plans, *plan modifications* become the primary tools for emergence of the ‘changes in spatial context’. They usually emerge through individual actions and individuals begin to produce their own pattern of urbanism in the urban built environment.

Management and control of ‘changes in the spatial context’ is at the very center of the study. It is about shaping the physical form of development rights. The study aims to evaluate the qualitative and quantitative influence of plan modifications on the spatial

context through a study within the whole *contexts of planning control mechanisms*. Hence, the study also concentrates on the operation of planning control mechanisms in the Turkish planning system. The plan modifications are evaluated throughout a detailed analysis held within boundaries of Municipality of Greater Mersin.

Keywords: Planning control mechanisms, contexts of planning control, changes in spatial context, static and dynamic control, plan modifications

ÖZ

PLANLAMA DENETİM MEKANİZMALARININ BAĞLAMLARI İÇİNDE PLAN DEĞİŞİKLİKLERİ MERSİN ÖRNEĞİ

Ünlü, Tolga

Doktora, Şehir ve Bölge Planlama Bölümü

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Türkiye planlama sisteminde imar planları, kentsel gelişmenin, belirlenmiş planlama dönemi içinde bir bütün olarak tamamlanacağını öngörmektedirler. Bu doğrultuda planlama sistemi, kentsel gelişmeyi ayrıntılı bir şekilde denetlemeyi amaçlamaktadır. Ancak, *düzenleyici bağlamda* temel belgeler olan imar planlarının durağan yapısı, *sosyo-politik bağlamın* dinamik yapısına yanıt verecek stratejiler üretmemektedir. Bağlamlar arasındaki bu çelişik durum, *planlama denetim mekanizmalarında* gerilimler yaratmakta, bu gerilim ise *mekansal bağlamda* yarılma/çatlamalar oluşturmaktadır. ‘*Mekansal bağlamdaki değişiklikler*’, bu yarılma/çatlamaların bir ifadesi olarak değerlendirilmektedir. Bu değişiklikler yerin kendine özgü özelliklerinin geliştirilmesine ya da yıpranmasına ve bozulmasına neden olabilmektedirler.

İmar planlarının durağan yapısı değişiklik olasılığını önemsemediği için Türkiye planlama sisteminde *plan değişiklikleri* ‘mekansal bağlamdaki değişiklikler’in oluşmasında temel araçlar olarak ortaya çıkmaktadırlar ve çoğunlukla bireysel olarak gündeme gelmektedirler. Böylece, bireyler kendi şehircilik biçimlerini/örüntülerini kendileri oluşturmaktadır.

Bu anlamda, imar haklarının fiziksel biçimlendirilmesiyle ilişkili olan ‘mekansal bağlamdaki değişiklikler’in denetimi ve yönetimi bu çalışmanın merkezinde durmaktadır ve çalışma, plan değişikliklerinin mekansal bağlamdaki niteliksel ve niceliksel etkilerini incelemeyi amaçlamaktadır. ‘Mekansal bağlamdaki değişiklikler’inin ortaya çıkmasında temel etken olarak değerlendirilen plan değişiklikleri, Mersin Büyükşehir Belediyesi sınırları içinde gerçekleştirilen ayrıntılı bir çalışma ile değerlendirilmektedir. Bu kapsamdaki çalışma planlama denetim mekanizmalarının bağlamları çerçevesinde gerçekleştirilmiştir ve Türkiye planlama sistemi içinde planlama denetim mekanizmalarının işleyişine de odaklanmaktadır.

Anahtar kelimeler: Planlama denetim mekanizmaları, plan denetim bağlamları, mekansal bağlamdaki değişiklikler, durağan ve dinamik denetim, plan değişiklikleri

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CHAPTER 1

INTRODUCTION

In this chapter, problem definition and the purpose of the study are elaborated. Furthermore, main conceptions developed throughout the study are clarified. In the last part of the chapter, questions to be handled during the study and the outlines of the chapters are exposed.

1.1. PROBLEM DEFINITION AND THE PURPOSE OF THE STUDY

Like in many countries that have a planning system at the national level, the Turkish system depends on a hierarchy of development plans in order to direct and control the production of the urban built environment. Their structure and content are defined in planning legislation, which is the main bundle of rules that direct all planning and construction facilities in the urban built environment.

Urban development plans in the Turkish planning system are detailed end-state blueprint plans, which envision that a time would come and the spatial development of any city would be completed in the specific planning period. The allegation of the planning system is to control every detail during urban development.

However, the static nature of development plans within the regulatory context of the Turkish planning system cannot provide strategies to cope with the dynamic nature of socio-political context. The contradictory structure between the static regulatory context and the dynamic socio-political context involves *tensions in planning control mechanisms* that create *cleavages within the spatial context*. ‘Changes in the spatial context’ are deemed to be the indicators of such cleavages.

‘Changes in the spatial context’ are conceived to be significant due to the fact that they might enhance the distinctiveness of a place or might erode the character and the morphology of the site and its relation with the surroundings. Therefore, the management and control of ‘changes in the spatial context’ is at the very center of the study. It is about shaping the physical form of development rights.

As far as the static nature of urban development plans in Turkish planning system disregarded the possibility of change, individual actions begin to produce their own pattern of urbanism in the urban built environment. In the Turkish planning system, *plan modifications* are assumed to be the primary tools for this formation. They become the basic means to manage and control the ‘changes in the spatial context’. Hence, analysis of ‘changes in the spatial context’ is carried out on the basis of an investigation about plan modifications.

The basic aim of the analysis is to investigate the effects of plan modifications on the character of urban built environment and their opportunities to bring about alternatives against the static nature of Turkish planning system. Along this path, the main conceptions developed throughout the study are clarified in the following sections of this chapter.

1.2. PLANNING CONTROL

In its essence, control is a direct relationship between the actions of two or more individuals. In Dahl and Lindblom’s (1953; 94) words; “A control the responses of B if A’s acts cause B to respond in a direct way. [That is to say] B is controlled by A to the extent that B’s responses are dependent on A’s acts in an immediate and direct functional relationship. Therefore, control is implicit in the functioning of a society, in which individuals are engaged in certain stable, persistent and repetitive relationships”.

Within the framework of the study, planning is conceived as a tool of social action which is perpetually redefined according to the changing social and spatial conditions. On this account, planning is expected *to coordinate the actions* of each actor concerning the production of urban built environment. In this process, control is inherent in urban planning. The system of statutory regulations concerning the production of urban built environment in each country directs the operation of *planning control mechanisms*. Within

these mechanisms, laws, regulations, rules for built environment are drawn up in order to protect/sustain the safety and health of the citizens (Visscher, 1993; McAuslan, 1980; Lai, 1988). ***‘Planning control’ in this system, aims to ensure the quality of urban space and public realm, the settlement pattern; and the urban form and layout.***

In the study, it is conceived that planning control mechanisms take different forms of control at each scale according to the character and context of the built environment. Control may have a socio-political motive or it may gain solely a technical content. For the latter, in the planning literature, ***development control*** is sometimes used instead of planning control. In general, development control deals with the process of managing and controlling the implementation of the planning decisions. From this perspective, according to Audit Commission’s report (1992, 45) “development control is the executive arm of the planning process. The quality of the outcome is dependent on the quality of development plan and the extent to which individual planning decisions are consistent with it”. Therefore, development control is a technical action performed during building permit procedures, usually depending on controlling the production of individual buildings on the basis of granting building permit.

On the other hand, ***design control*** usually focuses on qualitative measures in order to improve the quality of the public realm and urban space through controlling the character and context of built environment. Some studies from this point of view deal with the control of appearance. Design control is conceived as ‘aesthetic control’ in such studies in the literature (Donovan & Larkham, 1996; Booth, 1983; Punter, 1986). Punter (1999) points out that design control is conceived like “putting lipstick on the gorilla” in these studies and emphasize that design control must go away beyond aesthetics to tackle with all issues of urban design, sustainability and be linked with a broad multi-dimensional planning strategy, to deliver meaningful benefits to the community.

In the study, static and dynamic approaches are recognized as the distinct parts of a dichotomy so as to unfold the distinguishing characteristics of different control approaches. From a static point of view, the rules are universal and applicable to all socio-spatial contexts. On the other hand, dynamic approach presupposes a flexible structure for the operation of planning control mechanisms. The characteristics of these control approaches are taken into account in detail in Chapter 2.

To reduce the production of the urban built environment to the control of individual buildings in detail would be considered as an indicator of the traditional static control understanding. Controlling the production of the urban built environment, however, has a broader meaning, which concentrates on the *values* that contribute to the quality of the public realm and urban space. In this sense, planning control is assumed to be (re)defined and (re)formulated within plan preparation and implementation processes socio-politically and technically with reference to changing conditions of the society.

Within the complex pattern of interactions, Booth (2003, 191) signifies three basic problematic issues embedded in planning control mechanisms: the boundaries between control of public interest and private property rights, the process of control and policy base for planning control decision making. These problematic issues are taken into consideration with reference to the contexts of planning control mechanisms (regulatory, socio-political and procedural contexts) in the following chapters of the study. The conjoint operation of these contexts results with the divergent control systems in different countries.

1.3. CONTEXTS OF PLANNING CONTROL MECHANISMS

Within the frame of the study, it is conceived that controlling the production of urban built environment functions within the contexts of planning control mechanisms. These are regulatory, procedural and socio-political contexts.

Among other contexts, *regulatory context* stands in a central position. The written rules of the regulatory context are assumed to be formulated and established through diverse actors in the socio-political context. The written rules in turn control their actions. Lai (1988) summarizes the dialectical relation between the society and law: “property is shaped by law, but law is shaped and controlled by society”. Furthermore, the procedural context functions according to the rules and regulations defined in the regulatory context. Therefore, regulatory context puts limitations on the operation of procedural and socio-political context. *Nature of law*, *nature of regulations* and *the scope of regulations* in planning control mechanisms are formulated in the regulatory context, which refers to the *planning legislation* that directs the production of urban built environment.

The *procedural context* in some respects stands at the intersection of the regulatory and socio-political contexts. Its operation is defined by planning legislation that is embedded in regulatory context. It is operated by the actors, whose actions come into being in socio-political context. The operation of planning control mechanisms within the procedural context depends on consecutive processes. First is the *plan preparation process* and the second is the *plan implementation process*. The former refers to creation of a circumstance for operation of *decision-making mechanisms* in which different motives of actors come up against each other, and the *plan-making process* represents acquiring development plans as end product. On the other hand, plan implementation process refers to *controlling both the production of urban patterns and construction of buildings* in accordance with planning decisions.

Among other contexts, the *socio-political context* involves actions of different actors and relations among them in the planning control mechanisms. Actors may interact with each other in both competitive and cooperative ways. Each actor may have very simple decision criteria and desires, but the dynamic folding of the system can give rise to complex patterns and flows (Allen, 1999). The actors are expected to act according to liabilities defined in the regulatory context and follow the processes in the procedural context. *Development pressures* on the spatial context come into being as a result of actors' actions. In the study, the actors are classified in four main groups according to their position in planning control mechanisms. These are; *actors who underpin the planning control decisions*, *actors who produce planning control document*, *actors who implement/control planning control decisions* and *actors who are directly influenced by planning control decisions (users)*.

The overall functioning of these contexts affects the production of urban built environment and formation of 'changes in the spatial context'. The intertwined structure of these contexts produces the *spatial context* as a living place for the individuals. And, reciprocally, throughout *the review and guidance mechanisms*, the spatial context would lead to *revisions* and *changes* in the structure of these contexts. They are integrated and cyclical within the process (fig. 1.1). The relationship between the production of urban built environment and the actions of distinct actors is a dialectical one, which does not show any determination either by social efforts or spatial configurations (Keskinok 1997).

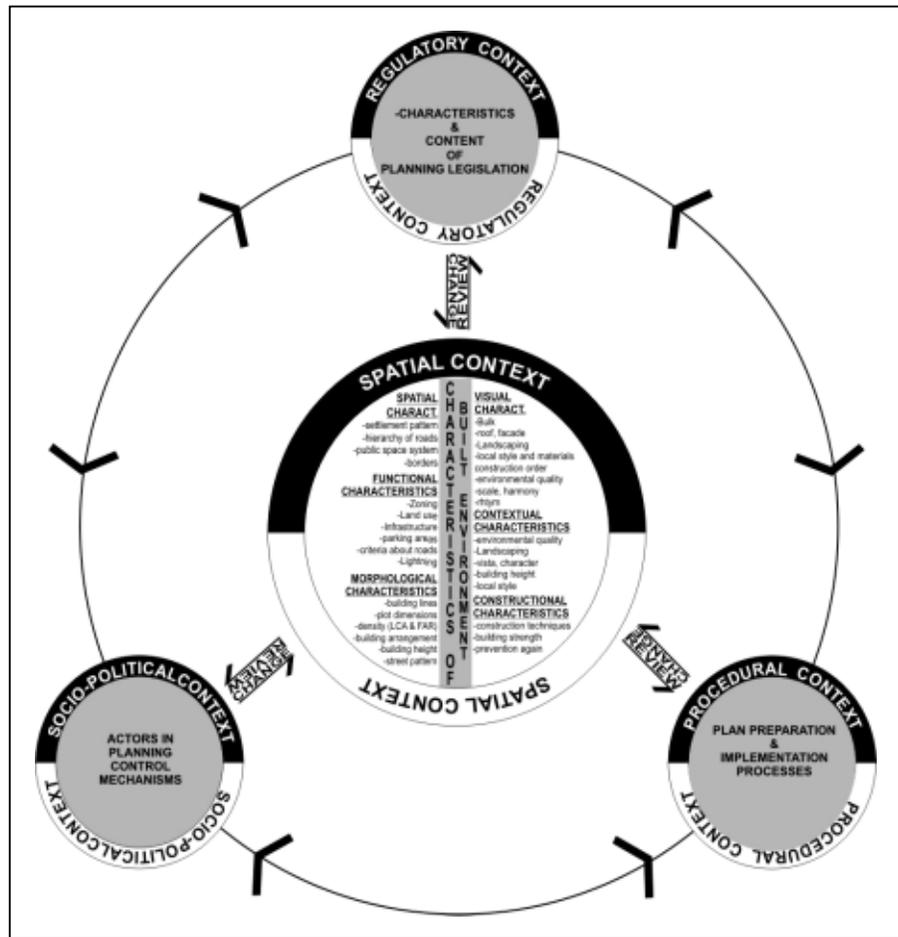


Figure 1.1: Contexts of Planning Control Mechanisms

The spatial context is defined with reference to *the characteristics of the urban built environment*, which are categorized under six main groups with reference to Carmona’s (1996) and Punter and Carmona’s (1997) studies:

- *Spatial characteristics* are formed through the settlement pattern, hierarchy of roads, public space system, borders. The spatial characteristics are specified through city-wide strategies.
- *Morphological characteristics* are related with the physical settings of the context. They comprise building lines, plot dimensions, building dimensions, building height, street pattern, building arrangement (attached, detached or semi-detached),

density (concerning lot coverage area, floor area ratio). *Design of buildings, block patterns and street patterns* are the main issues related with the morphological characteristics.

- **Functional characteristics** are related with the allocation of land in the city. The functional characteristics are zoning, infrastructure, parking areas, criteria about roads, about lighting. *Public private interaction* and *design of land use patterns* are the main issues concerning functional characteristics.
- **Visual characteristics**, containing bulk, roof, facade, landscaping, local style and materials, building arrangement, environmental quality, scale, harmony, rhythm, directly influence *the character of the site*.
- **Contextual characteristics**, which include environmental quality, landscaping, vista, character, building height, local style, are directly related with *intrinsic qualities of the local context*.
- **Constructional characteristics** are related with *construction techniques*, building strength, prevention against fire, use of material, story height etc.

1.4. CHANGES IN THE SPATIAL CONTEXT: CLARIFICATION OF THE PROBLEM

The characteristics of the urban built environment are subject to interventions, emerging as a result of *development pressures* at every scale. This may eventually result with changes in the characteristics of urban built environment. These are called '*changes in the spatial context*' in the study (Table 1.1).

'Changes in the spatial context' are conceived to be significant due to the fact that they might enhance or erode the distinctiveness of a place. In the former case, they contribute to the formation of a *harmonized spatial context*, which give reference to the characteristics of surrounding context. In the latter case, 'changes in the spatial context' contribute to the formation of a *spoiled spatial context*, which has no reference to the characteristics of surrounding context. Therefore, management and control of 'changes in the spatial context' is at the very center of the study.

They are classified according to the scale of intervention during production of the urban built environment (table 1.1):

- At the first level, changes cover city-wide or site-specific development. *Land use alterations, changing the whole settlement pattern in a district, neighbourhood or sub-areas in the city* are examples of modifications in the first level. *Plan modifications* and *plan revisions* are commonly used planning tools to achieve a change in the spatial context. As a result, morphological, spatial, functional, contextual and visual characteristics of the urban built environment might change.
- At the second level, they usually come into being within the boundaries of individual plots. *Setback, plot dimension, floor area, building height, bulk, and building arrangement* are some characteristics that are subject to change. *Plan modifications* are the main documents for these changes.
- At the third level, the changes are observed in the appearance of buildings. At this level, architectural interventions are of primary concern. For instance, *opening new windows or closing the openings* in the building are some examples of changes in this level, through the *modifications in architectural projects*.
- At the fourth level, the changes connote to the *use of buildings*. Lowering the storey height without changing the building height, using the basement of buildings as housing units are some examples of changes at this level. *Architectural projects* are the main tools for controlling these kinds of changes.
- At the fifth level, the changes come into existence in *the structural elements of individual buildings*. Changing the installation or structural system, using insufficient materials during construction and degrading the construction quality are some examples of these changes. The static project, architectural project and installation projects are needed to be changed.

These changes come into being via procedures and tools defined within the contexts of the Turkish planning system. On the other hand, ‘changes in the spatial context’ may occur as a result of unauthorized, illegal processes. In such cases, the relations between socio-political, regulatory and procedural contexts do not run reciprocally. Socio-political context directly effects the production of the urban built environment, excluding regulatory and procedural contexts. Illegal formations are beyond the scope of this study. *The study is concentrated on the changes in the spatial context in the planned urban environments.*

Table 1.1: Changes in the Spatial Context

	CHANGES IN THE SPATIAL CONTEXT	CHARACTERISTICS, SUBJECT TO CHANGE	TOOLS THAT ARE THE SOURCE OF CHANGE	general
.....the scale of planning and construction facilities.....the scale of planning and construction facilities.....the scale of planning and construction facilities.....the scale of planning and construction facilities.....the scale of planning and construction facilities.....	Development within site-specific area or city-wide	- the use of land - settlement pattern -etc.	-spatial -functional -morphological -contextual -visual	-plan revisions -plan modifications -partial development plans
	development within plot	- building lines - dimensions of plot - the use of floor area - the use of construction area - building arrangement - etc.	-morphological -contextual	-plan modifications
	outer appearance of buildings	-opening new windows -closing of balconies -etc.	-morphological -visual	-architectural projects
	the use of unique buildings out of purpose	- lowering the story height - use of basement out of purpose - use of penthouse area - etc.	-functional -constructional	-architectural projects
	structural characteristics and material use	- construction quality - structural system - insufficient use of materials - installation system - etc.	-constructional	-architectural projects -statics project -installation project
				1st level
				2nd level
				3rd level
				4th level
				5th level
				specific

SCALE

The primary concern of the study is to concentrate on the changes at the first and second levels due to the fact that they are the subject matters of urban planning. The changes at the third and fourth level are of concern for architectural studies and the changes in the fifth level is concerned with matters of civil or mechanical engineering. Although, some countries might develop criteria for controlling the ‘changes in the spatial context’ at the third and fourth levels, in the Turkish planning practice they are taken into consideration as architectural practices.

1.5. PLAN MODIFICATIONS

As stated above, the static nature of development plans in the Turkish planning system cannot manage and control ‘changes in the spatial context’. Development plans seem to concentrate on *quantitative control* through *distribution of development rights*. The primary concern for planning control mechanisms is to *grant building permit* on individual plots. The quantitative control in the Turkish planning system depends on *plot-based practices* in regulatory context, *bureaucratization of control mechanisms* in procedural context, and *individual actions* in socio-political context. They are clarified in Chapter 5.

To the extent that possibility of change is disregarded in the static nature of development plans, the individual actions begin to produce their own pattern of urbanism in the urban built environment. In the Turkish planning system, *plan modifications* are assumed to be the primary tools for this formation.

As indicated in Table 1.1, plan modifications are the basic means to manage and control the ‘changes in the spatial context’ at the first and second levels. On this account, analysis of ‘changes in the spatial context’ is carried out on the basis of an investigation about plan modifications. The basic aim of the analysis is to investigate the effect of plan modifications on the characteristics of the urban built environment and their opportunities to bring about alternatives against the static nature of the Turkish planning system.

An evaluation about plan modifications is a contentious issue. Within the framework of the study, any attempt that replaces the conditions of existing development plans is conceived as plan modifications. *Typology of plan modifications* is elaborated according to their effect on the characteristics of the urban built environment. At this point, the central question is “what kind of characteristics do plan modifications change in spatial context?” From this standpoint, the plan modifications are basically named as spatial, functional, morphological, visual and contextual ones. They are taken into consideration in detail in Chapter 5.

The study about the plan modifications is carried out in the city of Mersin. It is searched whether plan modifications might contribute to the development of a qualitative control

mechanism or they maintain the static nature and reproduce the problematic issues of development plans. Mersin, the port city of Çukurova Region and south-east Anatolia, is relatively a small city when compared to Ankara or Istanbul. In the years of its foundation –in 1830’s-, the city consisted of “nothing but a few huts on the shore” (Toksöz, 2002, 15). At present, the city reached a population of approximately 520.000 inhabitants. The spatial development of Mersin has become prominent especially in the last two decades.

Moreover, Mersin has a planning tradition that goes back to the early republican period. After 1985, with the emergence of the new planning law in Turkey, Mersin prepared all development plans and eventually had to face with an enormous number of plan modifications. Therefore, Mersin is conceived to be a laboratory for examining the planning practice in Turkey, both in the manner of preparing development plans and replacing them with plan modifications.

Plan modifications in Mersin are analyzed through three methods of analysis. They are *simple-statistic, process-oriented and site-specific analyses*. Main spine of simple-statistical analysis is the analysis of plan modifications with reference to the ‘changes in the spatial context’ that they have caused. Process-oriented analysis deals with the interactions, viewpoints and responsibilities of actors taking place in the planning control mechanisms. It depends on questionnaires and open-ended interviews especially with actors that underpin the planning control decisions and actors that produce plans and projects. On this account, interviews were made with councillors, planning officers, heads of the planning departments of the four municipalities of Mersin and free-lance planners as actors. Site-specific analysis focuses on the specific examples, brought out through the findings of the first two analyses.

1.5. QUESTIONS

The study seeks to examine the effect of plan modifications on the characteristics of urban built environment. This refers to dealing with qualitative and quantitative changes in the spatial context. In this sense, the characteristics of the Turkish planning system and its control mechanisms must be revealed with reference to different control approaches. The questions of the study are collected in four groups, departing from the main questions: how and why do ‘changes in the spatial context’ come into existence? What is the role of plan

modifications in this process and what are their effects on the characteristics of the urban built environment?

First group of questions is related with the *nature and form of control* in the management and control of ‘changes in the spatial context’. They question the way of exerting control and the differences in control understandings: How much control should be exercised? In what ways, control would be exercised? What kind of qualitative indications can we obtain from different control approaches to manage and control ‘changes in the spatial context’?

Second group of questions is about the *regulatory context*: What are the characteristics and content of regulatory context according to different control approaches? What kind of planning control tools are formulated to manage and control ‘changes in the spatial context’? What are the differences and resemblances between the regulatory context of Turkey and that of different countries?

Third group of questions is related with the *operation of the planning control mechanisms*. In what ways could it be possible to control and manage ‘changes in the spatial context’ according to different control approaches? Through which processes the process of control would be activated?

Fourth group of questions concentrates on the *characteristics of socio-political context*: What are behaviour patterns of actors participating in the production of the urban built environment? What are the value judgements, needs and preferences of each actor? How are the responsibilities within the whole planning control mechanisms distributed? What are the contradictions in the whole mechanisms?

The answers of the questions highly depend on the planning and legal systems of *any* country, since socio-political and cultural conditions of every country results with variations in reality. Needless to say, it is not possible to adopt any example of planning control understanding to the planning system of Turkey directly. There are different administrative structures, legal frameworks, and liabilities. However, there may be some clues of foreign examples that can be taken into consideration while coping with the problems of planning control mechanisms in Turkey.

1.6. METHOD OF THE STUDY

As mentioned above, plan modifications are assumed to be more effective planning control tools than development plans in the Turkish planning system. Within the framework of the study they are placed within the contexts of planning control mechanisms. A study on plan modifications requires a complex and detailed research.

On this account, the study is divided into four main parts. The first part deals with the *theoretical distinctions about planning control mechanisms*. The second part is *the analysis of planning control mechanisms* in foreign examples and Turkey with respect to theoretical framework. The third part is *the methodological framework for the case study*, held in Mersin, whereby the last part concentrates on the case study.

In this framework, the **second chapter** concentrates on the main assumptions of static and dynamic control approaches. This chapter on the one hand brings about *a theoretical framework for the study*; on the other hand it is a brief literature review on conceptualizations about control mechanisms.

Third chapter focuses on *the main characteristics of regulatory, procedural and socio-political contexts* with respect to different control approaches. Concerning the regulatory context, different conceptions of law, and diverging characteristics of rules according to static and dynamic approaches are revealed. Furthermore, distinct operations of planning control mechanisms in the procedural context are distinguished. The part concerning socio-political context claims to highlight the motives of diverse actors.

Chapter 4 analyzes *the contexts of planning control mechanisms* in British, French and United States examples with reference to theoretical considerations. Although the comparison might have been widened to further countries, the examples each gives clues about different operations of the planning control mechanisms according to their distinct administrative structure and law traditions. Departing from this, *the peculiarities of the Turkish planning system and its control mechanisms* are revealed in **Chapter 5**. It includes a comparison with the practice of other countries. Furthermore, it aims to distinguish the problematic issues of the Turkish planning control mechanisms.

Chapter 6 focuses on the methodological framework for the case study, while *Chapter 7* reveals the findings of the case study. On this account, plan modifications that are approved since 1985 (the date when new Urban Development Law was issued) are evaluated with reference to the changes they caused as far as the characteristics of urban built environment are concerned. They are associated with the results of questionnaires. Furthermore, site-specific cases are taken into account in order to focus the effect of plan modifications on the characteristics of urban built environment.

In the *concluding chapter*, the findings of the study are evaluated with reference to the main assumptions of the study. Moreover, suggestions are developed towards a design-led development with context-based control.

CHAPTER 2

STATIC AND DYNAMIC APPROACHES WITHIN PLANNING CONTROL MECHANISMS

In the study, static and dynamic control approaches are seen as two ends of the continuum. Certainly, they have many diversifications in themselves. However, they are conceptualized as the distinct parts of a dichotomy to unfold the distinguishing characteristics of different control approaches. Naturally, these two divergent approaches are not assumed to come into existence apart from each other. In an evolutionary process, the static approach seems to be the starting point of planning and control approaches. The conceptions about control mechanisms are enhanced as a result of critics about static approach and new and more dynamic approaches came into being by the time. The basic characteristics of these two approaches are highlighted below on the basis of their conceptualizations about ‘representation of relations’ in the society, ‘control perspective’ and their implications on ‘planning attitudes’.

2.1. REPRESENTATION OF RELATIONS

Main assumptions of static and dynamic approaches about relations in social entities seem to be decomposed on the grounds of simplistic and complex models of representation. Their main considerations are touched upon below.

2.1.1. Static Approach: Simplistic and Deterministic Model

Static control approach is defined as *mechanistic, deterministic and simplistic* in many studies (Harvey, 1996; Sayer, 1985; Allen, 1997; Mol, 1999; Soja, 1989). The world is seen as a chain of events. All actions can be anticipated and controlled (Miles, 2001; Allen, 1997). Therefore, *stability, reliability and predictability* seem to be of great importance in this way of control understanding. The situations for the present and future are idealized

(Onaran and Sancar, 1998). The whole system is conceived as a *closed system*, in which the objects do not undergo qualitative change and the relations between objects are constant. The mechanisms of the system are assumed to produce regularities (Sayer, 1985). Concerning its mechanical and deterministic representation, static control approach requires two assumptions: events occur at any average time and *all individuals of a given type are identical and average type* (Allen, 1997). ***The reality is conceived as stable, given and universal character*** (Mol, 1999). Characteristics of urban built environment can be formulated independent from people's perceptions and attitudes (Onaran and Sancar, 1998).

Societal evolution is ***ignored and the possibility of change and adaptation to the changes is disregarded***. In this framework, "*prediction about the future will be impossible unless we can find some fixed rules of behavior*" (Allen, 1997). By this way, the operation of planning control mechanism in its contexts can be designated in a *sequential and predictable base*. In this case, any changes in social conditions are not accepted or given little possibility. Moreover Allen asserts that the mechanical models can only be predicted correctly as long as the qualitative structure of the system remains unchanged. Change will eventually be forced upon the individuals.

2.1.2. Dynamic Approach: Complex Nature of Relations

Contrary to mechanistic and deterministic relations of the static approach, dynamic approach depends on the ***complex nature of relations*** in the society and values, needs and preferences of individuals are conceived to be different in their contexts.

Complex nature of relations within the system is described as the combination of differentiation and integration in the process. Since complex entities and their interactions have many socio-spatial potentialities that may not be realized and/or cannot be co-realized, there is necessarily *unpredictability* and *indeterminacy* in their operation (Hall, 1996; Heylighen, 1996; Onaran and Sancar, 1998; Allen, 1997). Therefore, development of a system is conceived to be highly *unpredictable* and *contingent* on the grounds of *uncontrollable factors*, which may steer its course in any infinite number of directions.

Accordingly, Hall (1996) argues that the society works through subsystems within a system making an analogy with the biological systems and control subsystems, which keep organisms alive and functioning. Feedback loops regulate the forms of control. As the function of one organ affects another, the organ receiving information readjusts its performance accordingly. By such a control the organism can maintain a state of equilibrium. Furthermore, Hall denotes that they maintain their stability without *continuous steering of a central control*. This creates a *complex matrix of interactions*, representing an efficient form of control.

2.2. CONTROL PERSPECTIVE

It is seen that different control perspectives come into being as a consequence of diverse representation models of static and dynamic control approaches. Basic diversification depends on the nature of control that is exerted to sustain the coherency of an organization. Perspective of static approach depends on prescriptive control while that of dynamic approach relies on discretionary control.

2.2.1. Static Approach: Prescriptive Control

Depending on the simplistic and mechanistic model, in order to sustain a high degree of certainty and a constant equilibrium of the control mechanisms, according to Allen (1997) “prediction about the future will be impossible unless we can find some fixed rules of behavior”. On this account, the static approach depends on *prescriptive control*. Hall (1996) defines this control perspective as “*narrow and literal*” through which “A exerts control by telling B exactly what to do or not to do”. As Allmendinger (1996) puts forward “if a particular piece of advice does not conform to your world view then you can find one that does”. The purpose is *to ensure uniformity of activities and products* (Baer, 1997). Occurrence of a problem is expected to be realized at a particular time to arrive at a conclusion. Therefore, essentially, the response to the problems is seen as *reactive* in the static control approach (Onaran and Sancar, 1998).

Such a model expresses the behavior of functioning of the system, given its structure, but does not explain why that structure is there (Allen, 1997). Allen adds that it is possible to identify different objectives of varying actors and to describe the mutual interaction of the

actors within the socio-political context in the short term. In the long term, it becomes hard to review the static mechanisms in order to cope with the changing structure of a system. As Hall (1996) points out, “complex systems require complex controls; simple control systems can only handle simple systems”.

2.2.2. Dynamic Approach: Discretionary Control

The search for a *complex control system* depends on a newly emerging science – *cybernetics*. It was first identified by Wiener (1948), a mathematician, for whom cybernetics is “the science of control and communication, in the animal and machine”. Furthermore, cybernetics is deeply studied by Ross Ashby. Ashby (1961) defines cybernetics, in his influential book, *Introduction to Cybernetics*, as “*the art of steermanship*” and insists that coordination and control are its central themes. It deals with all forms of behavior as soon as they are regular, or determinate, or reproducible.

As Hall (2002) points out the central notion in cybernetics is that a phenomena can be viewed as complex interacting system. By defining appropriate control mechanisms the behavior of the system can be steered towards specific ways and alternative trajectories to achieve certain objectives at its bifurcation points, by which new solutions could emerge. By this way, system’s actual trajectory matches the intention as closely as possible. Thus, *the concept of control is a relative one* (DeLeeuw and Volberda, 1996).

Within this perspective, in order to cope with unpredictability and indeterminacy in the complex nature of society, Ashby proposed the “*law of requisite variety*”. When it is roughly interpreted he asserted that a control system must be as complex as the system it sets out to control (Wilson, 1969). *The variety of control device must be at least equal to that of disturbances* (Hall, 1996). In other words, *a controller needs to have larger variety to control a complex process* than it needs to control a simple process (Backlund, 2002).

Self-organization seems to be a means to cope with unpredictabilities and contingencies on the grounds of uncontrollable factors. “Self-organization” is assumed to be a *collective*, spatial response to changing conditions rather than an evolutionary response on the part of its *participatory* individuals. It gives the system a collective adaptive capacity, corresponding to the spontaneous spatial reorganization against changing social values and

needs. In other words, “*self-organization*” can be seen as the *adaptive response to changing material conditions* (Allen, 1997).

In order to sustain adaptivity within control mechanisms, the *learning process based on social communication and participation* gets importance. It directly opposes authoritarian, technocratic and formal control over social actions. It is not supposed to be predictive, instead should encompass present wisdom about mechanisms that operate the values of people that underlie the behaviors exhibited within the system (Allen, 1997).

From this point of view, the control process is assumed to be *incremental* in its nature (Dahl and Lindblom, 1956; Hall, 1996; Hall, 1998; Visscher, 1993; Allen, 1997). Allen points out that “we cannot really predict, but we can explore possible futures, and can help to imagine some of the properties of these”, moreover, “we can never obtain a complete picture of a particular path, we can only get some idea, and we can only do our best to choose the best path”.

Since the dynamic approach accepts the incremental actions in urban change, construction facilities may occur section by section in the city, rather than designing/planning the entire community. By this way, the changing needs of different communities in the city are assumed to be responded through *flexible* policies about controlling the implementation process (Allen, 1997; Biddulph, 1998; Carmona, 1998; Carmona, 1999b; Hall, 1996; Onaran and Sancar, 1998). Therefore, dynamic approach is not only fed by formal processes but also by informal processes. That is because the control processes introduce *discretionary procedures* to the operation of mechanism (Onaran and Sancar, 1998). Criticizing the static approach, dynamic one points out the necessity for a *proactive* system rather than *reactive* and can guide incremental change (Baer, 1997).

2.3. IMPLICATIONS ON PLANNING ATTITUDES

Many studies concentrated on the intellectual history and evolution of ideas in planning theory (Friedmann, 1987; Hall, 1998, Taylor, 1998). They reveal that static approach in planning and control mechanisms are assumed to be the starting point for the development of planning thought.

2.3.1. Static Approach

Departing from its control perspective, operation of control mechanisms are ideally centralized for the efficiency, and operate at urban, regional and national levels uniformly according to static considerations. Therefore, planning became the means *to apply objective knowledge to any context*. Taylor (1998) denotes the planning attitude of static approach as “*physicalist*”. Urban planning is seen wholly as *designing physical objects*.

The important matter is to sustain an order and carry it to an anticipated time, because “the ideal future is envisaged in terms of where and how big cities should be; in terms of a certain balance between city and countryside; and in terms of a vision of how ideally cities should be internally structured” (Taylor, 1998, 339).

Hence, spatial context is divided in self-contained environments in the city. Alexander (1985) describes this formation as a *tree-like structure* as soon as the parts are relatively independent of each other and are linked to the centre. In Taylor’s terms (1998, 339) it is “*a patchwork of village-like communities*”. Since each self-contained part is working similarly with others and directly linked to the centre, it is assumed that all actions concerning the production of urban built environment could be controlled from the centre. *The generality of the whole city can be reduced to all parts.*

Therefore, space is seemed to be *decontextualized*. No changes are expected to come into existence, because all process seemed to be planned and controlled totally. The city as a whole is conceived as the unification of individual and homogenized parts. Consequently, individual actions within the contexts of planning control mechanisms are seemed to be encouraged. From this viewpoint, operation of planning process and control mechanisms is seemed to exclude socio-political nature of planning. According to Altshuler (1973) main motive of planning is to create a master plan which can guide the deliberations of specialist planners and to evaluate the proposals of specialist planners in the light of the master plan.

Friedmann (1987) states that, operation of control mechanisms within their contexts depends on the “*laws of situation*” –the situation in which arbitrary desires and unintelligent assumptions could not be expressed. From this viewpoint,

(Planning) must have regard for flexible human as well as inflexible physical factors; and must confine its manipulations to be plastic factors inherent in the situations being planned. In this way, individuals and group relations in adjustment to environment may be organized and brought under control.

(Friedmann, 1987, 423)

2.3.2. Dynamic Approach

Since static approach conceives planning as a physical design, social and political content of planning is began to be highlighted by dynamic approaches, of which the roots are sprouted within the critics about “physicality” of static approach. Within the framework of the study, two shifts in planning thought are accepted as the critical decisive moment for the evolution of dynamic control approaches. The first is the emergence of system theory in late 1960’s and early 1970’s. On the other hand, the criticisms for system theory lead planning agenda move to discuss the participation aspects within the planning process.

-Controlling ‘changes in spatial context’ through systems

Since developments in cybernetics influenced the considerations of dynamic control approach, it also affected the ways of control and management of changes in spatial context. Main contribution of this theory to the planning agenda is denoted by Taylor (1998, 159-160): the spatial context is viewed as “systems of inter-related activities in a constant state of flux”. From this point of view, McLoughlin (1969) conceived the spatial context, independent of scale, is made up of systems (fig. 2.1). Each system contains interrelated parts, each of which is a sub-system. Parts of the system are connected to each other by activities. Each system is not the real world, but a way of looking at it. Operation of control mechanisms depends on foreseeing the narrower range. The important point is to put the probabilities in a short term where we can be more certain.

Taylor (1998) points out that management and control of ‘changes in spatial context’ depend on *ongoing process of monitoring, analyzing and intervening in fluid situations*, rather than producing “once-and-for-all” blueprints for the ideal future. McLoughlin (1969) conceives *plans as trajectories* and concentrates on “plan formulation” processes to produce more *adaptable flexible plans*. ***It is not required to control every detail*** in the planning system. However, which parts would be controlled, is expected to be defined (Hall, 2002).

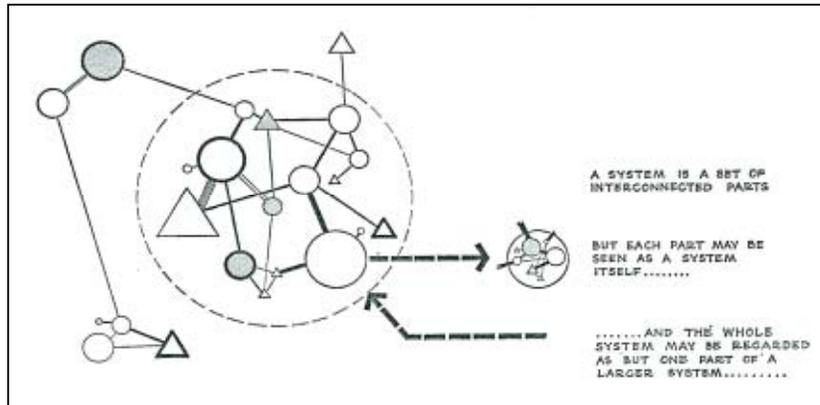


Figure 2.1: Conceptualization of a System (source: McLoughlin, 1969, 76)

Interactions between the contexts of planning control mechanisms seem to come into being in two domains: *the planning control system itself* and *the system which it seeks to control*. The objective is to have a monitoring system which checks the responses of the urban system in general to control its progress; on the other hand, to have a control system itself, which responds flexibly to the information controlled by the monitoring system. Moreover, the monitoring system tests the correspondence between the real world situation and the model that has been set up to describe it. According to the result, control mechanisms in their contexts must be operated to bring the real world situation in conformity to the model, or the model must be modified to make it a more realistic one to describe the real-world (Hall, 2002).

-Controlling the ‘changes in spatial context’ through participation

From a participatory view, it is assumed that control is not only a technical matter, but also it has a social and political nature. It is stated that excluding the public from the planning process and its control mechanisms supports a hierarchical, top-down, and command type of control. Moreover, exclusion is accepted as a condition that causes alienation. Thus, participation in planning process is assumed to maintain ‘*planning for people*’ and ‘*planning by people*’. Public participation is supposed to encourage diverse actors to take place in control mechanisms (Blomley, 2003).

Departing from this, it is presumed that the control mechanisms within the planning system must gain social consciousness and be opened to public discussion and participation through interactive and interpretive processes among the actors in the socio-political context. On this account, planning and its control mechanisms can function with *argumentation* and *communication* between actors.

Participation is conceived as a condition to improve quality of life or as crucial for an effective control mechanism. For the former, designation of control mechanisms throughout participatory actions is assumed to increase their adaptability to cope with the flexible and changing structure of society. The focus of control mechanisms might be pushed towards procedural institutionalization rather than the internal logic of substantive regulations. The latter, directly opposes to the formal and bureaucratic control of static control. Participation is supposed to widen the circle of citizens to represent the breadth and diversity of a community engaged in a collaborative dialogue throughout the planning and design process and control mechanisms (Onaran and Sancar, 1998).

On this account, alternative modes of planning procure an important place for participatory processes in control mechanisms. They place *public dialogue, deliberation and communication* within planning system and control mechanisms. They are the strategies, based on the changing value judgments, needs and preferences of actors in socio-political context. In its ideal situation preferences based on power or prejudice are encouraged (Sager, 1997). Within this framework, an ideal situation of democracy is conceptualized. Participatory processes are conceived so as to involve all groups in the society, affected by the changes and developments in spatial context, not just those powerful actors who carry out development and change (Taylor, 1998). Social construction of the reality is not considered neutral since power is embedded within the complex web of interactions. The power relations are assumed to be restructured, redefined and reformed throughout the continuous interactions in society (Healey, 1999)¹.

Both shifts in planning thought undermine the simplified conception of static approach for spatial context as a homogenous and unitary phenomenon. The critics shift understanding

¹ The planning agenda has been concentrated on communication theory especially since the late 1980's and early 1990's. For a detailed reading and significant contributions on communicative mode of planning, please look at Sager (1994), Innes (1995), Healey (1992), and Healey (1997).

the city as a synthetic object of concern to fragmented specialized land uses (Beauregard, 1990). Socially constructed places are conceived to be diverse, dynamic and superimposed. Consequently, *the spatial context is supposed to gain a place-bound character* (Graham and Healey, 1999). From this perspective, individuality of actions that are embedded in static approach replaces itself with the *interaction of individuals* in a complex way. *Ordering of space is necessarily different in different contexts*, since different contexts contain different interactions.

2.4. EVALUATION

As stated in the beginning of the chapter, static and dynamic approaches are conceived to be two ends of a continuum. Conceptualization of control approaches into two main standpoints contributes to the comprehension of basic dichotomies within planning control mechanisms. They are pointed out below depending on their conceptualizations about ‘representation of relation’ in the society, ‘control perspective’ and implications on ‘planning attitudes’ (Table 2.1).

Table 2.1: Characteristics of Different Control Approaches

PLANNING CONTROL APPROACHES		
	STATIC APPROACH	DYNAMIC APPROACH
REPRESENTATION OF SOCIAL RELATIONS	-mechanistic and deterministic	-complexity in relations
	-city as a closed system	-city as an open system
	-static equilibrium	-dynamic equilibrium
		-adaptive response to changes
	-disintegrated subjectivity	-intersubjectivities
	-constant and unchanging relation	-self-organization
	-idealized future	-possible futures
	-separated contexts	-interconnected contexts
	-average type of individuals	-diversity of individuals
CONTROL PERSPECTIVE	-simplistic model	-complex model
	-command type	-cybernetics
	-detailed control	-requisite variety
	-mandatory specifications	-possible trajectories
	-reactive response	-proactive response
	-total control	-incremental control
	-strict control	-flexible policies
	-individual actions	-interactive actions
URBAN PLANNING	-neutral and universally valid	-value-laden
	-certainty & equilibrium	-flexibility & equilibrium
	-planning as a closed process	-planning as a participatory process
	-externality of control	-internalized control
	-artificial cities	-natural cities
	-decontextualization	-contextualization (local distinctiveness)

The evaluation about these control approaches is carried out on the grounds of ‘changes in spatial context’. The main questions, specified in the introduction, will guide development of an evaluation: how and why do changes in spatial context come into existence? And how could it be possible to control and manage ‘changes in spatial context’?

The answers to these questions might reveal on the one hand the main characteristics of control approaches; on the other hand they could help to develop a theoretical framework for control and management of ‘changes in spatial context’. On this account, the supplementary questions about nature and form of control, peculiar to the discussions in this chapter are as follows: How much control should be exercised? In what ways, control would be exercised? What kind of qualitative indications can we obtain from different control approaches in order to manage and control ‘changes in spatial context’?

From a static point of view, the characteristics of urban built environment would be constructed at a time within a socio-political context consisting of average type of individuals. The formation of spatial context seemed to be carried towards equilibrium to an anticipated time constantly. The consequence would be a *homogenized spatial context*. Depending on conceptualizations about individuals, from a static point of view, the city as a whole would be the *collection of average spaces*. That is the proto-type urban built environment throughout the city and the country as a whole.

The closed and idealized system does not assume that the ‘changes in spatial context’ will come into existence. It is noteworthy to emphasize again in Allen’s (1999) terms, “social evolution is ignored and disregarded the possibility of change and adaptation to changes”. Therefore, control and management of ‘changes in spatial context’ are not matters of subject in planning system. Operation of planning control mechanisms is designated to perform the idealized future through a detailed and strict control. The characteristics of urban built environment are not admitted to change in the course of time.

Maintenance of a system on unchanging conditions requires definition of control *externally*. Therefore, static control approach needs to formulate the control mechanisms centrally. Formulation and operation of control mechanisms are partially ruptured from their local conditions. What is expected from public in control mechanisms is to comply

with the detailed considerations, formulated centrally. *Development of coordinated strategies seems to be disregarded in static control approaches.*

However, ‘changes in spatial context’ might come into existence despite the detailed and strict control. In the study, it is assumed that endeavors to maintain the overall system on the grounds of an idealized future and certainty retain ***tensions in planning control mechanisms*** that create ***cleavages within spatial context***. ‘Changes in the spatial context’ are deemed to be the indicators of such cleavages.

As soon as the ‘changes in the spatial context’ are not taken into consideration to be controlled and managed, they come into being as a result of ***individual actions***. The individuals begin to produce their own urbanism in the urban built environment, which leads to “***individualism of urbanism***”². The result may be a ***harmonized spatial context***, which give reference to the characteristics of surrounding context, or a ***spoiled spatial context***, which has no reference to the characteristics of surrounding context. The latter addresses discontinuities in contexts of planning control mechanisms. It signifies the rupture from character and setting of an area. In Turkish planning system, plan modifications are assumed to be the primary tools for this formation.

Within the framework of the study, occurrence of ‘changes in spatial context’ and plan modifications are considered to be inevitable in static control mechanisms, since the possibility of change in social relations is disregard. Dynamic approaches brought forth innovative contributions to formulate *the level and form of control* to manage ‘changes in spatial context’.

In a system where conditions remained unchanged, it seems possible to control quantitative aspects that depend on morphological and functional characteristics of urban built environment. In the study, it is suggested that to control qualitative aspects such as contextual and visual characteristics of urban built environment requires moving towards dynamic control. In this sense, ***a flexible structure***, in which “a variety to control a complex process” (Ashby, 1961) is needed to be defined in planning control mechanisms.

² ‘Individualism of urbanism’ is clarified in sections of Chapter 5 where characteristics of control mechanisms in Turkish planning system are discussed.

The variety may facilitate to distinguish *the level and forms of control* according to the *scale of intervention and time interval*. For instance, in short term implementations, where certainty and predictability is higher, control activities departing from static approach might be more convenient in planning processes and control mechanisms. In long term implementations, where uncertainty and unpredictability is higher dynamic approach may give the possible trajectories for the developments and changes in spatial context. From another point of view, the site-specific policies may consist of detailed considerations, while city-wide policies may be brief explanations; or control mechanisms in conservation areas may be defined in a detailed way, while in newly developing housing areas they may be identified in broad terms.

The complex nature of relations in socio-political context and the complexity of problems at every scale require making use of both static and dynamic approaches within control mechanisms, *depending scale of intervention and time interval*. Control and management of 'changes in spatial context' cannot be solely fed from one control approach. From this point of view, the *level and form of control* need to be distinguished as a result of characteristics of urban built environment within contexts of planning control mechanisms which are always subject to change.

In the study, it is assumed that this requires creating *coordinated strategies*. The problem is to move the operation of planning control mechanisms from the situation in which urbanism eventuate as a result of individual actions to that where individuals act according to coordinated strategies (Ostrom, 1990). Self-organization seems to be a means to develop *collective and adaptive responses* to changing conditions (Allen, 1997). Along this path, dynamic approaches suggest to compose participatory medium based on social communication and learning processes within contexts of planning control mechanisms.

CHAPTER 3

CONTEXTS OF PLANNING CONTROL MECHANISMS

In this chapter, the contexts of planning control mechanisms are clarified according to static and dynamic approaches. In the first part, the rules and regulations within regulatory context are touched upon. In the second part, the operation of planning control mechanisms in procedural context is defined. Furthermore, in the third part, different motives and interests of actors taking place in socio-political context are argued.

3.1. REGULATORY CONTEXT

Among other contexts, regulatory context appeared in a central position. The written rules in regulatory context are assumed to be formulated and established through actions of diverse actors in socio-political context, they in turn control their actions. Furthermore, plan preparation and implementation processes in procedural context are controlled according to the rules and regulations in regulatory context. Therefore, regulatory context puts limitations on the operation of procedural and socio-political contexts.

The rules in regulatory context that manage and control production of urban built environment are defined in planning law and its related structure, together named *planning legislation* which defines *forms of control* and *liabilities of actors*. Below, the nature and scope of regulations in regulatory context are taken into consideration on the grounds of considerations according to static and dynamic approaches.

3.1.1. Nature of Law

Law in the form of planning legislation develops a general framework for controlling ‘changes in spatial context’. Law is assumed to be a technical tool according to static approach while dynamic approach conceives it within socio-political structures.

-Static approach: Law as a technical tool

With reference to assertions pointed out in the previous chapter, static control approach seems to conceive *law as a technical tool*. It seems to be possible for law to be treated all situations. Conceptualization of law depends on legal rules as detached from the socio-political processes (Imrie and Thomas, 1997). In this situation, law and rules seem to be *decontextualized*. From this point of view, Imrie and Thomas point out the main suggestions of static control approach for law:

- laws are universal and applicable to all socio-historical contexts;
- law determines social life and is reflective of social structure;
- law is abstract and determinate; it is known and relatively fixed;
- law is a form of higher rationality which is handed down; legal knowledge is a form of expertise requiring public deference.

These conceptions of law depend on simplistic model of static approach. Depending on *prescriptive control*, static approach assumes a bureaucratic process working efficiently by means of written law, intended to be a ‘*gapless*’, internally consistent, abstract and rationally designed system (Onaran and Sancar, 1998).

-dynamic approach: Law as common knowledge

Studies that depend on critics of static control approach distinguish the legal processes in a differentiated, complex and situated way (Blomley, 1994; Imrie and Thomas, 1997; Onaran and Sancar, 1998; Ostrom, 1990). It is argued that “law is relational and acquires meaning through social action” (Blomley, 1994, 7). In other words, *law is embedded within socio-political structures* and rules are not external structures, rather attain meaning in social settings. It is claimed that the conceptions of law needed to be generated from the grounded interactions of people and their inter-subjectivity (Imrie and Thomas, 1997). This brings the notion of “*contextuality of law*” in which the law is seen as local knowledge, not placeless principles. Yet, the society, space and rules are not conceptualized apart from each other; rather daily experiences are of importance in the formulation and establishment of legal rules. Laws are seen as constitutes of social life, not reflective of it. It gives the law an *interpretive* and *dialectical* nature (Imrie and Thomas, 1997).

Hence, nature of law in the dynamic approach is based on *discretionary control*, which mainly originates from the development plan and its implementation by interpretation processes (Delafons, 1994). Although it is defined as informal control (Onaran and Sancar, 1998), it is not wholly based on informal processes, many of which occur in tandem with the formal activities. According to Ostrom (1990), the rules that direct the dynamic processes may not closely resemble the formal rules that are expressed in the legislation. They should be *common knowledge* and actually used, monitored and enforced when individuals make choices about their actions. Common knowledge refers to the admission that every participant in the society knows the rules and knows that others know the rules.

3.1.2. Nature of Regulations

Nature of regulations basically depends on the prescriptive and discretionary control perspectives of static and dynamic approaches respectively. As a consequence, planning regulations gain a compensatory nature in static approach whereas they are anticipatory according to conceptions of dynamic approach.

-Static approach: compensatory regulations

As Delafons (1994) points out, static control approach depends on a regulatory system, in which the requirements for each type of development are specified in written regulations and/or ordinances. Detailed end-state blueprint plans seem to conceive that a time would come and the spatial development of any city would be completed (Taylor, 1998). Mandatory specifications are emphasized in detail to control each part and section of planning and construction facilities. In this sense, it would be possible for the decision-makers to agree or reject the planning proposals on their own value judgments and preferences (Onaran and Sancar, 1998).

On this course, static approach depends on *monitoring and correcting* the output of the system and the whole regulatory context is designated to bring the output back on the course. The nature of these regulations is conceived to be *compensatory* (Baer, 1997). Baer adds that they bring about *standardization* that provides a measure of predictability to groups working on individual parts of a whole. The specifications are contained so as living no need for mutual adjustments through interactions between each actor taking place in planning control mechanisms (Onaran and Sancar, 1998).

Within this framework, management and control of ‘changes in spatial context’ basically depends on *quantitative standards*, which cover maximum building heights, densities and floor area ratios. It is “*dimensional type of control*” (Delafons, 1994). According to Visscher (1991), this type of control allows local/central authorities to exercise complete control over the characteristics of built-up areas and of especially newly emerging urban built environment. “Control was there to implement the plan “(Booth, 2003, 110).

-dynamic approach: anticipatory regulations

Since *interpretation* is conceived to be inevitable in planning control mechanisms for applying the rules to specific cases especially in fast changing societies, dynamic control systems operate with rules that are open-ended assertions (Onaran and Sancar, 1998). Thus, metarules are needed to provide guidance in the face of problems when applying specific rules. It involves a *dynamic balance* between generality of metarules and specificity of their implementation (Baer, 1997). Therefore, the planning system of dynamic control seems to provide a *flexible* regulatory regime (Francis 1993).

On this account, according to Baer (1997), dynamic control approach focuses on *monitoring and taking actions*. The control activity concentrates on the conditions that give rise to output formation rather than the output itself. In this case, the conditions which may give rise to errors in the general operation of planning control mechanisms are monitored and the corrections are made prior to the error being made. These regulations are *anticipatory*. It expands the domain of the system to be regulated, and therefore the number of control points that will require regulation (Baer, 1997). It refers to the dynamic nature of relations in the society. It provides a flexible nature for regulatory contest and it seems to bring about the possible medium for creating possible response to changing conditions. On this account, it seems to be a considerable way to manage the changes in spatial context.

3.1.3. The Scope of Regulations

The scope of regulations is defined with reference to the context and diversity of control activities. Since the scope of regulations in static approach indicates a uniform legislative framework, it seems to be developed on the grounds of contextual characteristics and distinctiveness of place in dynamic approach.

-static approach: Legislative uniformity; defining homogenized spatial context

According to internal logic of static control approach, every formal legal decision is the application of an abstract legal proposition to a concrete fact situation; moreover, it must be possible in every concrete case to derive the decision from abstract legal propositions (Weber, 1958). This gives rise *legislative uniformity*, which results with *homogenized spatial context*. The regulatory context is conceived to be *uniform at national scale*, sometimes with possibility of local adjustments and there is a direct compatibility with the standards, stated in the legislation (Booth, 1999; Delafons, 1991; Visscher, 1993).

It is assumed that the city is a unique structure and its problems cannot vary from area to area. Main concern of this kind of control is to control every detail of development, even in each plot, from the center, where the city-wide planning control tools are formulated. Therefore, the static nature of plans is assumed *to control every detail of spatial change*. Tools for this way of detailed control may be *bylaws* or *zoning ordinances*. It usually does not accept the different values and needs that can be generated in different areas in cities. In that manner, the local characteristics are led to *anonymity* (Booth, 1983). Booth adds that three distinctive results for this situation: *a reliance on standard housing types; the blind application of over-generous road standards; a failure to recognize site qualities*. It is the homogenized spatial context in each scale of control. On this account, proto-type urban built environment comes into being throughout the country, like in Turkish example.

-dynamic approach: Local distinctiveness; defining multiple spatial contexts

Critical studies assert that morphological controls make available to control the production of individual buildings. However, it is claimed that controlling the whole settlement via predictable vision of place and setting relationship of individual buildings to public realm is required to emphasize local distinctiveness (Carmona, 1998; Hall, 1996; Onaran & Sancar, 1998; Plater-Zyberk 1994).

According to Carmona, the constituents that must be controlled for the production of urban built environment should be defined in a range of broad design criteria concerning scale, height, massing, layout, landscape and access. Furthermore, these criteria should be defined in relation with the appearance of development and its relationship to the *contextual characteristics*. This means that the issues of planning control mechanisms and

tools must be clearly defined for a place in order to gain a *distinctive character*. However, this requires a *qualitative approach*, which depends on the achievement of design objectives required by the characteristics of the particular spatial context. The problem is to comprise harmony and to acquire a certain level of uniformity throughout the city to ensure the community character (Allen, 1997; Biddulph, 1998; Carmona, 1998; Carmona, 1999; Hall, 1996; Onaran&Sancar, 1998).

In this framework, Hall (1996) emphasizes the need for development of a *context-based* approach for controlling the production of urban built environment to make certain areas acquire certain *place* characteristics. The general principles of this approach are assumed to be as follows:

- to distinguish between matters essential to the position of the planning authority and those that are negotiable,
- to distinguish between means and ends,
- to handle value statements in the same currency as used by local politicians and members of the public,
- to bring up a degree of flexibility in order to handle changes in both values and characteristics over time.
- to incorporate statements those are area specific.

The response is to establish a *dynamic and interactive hierarchy of regulation and controls*. Clarification of the level of intervention in control mechanisms and the distribution of liabilities became important for the simplification of matters (Hall, 1996).

3.2. PROCEDURAL CONTEXT

The procedural context is related with the operation of control mechanisms in relation with other contexts. Somewhat, it stands at the intersection of regulatory and socio-political contexts. Its operation is defined by planning legislation that is embedded in regulatory context. It is operated by the actors, whose actions take form in socio-political context.

Despite the different conceptions of dynamic and static approaches, the operation of planning control mechanisms in procedural context depends on successive processes. First is the *plan preparation process* and the second is the *plan implementation process*. The former refers to creation of a medium for operation of *decision-making mechanisms* in which different motives of actors come up against each other, and *plan-making process*

that represents acquiring development plans as end product. On the other hand, plan implementation process refers to *controlling both production of urban plots and construction of buildings* in accordance with planning decisions.

3.2.1. Different Models for Operation of Procedural Context

In the study the different attitudes for the operation of procedural context are conceptualized in two ways with reference to the characteristics of static and dynamic control approaches. First is conceived as *step-by-step linear process*, whereas the second is named *cyclical interactive process*.

-static control approach: step-by-step linear process

Since static control approach depends on mechanistic and simplistic conceptions about representation of social relations and control perspective operation of procedural context functions through a *hierarchical control*: a simple *command* from the top would operate efficiently in implementing the machinery in motion. The appeal of hierarchy depends on its *simple conceptuality*; everyone understands a command to which negative sanctions are attached (Friedmann, 1987). In this sense, the models that stem from static control approach are usually conceived as *top-down* or *linear models*, that describe a sequence of events within operation of planning control mechanisms (Allison and Claydon, 1996).

The procedural context works through a step-by-step process (Biddulph, 1998), of which the main constituents are definition of problems/goals, identification of alternative plans/policies, evaluation of alternatives, implementation of plans/policies and monitoring the effects of plans (figure 3.1). The plans are prepared at the top and implemented at the bottom. Procedural prescriptions are designed to determine the best alternative, only on the basis of outcome variables (Sager, 1997).

According to Taylor (1998), *the main concern is given to plan preparation process* in procedural context; *little thought is given to plan implementation process*. The linear functioning causes *separation of plan preparation process and plan implementation process* from each other. Plan implementation is reduced to be a further stage of plan preparation process within procedural context of control mechanisms.

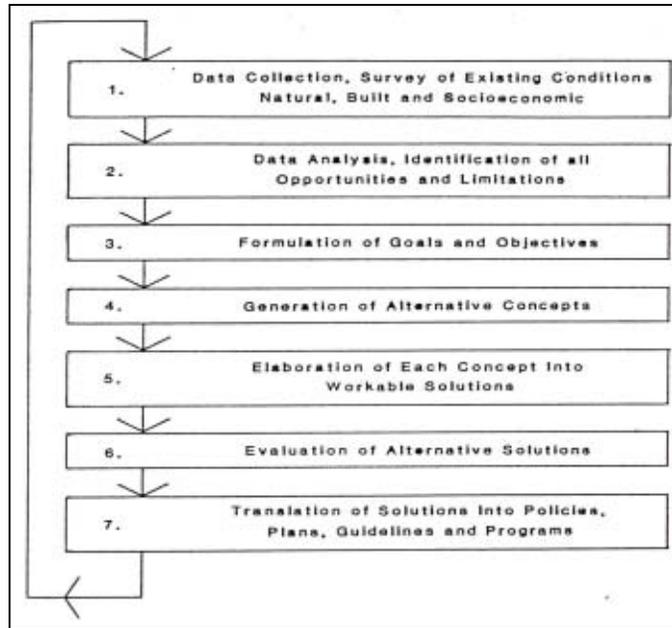


Figure 3.1: Operation of Planning Control Mechanisms in the Procedural Context according to Static Approach: Step-By-Step Linear Process (Source: Shirvani, 1985, 111)

In this sense, as Christensen (1985) asserts, the plan implementation process is prescribed by standards and *routine procedures* which are set in a replicable program. Then, prescribed procedures will be applied repeatedly with the same dependable results. ***Planning control is an administrative action.*** The most important thing is testing the compliance of the proposals with planning. Certain historical design types are adapted to different circumstances in order to fit the site conditions for controlling and managing the changes in spatial context (Biddulph, 1998; Lang, 1994).

These characteristics give rise to formation of a *plan-led system*, in which control function is reduced to check the conformity of proposals to plan policies and zoning. The plan-led system on the one hand breeds *a reduction in uncertainty* in control mechanisms; on the other hand it brings forth “*bureaucratization of control mechanisms*”. Local planning authorities became more concentrated on the procedural aspects of planning control, rather than taking care with the processes to achieve more qualified planning outcomes (Tewdwr-Jones and Harris, 1998).

Departing from this, the basic participation channels are pre-defined centrally by professionals. As Hall (1996) points out, in this model planning officers and professionals draw up proposals and local politicians approve them and agree to their publication. At this stage, public reaction to proposals is received and considered. Consequently, proposals are revised by planning officers and politicians give the final approval. Participation is reduced to a technical procedure and is limited on the grounds of objections during publication of proposals. It is a *technical form of participation* that depends on ‘to be informed and to respond to the information’ (Taylor, 1998). As Taylor denotes it is conceived to be ***consultation rather than active participation*** in planning control mechanisms.

-dynamic control approach: cyclical interactive process

Like Taylor (1998), Friedmann (1969) saw the problem of static control approach on ignoring the plan implementation process. He points out that “the problem is no longer to make decisions more rational, but how to improve the quality of action”. He presupposes that *plan preparation and plan implementation processes should be fused*. Improvement of contact and communication channels among actors becomes prominent. It leads to constitution of a medium for ***extensive involvement of actors***. In this sense, according to Christensen (1985), a ***trial-and-error method*** will be used rather than prescribed procedures. Hence, the process is open to experimentation, which is open to bring up innovative solutions.

On this account, the dynamic structure of interactive process admits to re-evaluate the operation of planning control mechanisms against changing nature of socio-political context and changing problems in implementation process. Contrary to linear process, *the interactive process functions in a spiralling way* shifting from strategic issues down to focus on details (figure 3.2). According to Biddulph (1998), at each stage there is a conceptual shift as the nature of the issues being addressed also changes. Therefore, *plan preparation and plan implementation processes are not separated from each other* in the interactive process, which conceives each process within procedural context as working dependent to each other.

Since the plan implementation process depends on reciprocal relations of actors within the process participation is a matter more than just to be informed or consultation. Negotiation and bargaining are an essential part of the planning control and take place no matter how

rigid the framework. In this framework, *designation of discretionary actions and participation channels* is crucial within planning control mechanisms (Booth, 1996).

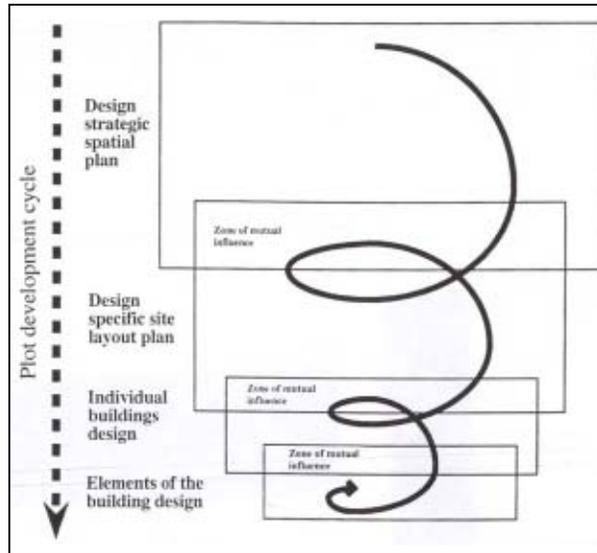


Figure 3.2: Operation of Planning Control Mechanisms in the Procedural Context according to Dynamic Approach: Cyclical Interactive Process (Source: Shirvani, 1985, 111)

Designation of participatory actions is assumed **to increase the adaptivity of planning control mechanisms to cope with the changing structure of society**. This opposes to the formal and bureaucratic control view of static approach (Onaran and Sancar, 1998). According to Prior and Allmendinger (1999), active participation within procedural context might *give rise to the public awareness* about development proposals and provide people to assist decision making. They suggest three basic peculiarities for active participation. These are *simplification of process* through the procedure and the determination of participation context; *fairness of the process* via the determination of period for making representations and renotification of people about changes in proposals; and raising *public awareness in the process* through a full accurate description of the development, the period in which representations should be made, explanation of the purpose of participation process, explanation of the general matters which planning authorities take into account in determining proposals and the grounds in which the proposals are not relevant to determine.

Designation of discretionary actions presents individuals freedom to interpret their tasks within general frameworks provided by their superiors (Allmendinger and Thomas, 1998). According to Booth (2003) the insistence on *flexibility* and the *use of discretionary power* was a reaction to the forms of control and regulation that depend on the measurable standards and the application of rules to common problems. Discretion refers to “the exercise by a legislative or administrative body of judgment, within the limits of power delegated to it, to make substantive and procedural choices for the purpose for which the power is delegated” (Blaesser, 1994, 42; quoted from Davis, 1969). Tewdwr-Jones (1996) points out that increasing the discretionary nature within the planning control mechanisms makes individual possible to question and assess the values in decision-making process.

3.3. SOCIO-POLITICAL CONTEXT

Among other contexts, socio-political context involves actions of different actors and relations between them in planning control mechanisms. Their place in control mechanism can be defined on the grounds of tensions and contradictions between them, which depend on the use value and exchange value of the urban built environment. Certainly, the basic disagreements between actors in control mechanisms and efforts to change the spatial context depend on these contradictions. However, in the study, the main analysis is oriented towards control mechanisms in planning system, and the actors are defined with reference to their relation with planning control tools (in regulatory context) and processes (in procedural context). Thus, the actors are classified in four main groups:

- **Actors who underpin the planning control decisions:** these actors put the framework for operation of planning control mechanisms. Therefore, they have a considerable influence on decision-making process. Depending on static control approach, central planning authorities occur predominantly. However, dynamic approaches encourage involvement of local planning authorities and the public in general in order to develop a framework for operation of planning control mechanisms.

- **Actors who produce planning control documents:** they are expected to produce documents as a means to direct the control and management of ‘changes in spatial context’. They might be planning officers in central or local planning authorities or free-lance planners and architects as well. They take place in plan-making process.

- Actors who implement/control planning control decisions: as soon as these actors take place in plan implementation process, they can vary according to their actions and control approaches. Developers and housebuilders, and professionals are expected to act with reference to planning obligations while local authorities control the implementation process according to planning decisions. Depending on control approaches, the public also can take place in plan implementation process.

- Actors who are directly influenced by planning control decisions (users): these actors directly use the produced urban built environment as a result of operation of planning control mechanisms. Therefore, they are users of urban built environment.

‘Changes in spatial context’ might come into existence as a result of different motives, interests and values of the actors mentioned above. Actors may interact with each other in both competitive and cooperative ways. Each actor may have very simple decision criteria and desires, but the dynamic folding of the system can give rise to complex patterns and flows (Allen, 1999). On this account, the main motives and decision criteria of the actors are taken into consideration below.

-Central planning authorities

Although the role of central planning authorities might change in every country, their main motive is assumed to ensure the wider public benefits. They usually take place in order to make the whole process operate in a fair and consistent manner without any abuse. For that, in almost every country a hierarchical –either dynamic or static- process is formulated. The operation of the whole system is regulated and directed via written statements and documents which might be laws, bylaws, plans or circulars.

From a static point of view, the central planning authorities have a tendency to intervene every detail of development and to designate the regulatory context in this way. For instance, in the Turkish planning system, the Model Development Bylaw is designated for a detailed control and has a considerable influence on controlling the ‘changes in spatial context’ at local levels. On the other hand, dynamic control approaches seek to leave a space for local planning authorities to control the urban development and ‘changes in spatial context’ at the local level. In the lower tiers, local planning authorities are expected to build up their own planning control documents in accordance with the general framework of central authorities in order to develop *context-based* control mechanisms.

-Local planning authorities

Local planning authorities, settled in local government within an organizational scheme³, are restricted by the legal and administrative constraints, constituted by central planning authorities. Along this path, they remain the key actor during the operation of planning control mechanisms. The public sentiment (willingness to intervene by social groups) political will (local councilors) corporate commitment (departments other than planning) planning officer expertise all constitutes the sophistication of control and the forms of control that would be exerted during the production of urban built environment (Punter, 1999). Local planning authorities are assumed to take consideration for the wider public and political interest, but they are usually under pressure of housebuilders and central government to supply enough and suitable land for development (Carmona, 1999).

From a static point of view, according to Allmendinger and Thomas (1998), the planning officers in local planning authorities are likely to show particular attachment to rules that protect the internal system of social relations and enhance their status by enabling them. As a result, they stress a regularized career structure and a high degree of conformity with the organization. For this reason, they become advocates of their organization and negotiate and bargain with other actors on behalf of organization's value judgments.

Nonetheless, this does not mean that there is no space for discretionary decision making within the established principles of central government at a national level. Local planning authorities can anticipate the potential space for discretion through the use of accurate tools that enable an atmosphere for direct public involvement (Claydon and Smith, 1997). From a dynamic point of view, local planning authorities have a potential to modify the planning control decisions depending on their locality's distinctive characteristics.

-Local councilors

Local councils are the institutions where planning control decisions are taken in the final analysis. Therefore, local councilors, the elected representatives of public, are at a critical position within operation of planning control mechanisms. The functioning of a local

³ Within the Turkish planning system, there exist planning departments as the local planning authorities in organizational scheme of only in major cities' municipalities. As a field of case study, there are planning departments in each district municipalities and in Municipality of Greater Mersin.

council usually depends on the assessment of reports prepared by planning officers and committees of council. The committees might be set on varying purposes, one of which is the planning committee.

Since the proposals are discussed in local councils and these discussions are open to public, the meetings can be seen as one of the tools to involve the public in planning control mechanisms. During meetings, local councilors may follow or ignore the advice of planning committee and the planning officers in the local authority. In the case of ignorance of proposals the ways for appeal are open to the public, which is another form of participation (Punter, 1999; Beer, 1983).

Beer (1983) states that, councilors commonly do not show any concern about improving qualitative characteristics of urban built environment. For them, the primary issue is to check applications in terms of site layout and detailed considerations in planning control documents. They are almost without exception untrained in design. According to Carmona (1998), they consider design issues to be connected with the appearance of the parts – rather than the totality of the experience of the environment.

-Professionals: planners and architects

Professionals in the planning control mechanisms are assumed to produce planning control tools or to take place in implementation of planning control decisions. Planners and architects as planning and design professionals have tensions between each other. As Günay (1999) states, architects tend to produce their products (projects) as a result of the responsive actions of demands of the owner(s) and architect's design approach. On the other hand, the basic motive for planners is to control the characteristics of urban built environment in terms of land use, density, setbacks or heights. Carmona (1998) states that the public evaluation for design issues is less significant than client feedback according to architects.

However, there seem to be two basic contradictions between architects and planners. First is the *subjectivity and objectivity* in planning control mechanisms. According to architects, design is synonymous with aesthetics and its evaluation can only be dependent on the exercise of subjective taste on personal experience. Furthermore, control in the process of

urban built environment production is seen as cumbersome, time-consuming, ineffective and intrusive in achieving goals by architects (Carmona, 1998). Hence, architects usually regard planning control as the control that stifles design freedom: as Speireigen (1965, 173) asserts, “For most architects, regulation and controls are a nuisance, because they sometimes prevent (them) from building their best designs”. On the other hand, according to planners, planning control comprises wider concerns than aesthetic values. Judgments on design can be evaluated objectively through a range of planning control tools such as design guides, design briefs and codes. On this account, planners assert that operation of control mechanisms prevents outrages and raises the standard of development. It encourages the architects to stand up his/her client who may usually want the cheapest building. Furthermore it is democratic, because it incorporates the view of the public and it is accountable, because decisions are made by elected representatives (Carmona, 1996; Punter and Carmona, 1997).

The second contradiction between architects and planners rise upon the arguments about *professional skills*. Architects state that there is a lack of design skills among those evaluating the proposals (Hubbard, 1994). It is seen that architects usually do not seem to have a tendency to be judged by lay persons or planners (Scheer, 1994). On the other hand, planners have accepted that good design can be acquired with good designers and architects, but there would be inescapable interventions, originating from confines of the site, the experience of the intermediate users as justifying the legitimacy of a public role in decisions. On this account, planners perceive that prescriptions in planning control tools provide the means to safeguard excesses and ensure that design interventions are made with full regard to the context in which they sit (Carmona, 1998).

-Developers and housebuilders:

Developers and housebuilders produce the individual buildings or a collection of them as the concrete outcome of planning control mechanisms. The role of developers and housebuilders mainly depend on the characteristics of the housing as a product. According to Booth (1983), housing first of all comprises a very high value of capital tied in the purchase of land and materials. Furthermore, its production time is far longer than for other commodities. The developers are thus forced to achieve the result as fast as possible, delay is extremely cost and in time of recession, the product cannot be stored against a change in

the market. For this reason, it is important for housebuilders to complete houses and sell them as quickly as possible.

From this point of view, the main motive for developers and housebuilders seem to be the maximum certainty and consistency in planning system, which depends on higher levels of objectivity in planning standards and prescriptions. They need to adapt their standard products anywhere. Therefore, developers and housebuilders usually criticize the process of planning control mechanisms in the mean that it would lead to delay and increase costs and would bring another burden on the operation of free market. On this account, they focus on the procedural aspects of planning control mechanism rather than controlling design aspects *per se* (Carmona, 1998; Claydon and Smith, 1997).

According to Booth (1983), they seek an efficient, effective planning control service which would be speedy and provide consistent responses to reach stable circumstances for development of an area. The result would be generally the standardisation of the products in the housing market, a product to be built quickly and cheaply, and that has gained necessary approvals without difficulty and then to be sold in the market.

-The users/purchasers of urban built environment

The users of urban built environment are the actors that directly affected by the operation of planning control mechanisms in their daily life. They are usually not trained professionals. They use the urban built environment for the satisfaction of their own needs. The built environment for them is a part of their total experience of life (Beer, 1982). In other words, Harvey (1985) points out that while housebuilders takes the built environment as an "outlet for surplus capital and as a bundle of use values for enhancing the production and accumulation of capital", citizens/housebuyers "use the built environment as a means of consumption and as a means for its own reproduction", they try to protect and increase its standard of living.

The average housebuyer in search of a new house is frequently in the position of accepting whatever the design of an architect and the actions of builders provide. In other words, they are the ones who pay for the created housing market which justifies the design status

quo; which does not look at the ways for producing generic research on what citizens want, rather than what they accept (Carmona, 1998a; Booth, 1983; Beer, 1983).

3.4. EVALUATION

In the study, it is conceived that formulation and operation of planning control mechanisms primarily must depend on understanding of spatial context on the grounds of characteristics of urban built environment. The spatial context signifies the characteristics of any development in its surrounding. It is comprehension of the uniqueness of spatial context in terms of distinctions from other spatial contexts. *Understanding spatial context* is to figure out the necessities in any development and furthermore to formulate control mechanisms according to these necessities. On this account, the operation of control mechanisms can only be functioned in the contexts of *places of distinction*. They are the character areas in the city. In this sense, places of distinction are related with *morphology of the site*, its *relation with surrounding context* and *the character of site*.

Morphology of the site depends on urban form and urban pattern, which deals with *building block patterns, building heights, building arrangement and massing*. Relation with surrounding context depends on both morphological and spatial characteristics such as *street pattern, settlement pattern and public space system*. Character of the site is related with morphological, visual and contextual characteristics of urban built environment such as *building forms, styles and materials, rhythm and harmony, landscaping, environmental quality*.

Along this path, control and management of ‘changes in spatial context’ acquire significance within its outstanding context. On the one hand, changes in spatial context may damage the continuities in the character of spatial context and contribute creation of a *spoiled spatial context*; on the other hand, it may breed a *harmonious spatial context*, connected to the characteristics of the surroundings.

In this framework, it is conceived that the spatial context is produced, manipulated and shaped within regulatory, procedural and socio-political contexts of planning control mechanisms. With regard to regulatory context, main distinctions between static and dynamic control approaches are revealed in Table 3.1.

Table 3.1: The Characteristic of Regulatory Context According To Static and Dynamic Approaches

REGULATORY CONTEXT			
STATIC CONTROL		DYNAMIC CONTROL	
LAW AS A TECHNICAL TOOL	laws are applicable to all socio-historical contexts	law is relational	LAW AS COMMON KNOWLEDGE
	law determines and is reflective of social structure	law is embedded within socio-political structures	
	law is abstract and determinate	rules attain meaning in social settings	
	it is known and relatively fixed	open-ended assertions/interpretation	
	law is a form of higher rationality	informal processes/mediation	
legal knowledge is a form of expertise	law as an interpretive and dialectical nature		
COMPENSATORY REGULATIONS	regulatory system	preventative system	ANTICIPATORY REGULATIONS
	Detailed end-state blueprint plans	broad set of controls	
	detailed standards-complete control	flexible regulatory regime	
	monitoring and correcting	monitoring and taking actions	
	quantitative standards		
dimensional type of control			
LEGISLATIVE UNIFORMITY	uniform in nationwide	contextual characteristics	LOCAL DISTINCTIVENESS
	city is a unique structure	distinctive character	
	control every detail from centre	flexible policies	
	bylaws or zoning ordinances	guidelines, design codes, design briefs	
	anonymity	local distinctiveness	
homogenized spatial context	multiple spatial contexts		

From a static point of view, the rules are universal and applicable to all socio-spatial contexts. Therefore, characteristics of the urban built environment are assumed to resemble each other in *any* context. The distinctiveness of places is disregarded and they become *anywhere* for static approach. It seems possible to develop a ***uniform regulatory context***, of which the main indicators are end-state blue-print plans. Besides, it is presupposed that bylaws and zoning regulations are adequate ***to control every detail of development***. The implementation depends on ***routine procedures***. Planning control is reduced ***to check the conformity of proposals to plan policies*** regardless of contextual characteristics. Accordingly, the parts of the city cannot gain distinctive characteristics, which led to *anonymity*, of which the overall effect is ***homogenized spatial context***. Since the detailed control of static approach cannot provide opportunities to define ‘places of distinction’ for the operation of planning control mechanism, it is supposed to be ***context-less control***.

On the other hand, in the study, it is envisioned that dynamic approach is admitting of developing control perspectives to create ‘*places of distinction*’. Instead of a detailed control, dynamic approach presupposes a ***flexible structure for regulatory context*** and other contexts. Law is conceived to be relational and context-based on the grounds of its

interpretative and dialectical nature. Each proposal is expected to be appraised on its own merits according to the characteristics of site. The flexible structure of control mechanisms allow to redefine, revise its content according to changing conditions. Therefore, the proposals are assumed to be evaluated with respect to *morphology of the site*, its *relation with surrounding context* and *the character of site*. Therefore, the system is preventative and possible ‘changes in spatial context’ that would be inconsistent with the characteristics of surrounding context are prevented before their realization. Thus, the local distinctiveness of the place is highlighted through *context-based control*. In this framework, dynamic approach is supposed to create *harmonious spatial context* (fig 3.3).

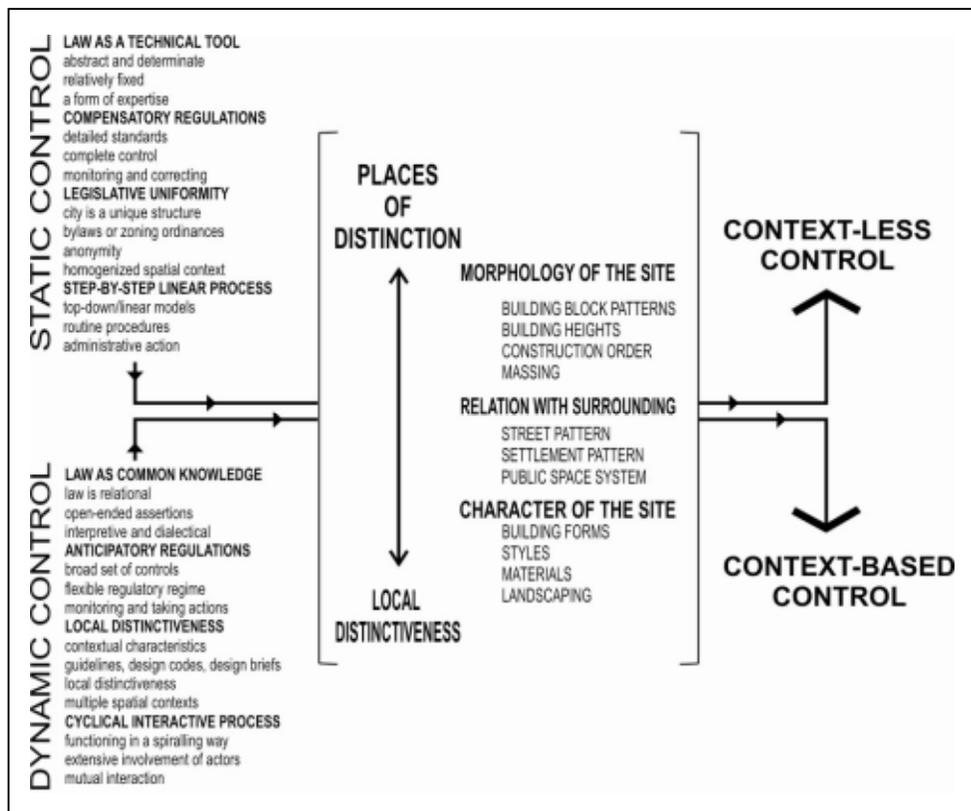


Figure 3.3: Static and Dynamic Control Approaches on the Site

With regard to procedural and socio-political contexts, dynamic approach emphasizes the significance of involvement of public to control mechanisms in order to bring the local

distinctiveness back in. According to Lang (1994), an active participatory process would bring the local and contextual characteristics of localities into discussion which gets lost in top-down linear process of static control approach. Hall (1996) states that, such a process would permit to establish *a variety for the intensity of control*, which changes from place to place according to their contextual characteristics. In this sense, participation would *promote the degree of publicity* and *increase social consciousness* during operation of planning control mechanisms. On the other hand, involvement in plan implementation process directly makes actors to effect controlling and managing changes in spatial context (Table 3.2).

Table 3.2: The Characteristic of Procedural Context According To Static and Dynamic Approaches

PROCEDURAL CONTEXT		
	STATIC APPROACH	DYNAMIC APPROACH
STEP-BY-STEP LINEAR PROCESS	successive processes	
	hierarchical control	extensive involvement of actors
	top-down/linear models	functioning in a spiralling way
	descriptive models	
	focus on plan preparation	
	separation of plan preparation and plan implementation	mutual interaction of plan preparation and plan implementation
	routine procedures	trial-and-error method
	control is an administrative action	
	plan-led system	
	checking conformity of proposals to plan policies	re-evaluation of objectives and decisions
	a reduction in uncertainty	
bureaucratization of control mechanisms		
		CYCLICAL INTERACTIVE PROCESS

Active participation in planning control mechanisms in dynamic processes allows the mutual interaction of plan preparation and plan implementation processes. By this way, it would be available to re-evaluate planning decisions and policies. On the contrary, control is an administrative action in static approach. Planning officers are subject to control proposals in conformity to plan decisions that are certainly not open to revision. On this account, plan preparation and plan implementation processes are separated from each other and control mechanisms are bureaucratized. The role of each actor within the mechanisms is predetermined and actors are expected to obey their roles. Therefore, from the static point of view, the control mechanisms are closed to create innovative strategies.

CHAPTER 4

PLANNING CONTROL: LESSONS FROM OTHER COUNTRIES

In this chapter, different examples of planning control mechanisms in abroad are taken into consideration. It is a comparative study within theoretical framework put in the previous chapters. It is aimed at pointing out the distinctions and similarities between planning systems of different countries.

Urban planning system usually takes place within a national framework, which might bring about variations according to national legal and administrative structures (Newman and Thornley, 1996; Healey and Williams, 1993). For instance, Newman and Thornley put forward a typology for urban planning systems in Europe according to varying administrative and legal structures. This typology reveals that there exist five groups of planning system in Europe. First is the British group, which is evolved from English common law tradition. The second group involves countries such as France, Netherlands, Italy, Greece etc. and named Napoleonic Group. Third one, called Germanic Group, encompasses countries like Germany, Austria and Switzerland. Fourth group refers to the planning system of Scandinavian countries, whereas the fifth group involves the planning experiences of Eastern Europe. There is a hierarchy of planning functions from locality to region-wide scales in these systems.

Apart from these groups, which refer to differences in Europe, the planning experience in United States reveals different exposition of planning control. In fact, according to Cullingworth (1994), it is not possible to describe a planning system in United States. It does not work throughout at a nation-wide scale. Rather, planning system is managed via local control over development and the chance of making money from land transactions.

Although each country has different legal traditions and administrative structuring the cases of British, France and United States are taken into consideration in order to reveal

the distinctions in operation of planning control mechanisms in different systems. It would have been able to focus on other planning systems like that of Germany and Netherlands or any other country in continental Europe. However, they are conceived to be derivatives of Napoleonic examples, of which the primary concern is held upon through France example.

4.1. THE BRITISH PLANNING SYSTEM

Grant (1992) states that the basic planning control tools in British planning system are development plans. Besides them, there are policy statements, the cases, guidance notes, and other guidance materials. Within this system he points out that there are three distinctive key elements. First, *development plans are not legally-binding*; they provide wide-discretion in decision-making. Second, *the scope of control over new development is wide-reaching*. And the third, the whole system is *highly centralized*; powers of local authorities are closely defined by national legislation. Furthermore, according to Booth (2003, 4), the British planning system is supported by the general implications of *common law* with its reliance on *judge-made law*. And *procedural fairness* underlies the *use of discretionary power*.

While development plans have significance in controlling urban development, 'changes in spatial context' are controlled via planning application and planning permission. If individuals propose to change the characteristics of urban built environment, they are required to submit a *planning application* to local planning authorities (Claydon, 1998). After an evaluation process by planning officers, the proposals grant *planning permission*, which is required to have regarded to development plans, and to any other material considerations (Grant, 1992). According to Claydon (1998), the application for proposals provides greatest opportunities for officers to exercise discretion.

The control functions consist of determination of applications, the provision of an agency that concentrates on the inquiries about local plans and appeals against planning decisions and the government minister (SoS) who directs decisions in some cases. However, the majority of planning is undertaken by local authorities (Cullingworth, 1997; Claydon, 1998; Grant, 1992).

Development plans are opened to public inquiry after council meeting. This process involves objections of interested actors. As a result, development plans might face with modifications. As soon as these are adopted, development plans became law. In figure 4.1, the plan preparation process and the place of actors in this process is revealed through Aberdeen example. Besides development plans, “*other material considerations*” also take place in the control mechanisms while deciding to approve or reject planning applications. Each case is evaluated on its merits through a case-by-case evaluation (Booth 2003; Cullingworth and Nadin, 1997).

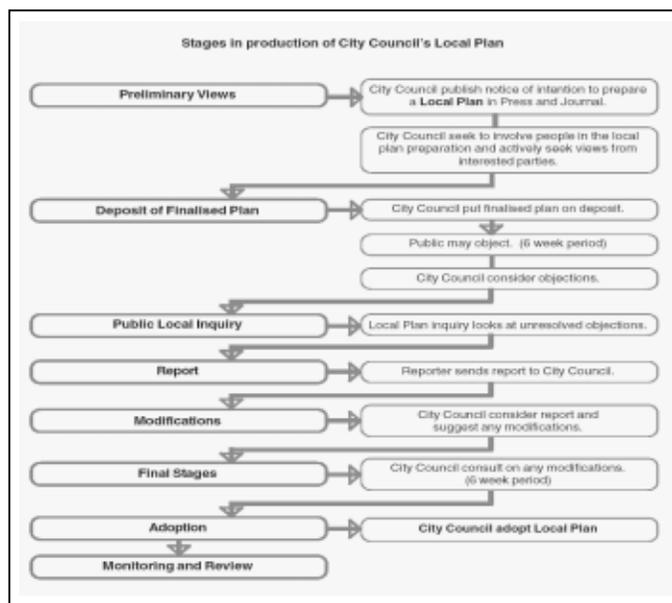


Figure 4.1: the plan preparation process in Aberdeen: the procedural context in the British planning system and distribution of liabilities of actors (Source: <http://www.aberdeencity.gov.uk>, accessed in may 2005).

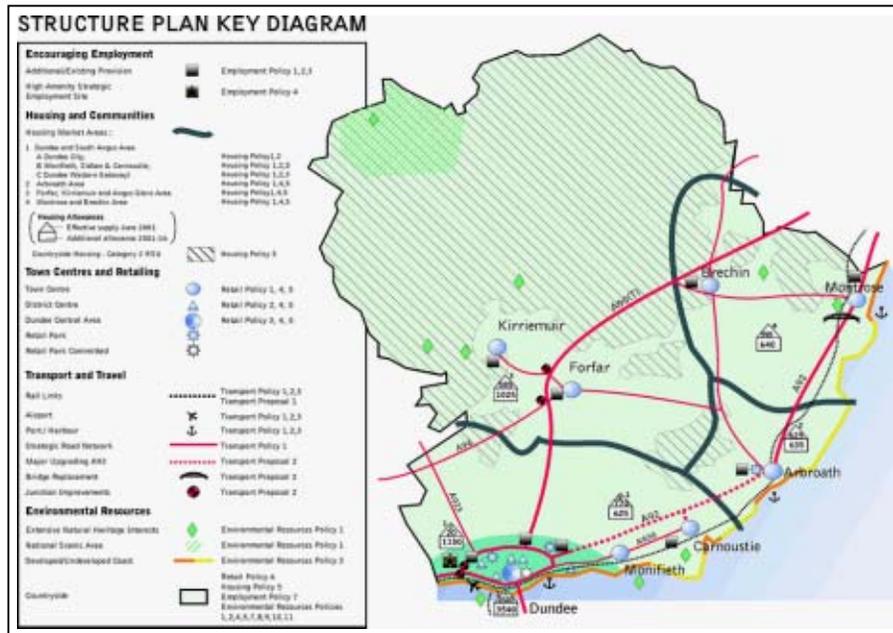
4.1.1. Development Plans

According to Grant (1992), “development plans in British planning system is an *indicative* statement of policies rather than prescriptive body of rules”. They are prepared through a hierarchy. At the national and regional level there is a bundle of policy statements made effect by central government. The development plans are statutorily prepared by local governments in two-tier in accordance with national and regional policies.

The structural plan, as city-wide instrument, is intended to provide a general analysis of long-term. They are prepared and approved by county councils and provide a strategic tier of development plans. They consist of *written statements* and *key diagrams* rather than a detailed map setting out broad land use policies (fig 4.2). As pointed out by Cullingworth and Nadin (1997), the functions of structural plan are to provide the structural framework for planning and development control locally; to ensure that the provision for development is realistic and consistent with national and regional policy; and to secure consistency between local plans for neighboring areas. Therefore, structure plans avoid identification of building blocks and individual plots of land.

Local plans in the lower-tier of development plans provide detailed guidance for planning control. They consist of written statements, proposal map and other appropriate illustrations. These instruments together allow controlling both development on the site and allocation of land for specific purposes. They are prepared and approved by the district councils and they fill the gaps of open-ended structure plans (Cullingworth, 1997; Claydon, 1998; Grant, 1992; Punter, 1994; Booth, 2003). As Grant (1992) denotes, “a local plan will specify the precise sites allocated for housing and industry and will contain specific policies on issues such as urban conservation and country protection” (fig 4.3).

Within this framework, the *strategic* and *indicative* nature of plans and policies in British planning system provide only a broad framework, not a blueprint, and this permits decision-makers *discretion* to determine how different issues are to be weighed up in the decision process (Claydon, 1998; Grant, 1992; Punter, 1994; Booth, 2003). *Flexibility* is an inherent part of the statutory planning system. It is possible for local decision-makers and development controllers to state divergent policy considerations on the conditions of revealing clear justifications and reasoning in order to explain anomaly (Tewdwr-Jones & Harris, 1998, 176). This brings about the substitution of ‘*legal accountability*’ with ‘*political accountability*’ through negotiation processes between local and national politicians and their officials (Grant, 1992). Emphasis is placed on *distributive justice* and *regulation as a political fact*; furthermore, guiding concern is more how citizens will stand politically in relation to one another (Baer, 1997). The use of control function by local authorities is not purely administrative; it becomes explicitly political as soon as the local authorities have the freedom to negotiate the best solution to a given problem for a particular situation (Booth, 2003).



According to Booth (2003), the section 70 of current planning legislation in Britain gives local authorities the chance to determine their own future. Section 70 points out that local authorities are required “to have regard to the development plan, insofar as it is material to the application and to any other material consideration”. This brings down local authorities to set out the criteria for determining applications for planning permission through producing “other material considerations”. What Booth insists on is that, it is a pragmatic administrative tradition that rejected detailed prescriptions in favor of a case-by-case approach that supports precedent and procedural rules over substantive regulation.

4.1.2. Other Material Considerations: Supplementary Planning Guidance

In British planning system, supplementary planning guidance encompasses a wide range of planning control tools. As Cullingworth and Nadin (1997) points out that they usually focus on “the suitability of the site and its accessibility, economic and social benefits of development, considerations for sustainable development implications for transport”. In this framework, it is seen *the supplementary planning guidance tools are utilized for developing a qualitative control* approach. On this account, control tools such as *design guides, design codes, site-specific design briefs, development briefs* etc. are utilized in plan implementation processes. As Punter (1994) denotes their most common topics covers the issues about urban design considerations, materials, shop fronts, advertisement, and landscape and conservation criteria.

Furthermore, Carmona (1998) points out that most of design guides aim at controlling layout of new residential area, spaces around dwelling criteria and open spaces. On the other hand, Carmona (1999) asserts that their common characteristics are an ongoing emphasis on local distinctiveness; emphasis on preserving established residential character; to encompass characteristics of urban built environment during control process; and to stress the vital importance of layout as a control mechanism. Many writers (Punter, 1994; Biddulph, 1998; Carmona 1999) consider *Essex Design Guide* as a turning point for the expansion of supplementary planning guidance materials in the British planning system (fig 4.4).

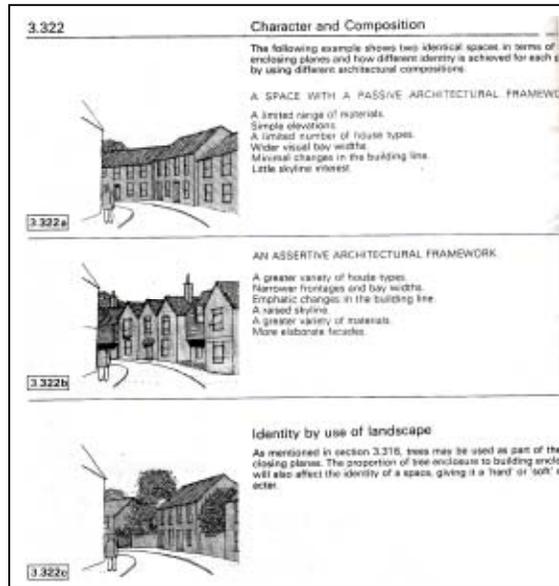


Figure 4.4: the Essex Design Guide came into force in 1973 in order to improve the qualitative aspects of built environment (Source: Essex Design Guide, 1973, 70)

According to Biddulph (1998), development briefs are typical examples of problem-solving approach and the most effective tools to articulate normative concepts for planning control. Development briefs encourage “the local authority to proactively consider how they want to see certain sites being developed, allow that to organize their limited resources, and encourage the development of key projects on significant sites that raise the general awareness of about the type of development” (Biddulph, 1998, 38).



Figure 4.5: Development briefs in the British planning system: the figures show two alternatives for controlling the production of urban built environment along Chapel Street in East Devon (Source: <http://www.eastdevon.gov.uk>, accessed in May 2005)

On the other hand, like development briefs, *design briefs* state the requirements of the planning authority for a particular site. They are the tools to support the negotiation processes between actors taking place in control mechanisms. It should make clear the alternatives of possible developments of a particular site. The operation of control mechanisms is open to negotiations and suggestions.

4.2. THE FRENCH PLANNING SYSTEM

According to Booth (2003), when compared with other countries, especially, with that of Europe, the France planning system in general focuses on “*security*” and “*certainty*” as the significant terms of ‘good planning’; there is the search for *clarity* and *precision*. As Loew (1994) points out, it is a *regulatory* planning system, which specifies what can or cannot be done. There is *little discretion* in implementation process. An application, which complies with planning regulations, is normally guaranteed approval. Thus, it is a *legally-binding system* set within structure of administrative law (Kropf, 1996). Furthermore, Booth (2003) states that in the French planning system the power of state has an overarching control over the citizens, in which the ‘right to private property’ must be expressed. It requires a great emphasis on the identification of guarantees by the constitution. Therefore “codified law [*The Code de l’Urbanisme et de l’Habitat*] could spell out in immense detail what the rights and duties of citizens and government alike would be”: nothing is left to chance.

4.2.1. Development Plans

Like British case, development plans are primary instruments for planning control in France; and the plan-making process operates in a two-tier system in city-wide. They take the form of precise documents prescribing all development rights (Punter, 1989). Two forms of development plans correspond to the structure and local plans of British planning system. As Punter signifies, *Schema directeur (SD)* is the city-wide development plan that controls the development in a larger scale, which encompasses several of communes as the basic administrative units of local governments. It is a strategic plan for the urban development, thus controlling general distribution of activities and infrastructure. They are expected to show areas of protection, patterns of urban development, key infrastructure investments and broad allocation of land. The strategic level plans must be an intercommunal responsibility usually produced in conjunction with state.

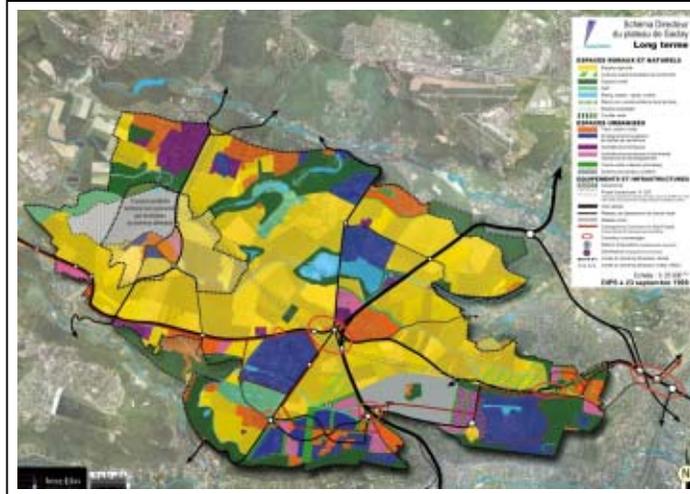


Figure 4.6: Schema directeur in the French planning system: Schema directeur for Saclay (Source: <http://www.mairie-buc.fr>, accessed in May 2005)

However, main instrument for controlling production of urban built environment is *plan d'occupation des sols (POS-land use plans)* in French planning system. They are detailed land use plans and they are not thought as a general statement of policy (fig. 4.8). Rather, they create zones for every part of the city that they cover and every zone carries *detailed instructions* as regulations. Therefore, its implementation depends on a system of zoning.

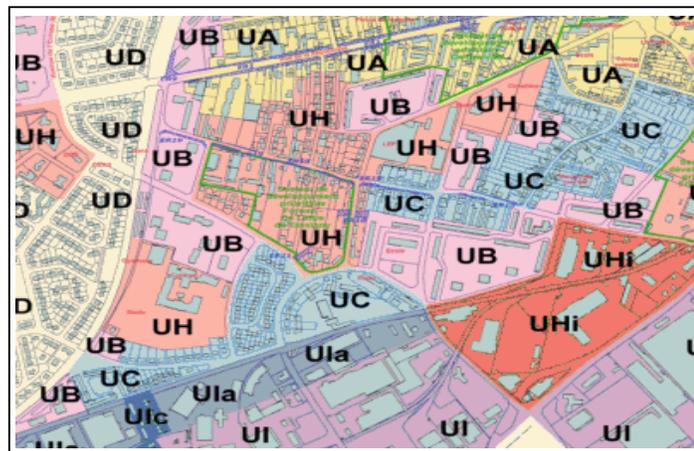


Figure 4.7: Plan d'occupation des sols (POS) in the French planning system: POS for Luce (Source: <http://www.urbanet.fr>, accessed in May 2005)

POS is constituted of mainly four parts. First part is the zoning *map* indicating where development may be or may not be. It includes *urban zones*, where locations of buildings are allowed and *natural zones* mostly with no infrastructure. Second part is *the report* that outlines the history of the commune, analyzes the local environment, and identifies any elements that are needed to be enhanced or protected by plan. The report is the justification base for regulations. Third part is the *graphic documents* that show the areas or buildings that should be protected or enhanced for aesthetic, historic and ecological reasons. The last part is a *set of regulations*, indicating the allowable uses and the allowable density and form of development in each zone. It brought about the limits to the property and to other buildings on the same property. Furthermore, regulations indicate the height of buildings, their external appearance, parking, landscaping and plot ratios (Loew, 1994; Kropf, 1996).

According to Booth (2003) POS identifies the rights to private property precisely. It is the unification of plan and policy which are distinguished in the British planning system. Under its certainty, as Booth points out, a proposal that conforms to the plan in every detail must be approved and grant permission in French planning system. *The primary concern is the convenience of the proposal to the regulations, not its appropriateness for the place and the circumstances.* The development is materialized on the basis of granting building permit (*permis de construire*) by applicants. The building permit is approved by the mayor of the commune if the application conforms to the POS; otherwise the development that does not conform to the POS is illegal (Newman and Thornley, 1996).

As a planning control tool, Kropf (1996) points out that the POS is limited in scope relative to some broader issues of planning such as social, environmental and economic aspects. Its limited character depends on its zoning system. As it represents the uses through zoning maps, its detail remained in certain contents. The specific content of the site is not fixed. Likewise, according to Punter (1989), the emphasis of POS is upon uniformity and conformity. It makes site-by-site prescription difficult and opportunities for creating context-based rules are mostly eliminated. However, despite its rigidity and inflexible nature, according to Punter, the examples of POS prepared for Lyon and Paris show that it is possible to develop plans that are more responsive to the particularities of locality.

In French planning system, the *'changes in the spatial context'* come into order via proposals to alter plan decisions. Plan modifications appear as the tools to change the

characteristics of the urban built environment. As Punter (1989) puts forward, any plan modification in POS comes into order by either councils of communes or the commissioner himself. Punter adds that, *plan modifications* signify limited and partial changes that do not affect the general economy of plan including changes of zoning and regulations. According to Punter, in the period between October 1983 and July 1985 some 2300 plan modifications were approved in France. Furthermore, according to him, plan modification process allows to sustain flexibility in French planning system.

In this process, the opportunities *to raise the social consciousness* in control mechanisms take place in the process of public inquiry, which allows all property owners to discuss the limitations. The commissioner has a positive role in the process. He/she is charged with the duty of taking comments of public, visiting places, holding public meetings (Punter, 1989).

4.2.2. Other Planning Control Tools

Loew (1994) points out that within the operation of planning system, the control mechanisms are not limited to control other people's proposals. They can also be proactive or initiate development. *Zone d'Aménagement Concerté (ZAC)* is the most frequently used planning control instruments for this purpose. They are prepared for the areas of comprehensive development, initiated by local authorities to transform peripheral or marginal land into land for development. They are used mostly in large cities for central area redevelopment or urban renewal.

ZAC refers to a definition of 'context for control' in which redevelopment will come into existence. In these areas, new plans called *Plan d'Aménagement de Zone (PAZ)*, which supersede the POS, are prepared. According to Farthing (2001), ZAC reveals the very concrete representation of development. It shows the clear concern with the urban form and urban layout and the location of local facilities (fig 4.8).

ZAC brings about significant changes for the operation of planning control mechanisms. For the rest of the development, the prescriptions of POS is being enforced while in ZAC, detailed pattern of land uses and infrastructure and the regulations are highlighted for control and management of 'changes in spatial context'. Therefore, a different context for the operation of control mechanisms is defined via PAZ (Farthing, 2001).

If it is possible to mention a planning system in the US it highly depends on the strong emphasis on legislation. Planning control mechanisms operate in accordance with a comprehensive statement of rules and regulations (Cullingworth, 1997). Baer (1997) points out that the US model for regulations is depending on *economizing criteria and minimum intrusiveness on market relationships*, whereas the emphasis of UK model is placed on distributive justice and regulation as a political fact.

In the US planning system zoning is at the very center. As Cullingworth (2000) points out it is an exercise of police power. Within the system zoning maps and regulations are expected to be developed in accordance with comprehensive plans. However, zoning itself is conceived as a tool of planning.

4.3.1. Zoning

The US zoning is stated to be a local matter. Some localities have highly sophisticated zoning systems whereas some others have none at all. Zoning as a planning control tool placed the priority of plans, because local authorities have traditionally been concerned with attracting development to their areas. Furthermore, zoning is appeared as a means to avoid undesirable land uses. However, it does not only control the use of land, but also the physical form of development including height, setbacks, lot dimensions and coverage area, building volume and car parking (Cullingworth, 2000; Punter, 1999). The issues like appearance, colors, materials, texture, and the façade are left to the hands of architect, and its client (Shirvani, 1985). According to Punter (1999), zoning is a *simple* and *rigid* system of regulation for protecting the property owners' interests, ensuring neighborhood stability and promoting real estate development. It defines the precise form of development.

In fact, it is the traditional type of zoning. It became an acceptable part of control mechanisms in US planning system in 1926 after the so-called *Euclid case* (Booth, 2003). However Haar (1989) denotes that the reason that zoning quickly find itself a place in planning system was because developers saw a considerable advantage for a degree of certainty against chaotic land market. However, Barnett (1982) points out that the specifics of zoning may affect the general character of a city. As he emphasizes, setbacks in zoning ordinance of New York, which was the first one that was issued in 1916, changed the tall buildings from straight towers to pyramidal masses (fig. 4.9).

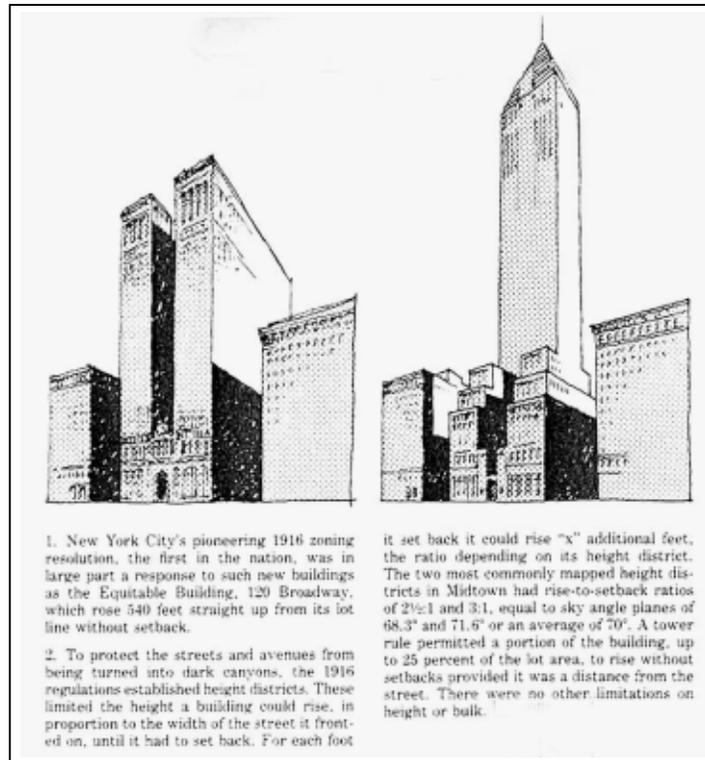


Figure 4.9: Alterations in use of zoning in New York affected the general character of the city. (Source: Barnett, 1982, 113)

Many criticisms concentrated on the inadequacies of zoning about causing areas of exclusion, serving local interests to the detriment of wider interests. Furthermore, American zoning is criticized to produce urban built environment that are reminiscent to each other (Cullingworth, 1994). Likewise, Boyer (1994) points out that the universal use of zoning neglected the local distinctiveness of cities. She asserts that this generous implementation of zoning is the result of the aims for sustaining a *disciplinary order*.

However, in the last few decades, the traditional regulatory context of the US planning system tend to bring convergence with the discretionary system through the use of local ordinances for special districts that depend on the local authorities' discretion (Delafons, 1994). Different types of zoning began to appear in the US planning system. Incentive zoning, performance zoning, and special districts are more commonly used ones among others.

Incentive zoning is conceived to be the most desirable one for controlling the production of urban built environment. It invokes a conditional change in construction process (Shirvani, 1985). It is considered that a kind of bargaining and negotiation process is developed between the administrative bodies and the developer. Shirvani points out that the developer is permitted to build a larger building in exchange for some public amenity, such as plaza or open space, wider sidewalks, or retailing at the ground level. By this way, developer gets additional development rights. However, according to Barnett (1982) this regulation separated each building from its surrounding context. For instance he describes New York as a city of towers and open space, but a city whose elements are accidental and random. Cullingworth (2000, 96) states the overall character of these spaces: “a lot of places are awful: sterile, empty spaces not used for much of anything except walking across”. Barnett (1982, 75) additionally emphasizes that “zoning incentives on a building-by-building basis cannot supply the planned set of relationships required in the complex central districts of the city”.

Performance zoning, on the other hand, is designed to set standards for improving physical conditions such as sunlight and noise. Therefore it is a significant environmental control tool. It is used in many cities of US. For example, in New York, the effect of a new structure on the street is determined through diagrams. As well, in Oregon, the city is divided into three intensity zones where performance zoning was administered by planning commission (Shirvani, 1985).

Special district zoning refers to another meaning apart from those zoning regulations mentioned above. As Cullingworth (2000, 87) highlights, “they are the areas to which an amendment of the zoning ordinance applies: they thereby become subject to ‘special’ zoning controls”. Cullingworth furthermore denotes that the intention is to protect the areas from market forces. Therefore, it has a protectionist and exclusionary content. The special areas are supposed to have some unique characteristics to be protected (Shirvani, 1985). The most known examples like *Theater District, Battery Park, and Fifth Avenue* etc. of this regulation came into effect in New York.

Besides these examples, many variations of zoning such as cluster zoning, floating zoning, conditional zoning and mixed use districts are used for controlling the production of built environment. They appeared as a result of the critics of traditional zoning (Shirvani, 1985).

4.3.2. Design Reviews

Apart from zoning regulations, in the last decade the production of urban built environment mostly controlled via design reviews, of which the main documents are seemed to be urban design guidelines. According to Punter (1999), they might be mandatory or advisory. However, it is clear that the use of urban design guidelines and design review processes in control mechanisms brings about a level of *discretion* and *flexibility*. Moreover, they contribute to increasing *social consciousness in control mechanisms*.

As Habe (1989) emphasizes, design review processes came into existence as a reaction to zoning regulations in order to maintain the quality of urban built environment and in particular to enhance community character and contribute to the image of the community. It is a part of the local development. According to Scheer (1994), design review refers to the process by which private and public development proposals are controlled and receive criticism whether through formal or informal processes. It is distinguished from zoning regulations and it deals with urban design, architecture or visual impacts. The process includes the use of urban design guidelines. She adds that the operation of control mechanisms is not more effective than that of zoning regulations, but it is more complicated and open to *interpretation, discussion* and *involvement*. It is the only field where lay people are allowed to rule out professionals directly in their area of expertise.

On this account, Delafons (1994) points out that the control mechanisms aim at acquiring a general character and quality of development. He denotes that San Francisco is one of the cities that use this perspective when controlling the production of urban built environment. Quoted from San Francisco guidelines, he highlights that it “establishes minimum criteria for neighborhood compatibility, not the maximum expectation for good design”; or quoted from Oregon guidelines, they “focus on relationship of buildings, space and people. They are used to coordinate and enhance the diversity of activities. It is not our intent to prescribe any specific solution”. Certainly, this perspective obviously tries to promote the qualitative characteristics of urban built environment.

The difference between zoning regulations and the use of design guidelines are stated by Punter (1999) via San Francisco example. He points out that *San Francisco Zoning Code*

was a very prescriptive planning control tool that specifies the provision of bay windows, their angles and overhangs, the maximum spaces of pedestrian entrances, the maximum proportion of garage doors vis-à-vis façade, and detailed setback and landscape provisions. On the other hand, the *Residential Design Guidelines* that came into force in 1989 articulates a series of detailed design principles and how these might be applied with key questions that the applicant can ask. According to Punter, although these principles have constraints on developer and designer, the control mechanisms obviously aim at improving the local distinctiveness of the place and keeping away to create a homogenized spatial context (fig. 4.10).

BUILDING APPEARANCE

OBJECTIVES AND POLICIES

OBJECTIVE IS

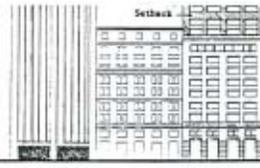
TO CREATE A BUILDING FORM THAT IS VISUALLY INTERESTING AND HARMONIZES WITH SURROUNDING BUILDINGS.

POLICY I

Ensure that new facades relate harmoniously with nearby facade patterns.

When designing the facade pattern for new buildings, the pattern of large nearby existing facades should be considered to avoid unpleasant juxtapositions. Incongruous materials, proportions, and sense of mass should be avoided.

As a general rule, facades composed of both vertical and horizontal elements fit better with older as well as most new facades.



The all vertical pattern of this building has little in common with the street wall.

Strong verticals and horizontals along base and similar street wall height help give building a positive relationship to street wall.

POLICY 2

Assure that new buildings contribute to the visual unity of the city.

For the most part, buildings in San Francisco are light in tone. The overall effect, particularly under certain light conditions, is that of a whole city spread over the hills. To maintain continuity with this existing pattern, duller-toned colors or building materials should be avoided. Buildings should be light in color. Highly reflective materials, particularly mirrored or highly reflective glass, should be used sparingly.

POLICY 3

Encourage more variation in building facades and greater harmony with older buildings through use of architectural embellishments and bay or recessed windows.

STREETSCAPE

OBJECTIVES AND POLICIES

OBJECTIVE IS

CREATE AND MAINTAIN ATTRACTIVE, INTERESTING URBAN STREETSCAPES

POLICY I

Conserve the traditional street to building relationship that characterizes downtown San Francisco.

San Francisco is noted for streets that are at the property line with little or no space between them. This historical pattern of development gives San Francisco its intense urban quality.

This pattern should be preserved and fostered. Structures generally should be built to the street property line along the entire frontage to a sufficient height for proper definition of street space. Exceptions to this streetwall should be allowed to create open space and circulation space where desirable and appropriate. However, open spaces should not be so frequent or close together that they undermine the sense of a continuous streetwall.

POLICY 2

Provide setbacks above a building base to maintain the continuity of the predominant streetwalls along the street.

Many downtown streets contain ornate older buildings of modest scale, which should be preserved for future generations to appreciate. While the heights of these buildings vary when taken together, they often create a sense of a unitary street facade or wall. This streetwall gives continuity and unity to the streetscape. The intrusion of large, flat glazed modern buildings among small-scaled and decorated older buildings can break up the continuity and unity.

If the new taller building is set back an appropriate distance above the existing predominant streetwall height, the upper portion of the building will not be perceived as part of the streetwall, and if the lower portion were given a similar texture and projecting cornice the disruption would be minimized. The depth of the setback required would be a function of the width of the street and the height of the existing streetwall.

Fig 4.10: Urban Design Guidelines of San Francisco came into being in order to create a character of place and to improve local distinctiveness of place (Source: Punter, 1999, 122)

4.4. EVALUATION

It is seen that the planning system of almost all countries faced with evolution from the models in which the characteristics of static control are embedded to models that began to provide more participation, discretion and flexibility.

As Webster (1998) points out, there are attempts to revise the planning system, especially in the western world in the last decade. The US system seeks for more flexible alternatives within the operation of planning control mechanisms. Oppositely, the British system, of which the main characteristic is its flexible structure, moves towards stronger plans. And continental Europe examples begin to review their planning systems under the shadow of European Union directives, falling trade and mobility barriers.

On this account, it could be asserted that the planning systems began to converge on the basis of plan preparation and plan implementation processes. According to Healey and Williams (1993), in European Union (thus in France and Britain examples in this chapter) there has been a move towards greater flexibility, loosening rigid zoning rules and development. They provide more opportunity to respond the problems peculiar to places.

Likewise, Hull (1996) points out that, in European Union countries plan-led systems have been tightened to smooth functioning of the market by simplification of plan approval processes. The planning systems have a common recognition that the future change will improve the cooperation of actors in planning control mechanisms to accept necessary 'changes in spatial context'. On this account, it is essential to formulate some 'built-in flexibility' in strategic plans to create as many as possibilities for the future change.

Furthermore, Hull (1996) states that, the plan preparation process in strategic plans, provides coordination and organization of varying intentions of actors in the least conflictual way. In this framework, the visionary strategies are put forward in the upper tiers and the details in the lowers are left to negotiations in plan implementation process.

A move towards flexibility in planning systems might bring forth different planning control tools as pointed out in this chapter. Their common features are seemed to place context-based control in planning systems.

CHAPTER 5

CONTEXTS OF PLANNING CONTROL MECHANISMS IN THE TURKISH PLANNING SYSTEM: AN EVALUATION

With reference to the theoretical framework, formed in second and third chapter, the characteristics of planning control mechanisms in Turkish planning system are clarified in this chapter. In the first part, the main focus is held upon planning control tools in regulatory context. Furthermore, the operation of control mechanisms with respect to procedural and socio-spatial contexts is taken into consideration. In the second part, the other intention of this chapter is to reveal the problematic issues embedded in control mechanisms of the Turkish planning system with reference to the propositions of the study. In the last part, the reasons for occurrence of plan modifications in Turkish planning system are put forward and a typology of plan modification is developed. Being an evaluation, this chapter aims to effectuate *a connection between the theoretical framework and the case study on the grounds of propositions*.

5.1. PLANNING CONTROL TOOLS

Development plans, of which structure and content are defined in planning legislation, are the main planning control tools in the Turkish system. Urban Development Law no. 3194, issued in 1985, exists at the very center of this legislation. It is the main law directly related with production of the urban built environment. Besides, there exist some other subject-based special laws, such as Conservation Law, Tourism Law etc, indirectly influence the production of the urban built environment.

5.1.1. Development Plans

In Turkish planning system, the development plans are defined in three-tier at the regional level. The *regional territorial plans*, called '*çevre düzeni planı*', are approved by central

planning authorities. They are expected to develop spatial planning policies about the future of a region that may encompass more than one city and its adjacent area. Within the hierarchical structure, all kind of development plans should be prepared in accordance with the policies and conditions of plans in the upper-tier. Like in French and British examples, plan preparation process of development plans operates in a two-tier system in city-wide in Turkish planning system.

Master plan, prepared at 1/5000 scale, is a city-wide development plan. It may encompass several municipalities or only one town municipality. They show broad allocation of land and urban development patterns, main transportation routes, the building blocks forms in a broad manner, and population density in the city. The detailed aspects are supposed to be shown in lower-tier development plans –namely implementation plans. The building blocks for living and working places are hatched in an extensive or intensive way according to the anticipated population density. In the Turkish planning system, master plans as city-wide control tools seem to be **detailed documents**, not similarly with British and French examples (*structure plans* and *Schema Directeur*) that have a strategic content. Therefore, master plan appears to be a rather detailed land allocation map (fig 5.1).

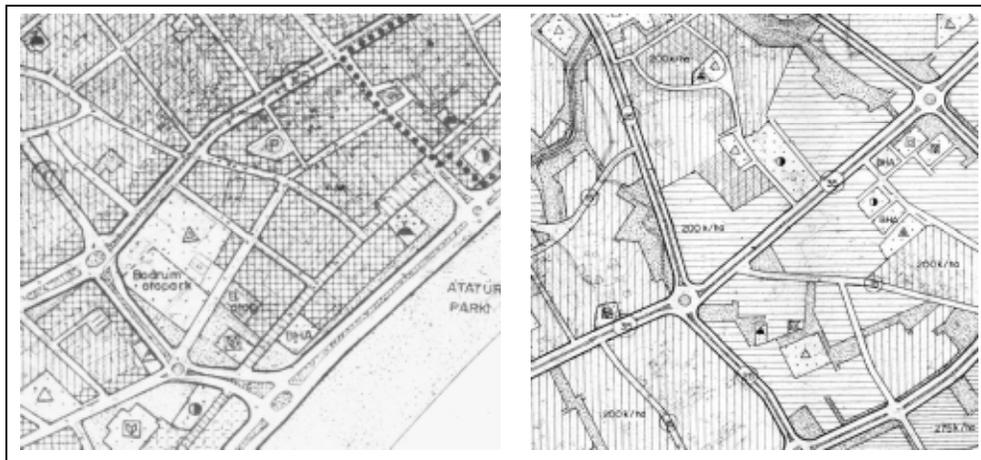


Figure 5.1: Master Plans in the Turkish Planning System. The plan on the left is a part of Mersin Master Plan, shows the CBD of the city. The plan at the right represents newly developing residential areas (Source: archive of Mersin Greater Municipality Planning Department)

Implementation plans are detailed land use plans, prepared at 1/1000 scale, allow municipalities a great degree of control over production of urban built environment in general and ‘changes in spatial context’ in particular. Every detail about physical and functional development of spatial context is represented through implementation plans in accordance with master plan decisions. They are **legally-binding** and the basis for building permit procedures.

The implementation plans seem to be similar to POS in French planning system. They are **detailed and strict documents** that *spell out every detail of a possible development* on individual plots. As it is stated in Urban Development Law, implementation plans are prepared in order to produce individual urban plots and expected to be precise.

The implementation plans consist of a *land use map, a report and plan notes*. **Land use maps** deal with mostly morphological and functional characteristics of urban built environment. Since the functional considerations are determined in master plans, the allocation of land is prescribed in conformity with master plans. The morphological characteristics that are represented in implementation plans are *building arrangement, heights, setbacks, road widths, and certain building blocks forms*. Departing from the analyses about the historical development, the economical potentials, climatic features of the settlement, **plan reports** are expected to develop consistent scenarios for the future of settlement, which would highlight necessary development and conservation issues. **Plan notes** are a set of regulations that set out specific considerations for planning control. They guide the implementation of plan conditions.

The certainty in the Turkish planning system leaves **no or little discretion and flexibility** during plan implementation processes. Under its certainty, a proposal for building permit would grant permission if it conforms to plan in detail. As it is the case in French example, the primary concern is the conformity of proposals to plan conditions. The development plans do not seem to be inadequate to emphasize a place character or to improve the local distinctiveness.

In this framework, **plan notes** are conceived to be supplementary tools within planning system that may allow a degree of flexibility in planning control. On this account, they may be used like design codes in the British planning system or design guidelines in the

US planning system. However, it is observed that plan notes are still used as detailed and strict regulations and specifications in form of written documents.

The lack of feedback and review in planning process and the control mechanisms makes planning control operated by obsolete and outdated rules. At this point, *plan revisions* are prepared to replace development plans. They may encompass all development plans or just a part of it. In the latter case, they frequently cover an area of more than one neighborhood like city center or newly developing sites. They are usually prepared in upper-tiers as master plans and soon after implementation plans are made in accordance with them.

The operation of planning control mechanisms in procedural context depends on consecutive phases through a *top-down linear process*. Plan preparation and implementation processes are separated from each other. Plan implementation is reduced to be a further stage of plan preparation process within procedural context of control mechanisms (Taylor, 1998). As stated in planning legislation, local planning authorities are in charge of preparation of development plans. On this account, municipalities can either prepare plans in their planning department or can put out plan preparation process into tender. In the Turkish planning practice the latter is the commonly seen case. Along this path, free-lance urban planners are contracted. They are expected to prepare plans in cooperation with municipalities and other related public authorities. The plan preparation process and the content of plans are defined in Urban Development Law and its related bylaw (Plan Preparation Bylaw).

After submission of plans, they are discussed in municipal councils where the plans are approved. In case of disagreements on plans, they are sent back to contractor in order to make revise the plans. After plan approval, they are publicized through a deposit period. It is a one-month process, in which citizens inspect the plans. If citizens have objections to plans, they made an application to municipality. Objections are taken into consideration within two weeks, and if necessary the plans are modified and approved by municipal council (fig. 5.2). Within this framework, the channels for participation of individuals to plan preparation processes seemed to be limited. They usually make their objections during deposit period. Participation is reduced to a technical procedure during publication of plans and proposals. As Taylor (1998) denotes it is conceived to be *consultation rather than active participation* in planning control mechanisms.

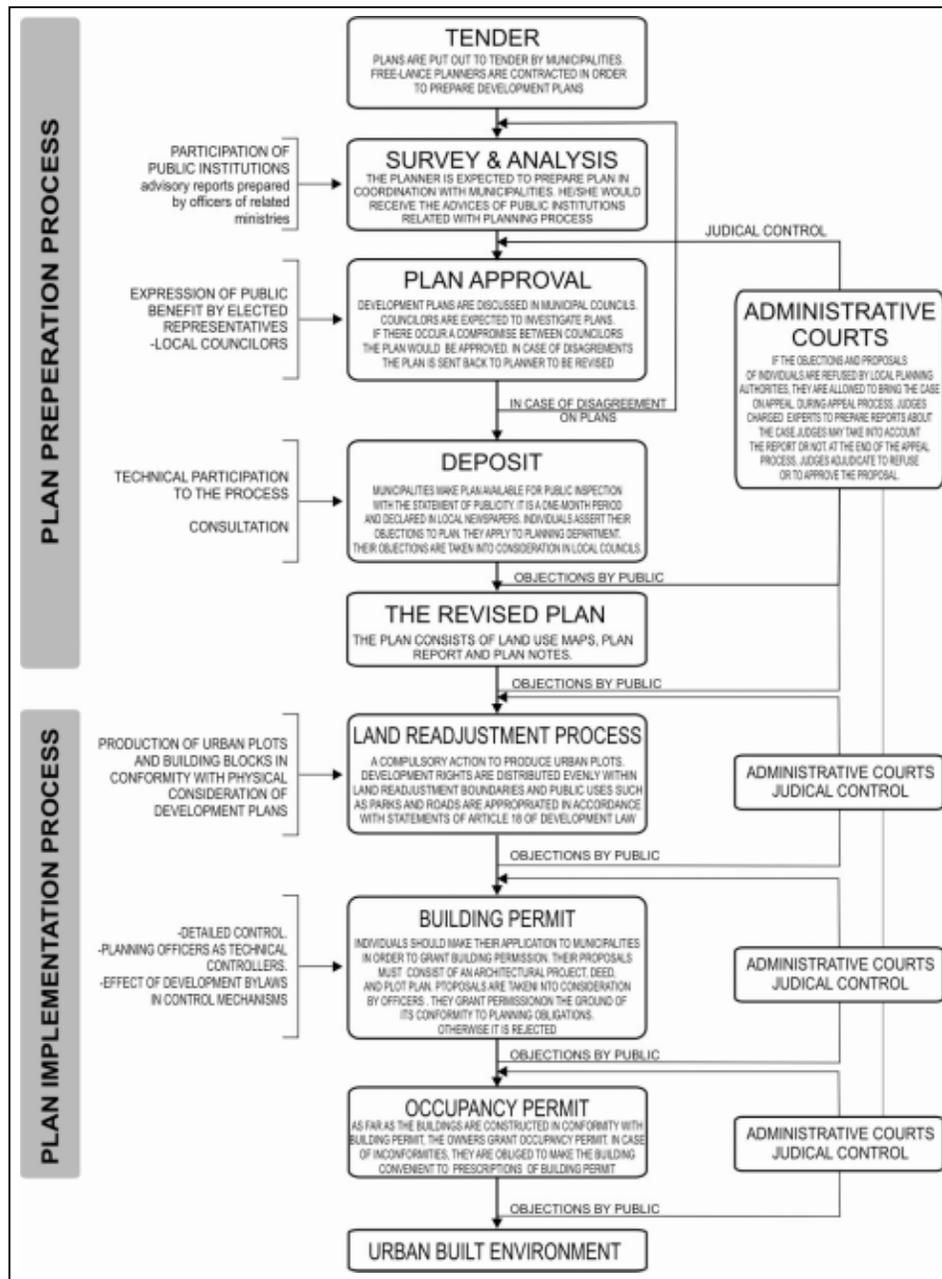


Figure 5.2: Operation of the Procedural Context in the Turkish Planning System

If the objections of individuals are not taken into consideration in the revision process, they are allowed to appeal the cases. In this framework, administrative courts are charged with controlling proposals. Participation comes into being through “judicial control” after the realisation of planning decisions/Decisions (Gök, 1981b; Gök, 1983; Duyguluer, 1989; Akçura, 1982). In fact, individuals are allowed to appeal their refused cases on to administrative courts. It happens not only in plan preparation process, but also comes into being in plan implementation process.

5.1.2. Different Sites/Types of Regulation

The characteristics of urban built environment to be controlled via development plans are specified in three basic ways. This corresponds to three different control sites. However, it is not a system of zoning as seen in French POS plans or zoning regulations of US example.

5.1.2.1. Standard Regulation Sites

Standard regulation is a *plot-based approach* that tries to control *dimensional parameters* of future developments. On this account, it focuses on controlling *setbacks* (front, rear and side) and *building heights* on individual plots within building blocks. Furthermore, the other main characteristic of this regulation is determination of *building arrangement* that might be pointed out to be “detached, semidetached or attached” (fig 5.2).

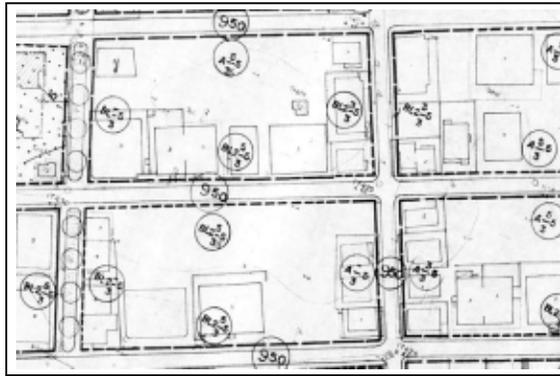


Figure 5.3: Standard Regulation Sites in the Turkish Planning System. Plan conditions focus on controlling morphological characteristics (Source: archive of Mersin Greater Municipality Planning Department)

Moreover, the *lot coverage ratios (LCR)* might be prescribed in standard regulation sites. As soon as it concentrates on dimensional parameters of individual plots, urban environment is assumed to come into existence with unification of those plots. Therefore, in standard regulation sites, building blocks emerge frequently in rectangular shape. Use of standard regulation in development plans is usually preferred in built-up areas. It seems to be stricter than use of ratio regulation

5.1.2.2. Ratio regulation sites

Ratio regulation seems to be a **block based approach**. Ratio regulation sites are generally vacant areas or newly developing sites. Instead of controlling all dimensional parameters on individual plots, ratio regulation prefers to control the development mainly according to **floor area ratio (FAR)**. It corresponds to the ratio of total floor area to plot area. The design of the urban built environment is left to the vision of the ones who would design the possible development in building blocks. That is why the basic design element for ratio regulation is building block. It aims to control setbacks on the edges of building blocks and moreover, although it is not seen in all cases, building heights might also be controlled through ratio regulation. Where the building heights are not controlled they begin to change according to *lot coverage ratio (LCR)* of the possible development. This might result with various heights for buildings in urban built environment.

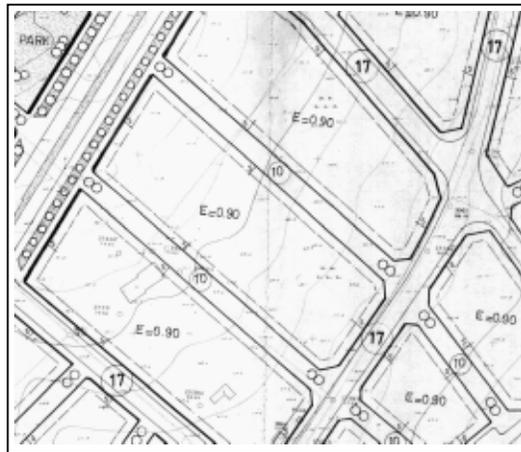


Figure 5.4: Ratio Regulation Sites in the Turkish Planning System. Plan conditions focus on controlling FAR (Source: archive of Mersin Greater Municipality Planning Department)

-Graded-ratio regulation sites

It is observed in Mersin case that there exists a special way of ratio regulation, especially in newly developing residential areas. This is called “graded ratio regulation”, which results with additional FAR and thus additional development rights.

It is observed that in a calculation for ratio regulation sites was developed by Mersin Municipality as it is stated in Mersin Municipal Council Decisions approved in 1987 with number 225 and in 1991 with number 331. It shows the *number of building storey that corresponds to floor area ratio (FAR)*. It signifies that the FAR is equal to 1.50 which corresponds to a 5-storey building. However it is pointed out that this development right might be used in a graded way. As far as the height of building will be increased, the value of FAR is also increased. According to this table, development of a 10-storey building is able to come into existence with a FAR=2.00, although the plan signifies 5-storey buildings with FAR=1.50.

Table 5.1: Use Of Far According To Graded Ratio Regulation in Mersin

FLOOR AREA RATIO	BUILDING HEIGHT
1.50	5
1.60	6
1.70	7
1.80	8
1.90	9
2.00	10

Enforcement of graded ratio regulation is justified with creating open spaces in the urban built environment. It is accepted that the highest the buildings would be constructed the least lot coverage area would be used within building blocks. This is similar to the use of incentive zoning in US example. However, in incentive zoning the additional development rights are granted in exchange of public uses in urban built environment. In case of graded ratio regulation, open spaces would be under proprietorship of owners and users of plots.

Although plan notes could be used as supplementary documents to provide discretionary control the use of graded ratio regulation via plan notes comes into existence for additional FAR and development rights for the private owners of individual plots. It is far away to provide a framework for qualitative control. On the contrary, it is an exaggerated version of quantitative control. As soon as it leads to the formation of living places with different characteristics based on diverse building heights, the result is conceived as a *spoiled spatial context*⁴.

5.2.2.3. Bylaw Control Sites

Within the regulatory context of the Turkish planning system, *development bylaws* are assumed to direct the implementation of development plans. They are the tools for realization of development plan decisions. During planning control, development plans are prior to development bylaws. Where there exists no planning decision, development bylaws could have direct the development on a site. Development bylaw sites are shown with hatching building blocks on development plans (fig. 5.5). On these sites, building heights are determined with reference to street width on to which the plots have a frontage line. Moreover, setbacks are determined according to the building heights. Therefore, formulation of control parameters is dependant basically on the street width.

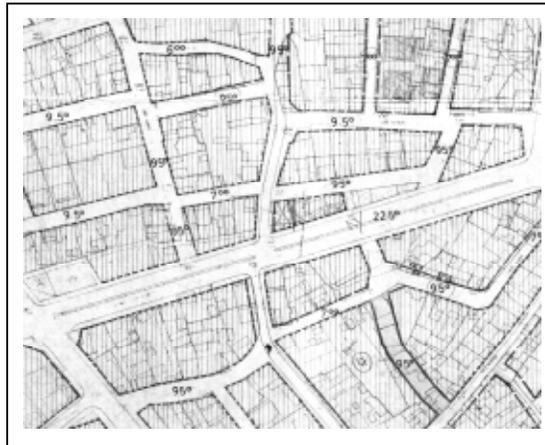


Figure 5.5: Bylaw Control Sites in the Turkish Planning System (Source: archive of Mersin Greater Municipality Planning Department)

⁴ Use of graded ratio regulation is clarified in figure 7.37.

Development bylaws are expected to be prepared by each municipality itself. However, “Model Development Bylaw”, which is prepared by central planning authority, is taken into consideration as a reference during preparation of development bylaws in any city by its municipality. When it is analyzed in detail, it is observed that *plot-based understanding* prevails in its every sentence. All of its articles are seemed to concentrate on developments on individual plots. They are relevant to almost everywhere in the cities and intend to spell out all parameters of any development, through detailed control understanding.

Consequently, bylaws allow a degree of *legislative uniformity* and allow central government oversight of local authorities’ activity. On this path, they provide *universality and uniformity of control*, which left the control of building and the implementation of standards to private construction sector (Booth, 1999; Lang, 1999; Özbay, 1989; Günay, 1988; Akçura, 1982). Within this framework, development bylaws appeared as the tools of static control approach supplementary to detailed blueprint plans. “Mersin Development Bylaw” is also seemed to be prepared within frames of this plot-based understanding.

In fact, the use of development bylaws on particular sites are assumed to provide *a degree of flexibility* in the nature of development plans (in regulatory context) and *discretion* in administrative procedures (in procedural and socio-political contexts) of planning control mechanisms. They might be effective to overcome quantitative control and to offer criteria for qualitative control. In this case, it would be possible to use development bylaws as supplementary planning guidance materials like in British and US examples. The content of development bylaws might be elaborated to give response to *local distinctiveness* of a settlement and to provide a *place character*. The local planning authorities are not concerned with bylaw making processes that might have a qualitative content and the content of Model Development Bylaw is seemed to be duplicated by municipalities. Therefore, bylaw control seems to be left to the criteria of Model Bylaws.

5.2. LAND READJUSTMENT PROCESS

Within plan implementation process, *land readjustment* is a compulsory action in order to create the settlement pattern distinguished in development plans. Land readjustment plans should be prepared in compliance with the physical consideration of development plans. They, on the one hand, are used to produce individual urban plots with reference to the

building block forms; on the other hand, they are used to appropriate public uses such as *parks* and *roads* determined in implementation plans. At the final analysis, ***development rights are distributed on individual plots*** via land readjustment process.

This process is directed by *Article 18 of Urban Development Law no. 3194*. During land readjustment process, an amount of land is taken from cadastral plot owners in exchange for public uses. This amount is calculated within the “land readjustment boundaries” according to the proportion of public uses to other uses in development plans, and named “***land readjustment share***” (***LRS***). Appropriation of LRS is sentenced to be maximum 35% of cadastral plot in Article 18 of Urban Development Law no. 3194. This had been increased to 40% since December 2003⁵. The excess amount over 35% (and later 40%) is a matter of compulsory purchase by related municipalities.

Land readjustment plans are prepared within *land readjustment areas*. LRS is calculated in each area separately. Parks and roads are appropriated as public uses in their locations through taking LRS from a limited number of property owners. From this point of view, parks are seemed to be localized in land readjustment areas. This kind of an implementation is not seemed to be trouble-free to appropriate large scale parks. The result would be small scale parks in neighborhoods, depending on land readjustment areas.

Land readjustment plans they cannot be conceived as planning control tools since they are plan implementation tools in the Turkish planning system. However, many cases in Mersin reveal that land readjustment process had been more effective than planning process in planning control mechanisms. This also reveals the importance of distribution of development rights and “rights to property” in Turkish planning system.

5.3. BUILDING PERMIT PROCEDURES

As stated above, in the Turkish planning system, development plans are primarily supposed to produce individual urban plots and to grant building and occupancy permit to plot owners. In this sense, operation of planning control mechanisms is reduced *to check the conformity of proposals to development plan decisions*. As far as the proposals comply with those decisions, planning officers are obliged to grant building permit to plot owners.

⁵ Within the temporal framework of the study (1986-2003), the LRS was limited with 35%.

There seemed to be a limited place for discretion or interpretation through mutual interactions of actors in planning control mechanisms. The professionals in the municipalities consider their role in the mechanisms as being merely a ‘technical controller’. If he/she gives the approval that proposal was in conformity with those criteria and rules, the applicants would be granted the permission to construct their building (Keleş, 1993; Duygulu, 1989). Therefore, the plan implementation process is prescribed by standards, *routine procedures*, set in a replicable program with little opportunity to discuss, deliberate and negotiate on proposals. Then, prescribed procedures will be applied repeatedly with the same dependable results (Christensen, 1985).

According to Carmona (1998a), in a system, where more and more public realm is being carried out by housebuilders to produce public-use areas (roads, open areas, schools, facilities and services etc.) with only anxiety to ensure the planning obligations, results with widely unsatisfactory urban environments. This leads to the anonymity problem which results with homogenized spatial context. It is very common in Turkish cities. Özbay (1989) defines it as “bylaw architecture” since development bylaws are effective in the process. According to Akçura (1982), urban built environment consists of “soap blocks” with same peculiarities. Physical fabric is dull and monotonous with no regard for urban space (Günay, 1988, 35).

5.4. THE PROBLEMATIC ISSUES IN CONTROL MECHANISMS OF THE TURKISH PLANNING SYSTEM

The main characteristics of planning control mechanisms in the Turkish planning system mentioned above give rise to the emergence of some problematic issues in planning control mechanisms. These are defined as ‘*plot-based understanding*’ in regulatory context, ‘*bureaucratization of control mechanisms*’ in procedural context and ‘*individual actions*’ in socio-political context.

5.4.1. The Plot-Based Understanding in Development Plans

Within regulatory context of the Turkish planning system, urban development plans are detailed end-state blueprint plans, which envision that a time would come and the spatial development of any city would be completed in the specific planning period. The

allegation of the planning system is to control every detail during urban development. Management and control of ‘changes in spatial context’ basically depends on *quantitative standards*, which cover maximum building heights, densities and floor area ratios. In this framework, the essential element to be controlled in detail in the Turkish planning system seems to be the *individual plot*. From this perspective, the planning system seeks to produce urban plots.

Along this path, the *distribution of development rights* on individual plots is on the forefront of planning system. All plots are *individualized* and development rights are distributed on each urban plot. However, as Bademli (2002) points out, development on the plots has no or little relation to its adjacent plots. Designation of building blocks and production of individual urban plots are considered to aim only to distribute development rights to the plot owners for the sake of “*right to private property*”. Within this framework, *operation of planning control mechanisms is reduced to controlling the distribution of development rights via plot-based understanding* in the Turkish planning system.

Since distribution of development rights is prior to any consideration during planning process and operation of control mechanisms, all places in the city began to be shaped by similar plots. The city itself seems to be conceived as the *collocation of individual plots* and *a clutter of construction*. The proto-type production is the *average spaces*, which led to *anonymity* in the spatial context. Therefore, the local characteristics of a place seem to be abolished via *plot-based understanding* of development plans.

As far as the contexts for control cannot be differentiated from each other, operation of planning control mechanisms is delimited within individual plots. The ‘context for control’ is defined as the individual plots that are similar to each other. This is conceived to be the ‘*plotization of control*’ in planning control mechanisms. It gives rise to the formation of *homogenized spatial context*. In all residential areas or in city center or in anywhere else, rectangular building blocks, which are the result of togetherness of standard plots, became the dominant living environment.

5.4.2. Bureaucratization of Control Mechanisms

Within the procedural context, the certainty within planning control mechanisms is supported through the step-by-step linear operation of planning control mechanisms, which causes *separation of plan preparation implementation processes* from each other. Plan implementation is reduced to be a further stage of plan preparation process (Taylor, 1998) and *routine procedures* are set in a replicable program (Christensen, 1985). Building permit is at the very center of the process.

From this viewpoint, planning control becomes *a technical and an administrative action*. It is reduced **to check the conformity of proposals to planning obligations**. Hence, standard proposals come into order on the basis of development on individual plots. On this account, according to Tewdwr-Jones and Harris (1998) local planning authorities became more concentrated on the procedural aspects of planning control, rather than taking care with the processes to achieve more qualified planning outcomes. In this sense, it brings forth “*bureaucratization of control mechanisms*”.

Along this path, little attention is given to formulate coordinated strategies through participation. Participation is reduced to a technical procedure on the grounds of objections during plan deposit period. Another form of participation is ‘judicial control’, which comes into order in the cases where objections of individuals are rejected by municipalities.

From another point of view, the high degree of certainty does not allow to place discretion in planning control mechanisms. However, Booth (1996) states that, the presence of discretionary decision-making of whatever kind is inevitable during planning control. It is the potential for interpreting policies within the planning system. On this account, in the Turkish planning system, development bylaws and plan notes undertake a potential for formulating interpretive actions and discretionary actions in control mechanisms. Nonetheless, they are elaborated though plot-based understanding in order to control the development in detail. They provide *little or no discretion* in planning control mechanisms.

5.2.3. Individual Actions

The separation of processes in procedural context via step-by-step linear process also bears the separation of involvement of actors to planning control mechanisms. The liabilities of

different actors are assigned in singular steps. The role of each actor within the mechanisms is predetermined and actors are expected to obey their roles.

In plan preparation processes, mostly free-lance planners are charged to prepare development plans, and to submit them to local planning authorities. Local planning officers are anticipated to prepare evaluation reports and advice notes about proposals. Local councilors are assigned to take the last decision and to approve development plans. Individuals are expected to develop objections during plan deposit period. On the other hand, in plan implementation process, individuals are assumed to bring about proposals about development through the designs of their architects on their own plots. Local planning officers are assigned to check the conformity of proposals to planning obligations. At this point, architects wait for approval of their projects by planning officers.

Separation of liabilities of actors in planning control mechanisms leads to a lack of mutual interaction between them. According to Balamir (2002), the local authorities do not want to share their power in planning control mechanisms. Furthermore, they are not likely to be controlled by other actors in control mechanisms like the professional organisations, such as the Chamber of City Planners, The Chamber of Architects etc. (Ekinici, 1999).

On this ground, each actor begins to occur in control mechanisms independent of each other. This separation provokes *individual actions* to take place in planning control mechanisms. Consequently, each actor begins to introduce their own *way of urbanism* on the basis of proposals. The main motive for their individual actions would be their interest and preferences. This brings the '*individualism of urbanism*' in planning control mechanisms. On this account, in Ostrom's (1990) words, the problem at this point is *how to change the situation from one in which actors behave independently to one in which they formulated coordinated strategies*.

Development plans provide only a general framework and to control the overall development in cities, and to carry the present condition to the anticipated future. In this framework, Depending on plot-based understanding, bureaucratization of control mechanisms and individual actions, development plans in the Turkish planning system does not seem to cope with 'changes in spatial context'. Consequently, *plan modifications* appear as the major tools to manage and control the 'changes in spatial context'.

5.3. PLAN MODIFICATIONS

In the study, it is assumed the static nature of regulatory context strains the operation of control mechanisms on the ground of a detailed and strict control and results with *tensions in planning control mechanisms*; on the other hand, dynamic nature of socio-political context demands space for the changing interests, preferences and values of actors and results with *development pressures on the site*, which results with *cleavages within spatial context*. ‘Changes in the spatial context’ is deemed to be the indicators of such cleavages. They come into being as a result of *individual actions* in socio-political context.

The ‘changes in the spatial context’ might result with either a *harmonized spatial context*, which give reference to the characteristics of surrounding context, or a *spoiled spatial context*, which has no reference to the characteristics of surrounding context. The latter addresses discontinuities in contexts of planning control mechanisms. It signifies the rupture from character and setting of an area. In Turkish planning system, *plan modifications* are assumed to be the primary tools for this formation (fig. 5.6).

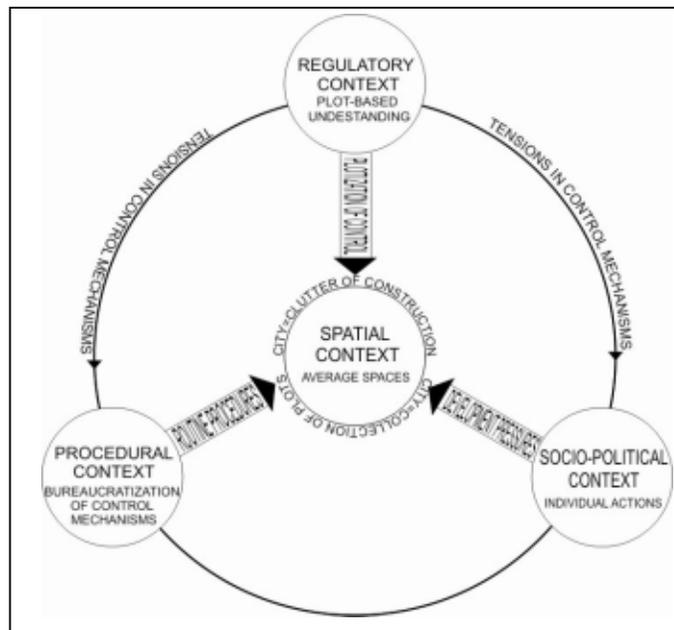


Figure 5.6: Problems in Control Mechanisms of the Turkish Planning System cause appearance of plan modifications

Plan modifications come into being through proposals of plot owners, submitted to local planning authorities. The proposals are evaluated with reference to plan conditions. Planning officers prepare evaluation reports about proposals and submit them to municipal councils. Afterward, local councilors are assigned to give the final decision on the basis of discussions during council meeting, held through evaluation report. If the proposals are approved by council, they will replace the plan conditions as plan modifications. The process for preparation of plan modifications and their content are clarified in a special section of ‘Plan Preparation Bylaw’ in Turkish planning legislation. It is stated in its articles 27 and 28 that plan conditions can be changed in order to increase building heights, FAR or to change the use of land. In these cases, social and technical infrastructure that the additional population after plan modification would require should be designed in proposals.

5.3.1. Typology of Plan Modifications

An evaluation about plan modifications is a contentious issue. Within the framework of the study, any attempt that replaces the conditions of existing development plans is conceived as plan modifications. Consequently, *plan revisions*, *partial plans* and *any amendment in plan notes and development bylaws*, each are considered to be a plan modification. These types of plan modifications usually embrace a large part of the city consisting of more than one neighbourhood or the city itself as a whole. The instruments, defined as ***plan modifications in Turkish planning system***, mostly come into effect within boundaries of individual plots or building blocks, and they have considerable place within the all types of plan modifications.

Since the main concern of the study is the ‘changes in the spatial context’ in the first two levels (Table 1.1). *Plan revisions*, *plan modifications* and *partial plans* are seen as the main instruments that create these changes. Within the framework of the study, it is aimed to classify plan modifications according to their effect on the characteristics of urban built environment. At this point, the central question is “what kind of characteristics are plan modifications expected to change in spatial context?” From this standpoint, ***typology of plan modifications*** is stated as follows:

- **Plan modifications towards causing changes in spatial characteristics (spatial plan modifications):** this type of plan modifications changes spatial characteristics such as settlement pattern, road hierarchy or public space system. ‘Changes in spatial context’ come into being in first level.
 - plan approvals in city-wide scale and its surroundings
 - plan approvals in city-wide scale: *master plans*
 - plan approvals in district/area-wide scale: *plan revisions*
 - plan approvals in the areas that have no existing plan: *partial plans*
 - approval of *improvement plans*
 - arrangement in transportation network

- **Plan modifications towards causing changes in functional characteristics (functional plan modifications):** this type of plan modifications may cause ‘changes in spatial context’ at all levels. They are related with the allocation of land in the city.
 - Plan modifications towards causing changes in land use decisions.

- **Plan modifications towards causing changes in morphological characteristics (morphological plan modifications):** this type of plan modifications causes ‘changes in spatial context’ especially at the second level whereas some examples may come into existence at the first level. They are related with the changes in *physical settings of the context*. They are frequently seen as the expression of ‘dimensional type of control’ (Delafons, 1994). Some examples are stated as follows:
 - plan modifications towards causing changes in building height
 - plan modifications towards causing changes in building arrangement
 - plan modifications towards causing changes in setbacks
 - plan modifications towards causing changes in building block forms
 - plan modifications towards causing changes in street widths

- **Plan modifications that result with changes in visual characteristics (visual plan modifications):** this type of plan modifications can result with an overall effect across the settlement. They directly influence *the character of the site*. They usually deal with architectural style, colour, and roofs of buildings, rhythm, and harmony. In terms of Delafons (1994), they are expressions of ‘stylistic type of control’. They may come into existence at all levels:
 - plan modifications towards causing changes in architectural style
 - plan modifications towards causing changes in building façade colours

- plan modifications towards causing changes in roofs of buildings
- **plan modifications that result with changes in both morphological and functional characteristics:** this type of plan modifications are the results of the combination of functional and morphological changes. They usually come into existence in second level. They are concentrated on rearrangement of building blocks where a functional plan modification comes into being.
- **plan modifications that result with changes in both morphological and visual characteristics:** this type of plan modifications are the results of the combination of visual and morphological changes. They may come into existence in all levels; however, usually they come into being in first level.

Apart from these types, *modifications in plan notes and development bylaws* have an important role in occurrence of ‘changes in spatial context’ at a city-wide scale, in every level and every characteristic.

The plan modifications may be the means to overcome the problems of static nature of the Turkish planning system. Moreover, they can be assessed as instruments to provide flexibility and to develop a *context-based control* that give response to the local distinctiveness of places. In this case, they are expected to give reference to formation of places of distinction through changing contextual and visual characteristics of urban built environment, besides morphological and functional ones. However, they may reproduce and strengthen the problems originating from plot-base understanding, bureaucratization of control mechanisms and individual actions in planning control mechanism of the Turkish planning system and stay in limitations of *context-less control*. Along this path, plan modifications are expected to change mostly the morphological and functional characteristics of urban built environment.

The effects of plan modifications on the character of urban built environment and their opportunities to bring about alternatives against the static nature of Turkish planning system are investigated through a detailed study, carried out in the city of Mersin. The findings of the study are revealed in the seventh chapter.

CHAPTER 6

METHODOLOGICAL FRAMEWORK FOR THE STUDY

Planning control is not a simple/direct relation between plan preparation and implementation processes or between cause and effect. In fact, there is a blurred relation between two sides of this relation, which is always subject to change according to the changing needs, and value judgments of society in the contexts of planning control mechanisms (Gilg and Kelly, 1996). Gilg and Kelly (1996) points out a number of difficulties during planning control such as:

- policies are subject to change, leading to a time-lag and overlapping of often contradictory policies.
- policies are only guidelines and can be interpreted by decision-makers in many different ways.
- policies, related to the formation of urban built environment can derive not only from different sections of planning documents, but also from different public or private bodies, such as policies relating to infrastructure provision.
- the formation/production/transformation of urban built environment can be directed in an informal way by professionals for developers to make their investments. Thus, developers may move towards and create new attracted areas.

Being aware of these (and perhaps more) difficulties, the study concentrates mainly on plan modifications within the contexts of planning control mechanisms to investigate the their effects on the character of urban built environment and their opportunities to bring about alternatives against the static nature of Turkish planning system.

In order to overcome the problems that could be originated from difficulties, this study aims to hold the research through a methodology in which a number of analyses will be made. Within the literature on planning control studies, the analyses are grouped in two main domains, of which the first is '*simple-statistical analysis*' and the other is '*process-oriented analysis*'. Furthermore, '*site-specific analysis*' is developed in order to deal with the results of these two analyses through an in-depth manner. Below, the general features of these approaches to the assessment of planning control decisions are discussed.

6.1. SIMPLE STATISTICAL ANALYSIS

This kind of analysis about planning control mechanisms takes the decision-making process as a technical process. It concentrates on decision outputs. As Gilg and Kelly (1996) puts forward, these attempts employ two basic spatial and temporal methods either in isolation or together. *Spatially*, usually two or more areas are identified with similar characteristics and the planning control decisions are compared by devices like dot maps or tables. *Temporally*, a change in the policy can be analyzed as applications in terms of policy effects in different times.

It usually results with general statements for different areas and times. As a result, this method is *descriptive*. It fails to pick out detailed trends, does not explain why and how existing trends occur, and makes over-simplistic assumptions about the link between policy and implementation. This is “purely positivist approach” (Preece, 1990, 60) which “have been seen often correctly associated with an over-simplistic view of society, a naive understanding of causes, and a lack of social concern: a somewhat plodding and descriptive approach”. However, simple statistical analysis is essentially a first step for the evaluation of planning control data.

6.2. PROCESS-ORIENTED ANALYSIS

The basic aim of this approach is to analyze the interaction between several key actors during planning control. According to Gilg and Kelly (1996), this approach collects data within a conceptual view of how power is structured. There is an assumption of complex nature of social systems behind process-oriented approach (Preece, 1990). *Interviews and questionnaires* with key actors in the process are very important tools in order to reveal the complex pattern of interactions, in which the actors communicate each other through the flows of information which regulates power and influence between actors in the process (Hall, 1996). Therefore, analysts of this approach try to comprehend the innermost mechanisms rather than superficial manifestations, to understand causes rather than effects. However, Preece (1990) asserts that there is no reason why the process-oriented studies cannot be combined with simple-statistical analysis; it is seen that they are complementary not conflicting approaches.

Sampling/data collection frames for analyzing the operation of planning control mechanisms is generally based upon a particular local authority area within which records would have been selected. The use of data throughout diversity of local authorities helps to reveal the diversity of planning circumstances. The issue of obtaining data over a suitable period is very much linked with the overall size of the sample which may be yielded and in order to sample a representative balance of planning applications (Sellgren, 1990).

Whether the *sampling units* are selected from jurisdictional cases or policy-based areas, the nature of planning data is comparative, in which the analysis lies between spatial and temporal comparisons. *Spatially*, the problem is that two or more different areas may be structurally different and this gives rise to contrasting demands for development. The solution for this problem may be the use of some form of standardizing data taken from different sampling units. *Temporally*, the problem of comparisons over time lies in obtaining a sufficient length of record. In this manner, the issue of obtaining data over a suitable period should sample a representative balance of applications.

Within the literature about the analysis of planning control mechanisms, the studies are generally focused on the authorized development throughout the data of planning permissions. Regarding the studies which were held in abroad (Beer, 1983; Booth, 1983, 1999; Carmona, 1996a, 1996b, 1998; Delafons, 1991; Gilg and Kelly, 1996; Habe, 1989; Punter, 1994; Twedwr-Jones, 1994) planning control data and consequently design control data are assessed referring to type of development, site allocation in the city. In these examples, planning control mechanisms are evaluated with reference to planning application, planning permit or building permit procedures.

In the Turkish planning literature, a group of study dealt with planning control mechanisms in an indirect way. Some of them deal with the general characteristics of planning legislation and jurisdictional control (Altaban, 1985; Gök, 1981a, 1981b, 1983; Çeçener, 2002) and its influence on urban planning and architecture (Bilgen and Özcan, 1989; Duyguluer, 1989; Günay, 1985; Özbay, 1989). Akçura (1981) looks at the operation of planning system in a comprehensive way, while Bademli (2002) points out the problematic of planning implementations. Balamir and Ersoy (2002) propose a new framework for the planning system and thus legislation of Turkey. Besides, a number of studies concentrate on the problems of actors in the process between decision-making and the application of

planning decisions (Aktulga, 2000; Doğançay, 2002; Ekinci, 1999; Mimarlar Odası İstanbul Büyükkent Şubesi, 2000; Şehir Plancıları Odası, 1996). These studies contribute to the sub-problematic issues in Turkish planning system. However, *none of them seems to take the operation of control mechanisms as a central concern.*

6.3. MERSIN AS A FIELD OF CASE STUDY

The plan modifications as the main tools for occurrence ‘changes in the spatial context’ are analyzed throughout a case study in the city of Mersin. It is taken into account as a field of case study due to its development dynamics. The modern city was founded in the first half of nineteenth century and has been developed rapidly since then. The spatial development of has become prominent especially in the last two decades. The rapid development in this period brought about distinctive changes in spatial context of the city. They made Mersin a research field for ‘changes in spatial context’. Below, they are examined through plan modifications, certified by the municipalities of Mersin. Plan modifications are discussed under three main headings, which are addressing the analysis methods.

6.3.1. Plan Modifications in Mersin

Plan modifications in Mersin are analyzed mainly through two methods of analysis as discussed above: simple-statistic, and process-oriented. Main spine of *simple-statistical analysis* is the analysis of plan modifications with reference to the ‘changes in spatial context’ they caused. *Process-oriented analysis* deals with the interactions, and viewpoints of actors taking place in planning control mechanisms. Furthermore, *site-specific analysis* focuses on the specific examples, brought through the findings of first two analyses.

6.3.1.1. Spatial and Temporal Frames of Analysis

For the representative balance of plan modifications, *the study is temporally held within the period between years 1986 and 2003.* Before 1985, when new Urban Development Law no 3194 was enacted, development plans that embrace the city and its surroundings as a whole were prepared by municipalities and approved by central planning authorities. However, from that date on, they are accepted to be prepared and approved by municipalities as the local planning authorities. Therefore, Turkish planning system ran

into totally different contexts of planning. That means to reformulate the administrative scheme of central and local planning authorities. From this viewpoint, Municipality of Mersin stood in the forefront of planning facilities in Mersin. City-wide master plans (scale of 1/5000) and related implementation plans (scale of 1/1000) are expected to be prepared and approved in accordance with the planning decisions taken by central government through ‘*regional territorial plans*’ (scale of 1/25000).

Therefore, planning authority is divided between central and local authorities. Within the borders of municipalities, local planning authorities are authorized to approve city-wide master plans and implementation plans. On the other hand, central planning authority is accredited to approve plans in the scale that encloses the city and its surroundings as a whole⁶. Hence, the study is *spatially* framed with the borders of Municipality of Mersin since it is the local planning authority for Mersin. As a result, planning applications had begun to be executed by Municipality of Mersin after new Planning Law since 1986. Consequently, temporally, 1986 is the beginning date for the study.

However, 1993 is seemed to be a critical year for the study. In 1993, the administrative structure of local planning authorities was transformed through foundation of Greater Municipality of Mersin. Yet, new administrative scheme was consisting of a Greater Municipality of Mersin at the top and three district municipalities (Akdeniz, Toroslar and Yenişehir), organized under its coordination. It is seen that socio-political and procedural context is transformed by regulatory context. Therefore, there occurred a change in responsibilities of municipalities in each context of planning control mechanisms. New municipal councils are constituted in district municipalities. Distribution of members in municipal council of Greater Mersin was changed as a result of this transformation. Seven members from each district municipality councils and the mayor himself together constituted the Municipal Council of Greater Mersin. This was an outstanding change in socio-political context. On this account, Municipality of Greater Mersin was expected to approve master plans and plan modifications in city-wide scale (at 1/5000 scale), whereas

⁶ The authority to approve regional territorial plans was left to local planning authorities (in the name of master plans at 1/25000 scale) in major cities of Turkey after revision of Greater Municipalities Law in 2004, which also enlarged the borders of greater municipalities. Then, municipalities of greater cities became the only authority for controlling urban development and ‘changes in spatial context’. However, within the temporal framework of the study, this law was not enacted. Therefore, Municipality of Greater Mersin was charged with preparation of master plans at 1/5000 scale.

district municipalities are supposed to deal with implementation plans and plan modifications in lower tiers (at 1/1000 scale). In that sense, there emerged a two-tier planning system in Mersin after 1993.

Data collection processes began in 2002 and finished in 2003, and the processing of data began in the end of 2003. Hence, the temporal frame of the study is concluded with 2003. After that, in 2004, a new change in Greater Municipalities Law emerged, which resulted with enlargement of borders of Greater Municipalities. Accordingly, the border of Municipality of Greater Mersin was formulated with a circle, of which the diameter is 20 km. and the center is the provincial governor's office. As a result, eighteen new municipalities in the adjacent area of Mersin are added to the existing three. It completely addressed another new formation for contexts of planning control mechanisms. However, the operation of contexts of planning control mechanisms stands vague, because related bylaw of new Greater Municipalities Law, which was expected to direct the implementation of law, has not come into force since 2004.

Consequently, *temporal frame* of the study is consisting of two periods. First is the period between 1986 and 1993 and the second is the period between 1993 and 2003. On the other hand, after 1993 *spatial frame* of the study is divided into three regions, each of which is the authority area of district municipalities (fig 6.1).

6.3.1.2. Data Collection Frame for the Study

Data collection frames inevitably depend on spatial and temporal frames. Within these frames, concerning simple-statistical analysis, 'changes in spatial context' is analyzed via planning data that are recorded in the archives of Municipality of Greater Mersin. It is used as the source for database, because all lower-tier municipalities send one copy of their record to Municipality of Greater Mersin. Therefore, the archive of Municipality of Greater Mersin is the central storage place for planning data⁷.

⁷ Within the database of the study, all planning efforts that replace the existing ones are appreciated as plan modifications. Besides master plans, plan revisions and other type of plans, and plan modifications are approved by municipal councils in Turkish planning system. Hence, municipal council records are the main documents for this study to create a database for planning activities.

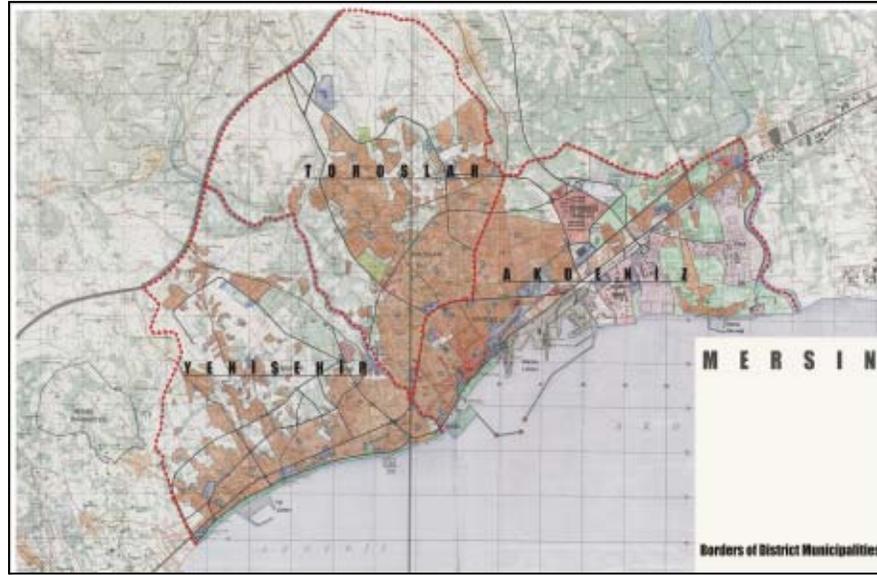


Figure 6.1: Borders of District Municipalities After 1993: the spatial framework of the study (Source: the map showing the land use of Mersin in 2001 is obtained from “Centre for Urban Studies” in Mersin University).

On this account, throughout an intensive work, dissipated approximately among a year period, the planning archive of Municipality of Greater Mersin was searched in detail and all municipal council records are collected in a database. The endeavoured study in archives was two-fold.

In the first stage of data collection, all municipal council records between 1986 and 2003 are gathered in a database. Main spine of database is depending on the typology of plan modifications and their effect on the characteristics of spatial context as discussed above. Evaluation of municipal council records are carried out under following headings:

1. municipality (council) that approved the plan modification
2. number of municipal council decree
3. year of municipal council decree (between 1986 and 2003)
4. date of municipal council decree (month of plan modification)
5. planning status area:
 - a. within the authorization of boundary of Development Law no 3194
 - b. within the authorization of boundary of Amnesty Law no 2981/3194

6. location in Mersin (neighborhoods)
7. land use decision according to the existing plan
8. proposed land use according to plan modification
9. characteristics that plan modification changes
 - a. morphological
 - b. spatial
 - c. functional
 - d. visual
 - e. contextual
 - f. constructional
10. results of plan modification
 - a. change in building height
 - b. change in building arrangement
 - c. change in setbacks
 - d. change in the form of building blocks
 - e. change in plot dimensions
 - f. change in street or road width
 - g. change in road hierarchy
 - h. change in settlement pattern
 - i. change in functional zones
 - j. change in façade arrangements
 - k. change in material quality
 - l. change in landscape
 - m. changes depending on the local characteristics
 - n. change in construction techniques
11. boundaries of realization for plan modifications
 - a. an individual plot
 - b. more than one plot in a building block
 - c. a building block
 - d. more than one building block
 - e. a neighborhood
 - f. more than one neighborhood
 - g. city-wide
 - h. city-wide and its surroundings

12. reason of plan modification

- a. to gain additional development rights
- b. approvals according to upper tier plans
- c. legalization of unauthorized formations
- d. to overcome a situation that was developed outside planning decisions
- e. as a result of previous planning gains
- f. to overcome problems encountered during implementation process
- g. to give response to changing needs/inadequacies of present plan decisions
- h. to harmonize development with surrounding development
- i. correction of mistakes in maps
- j. approval of new plan
- k. as a result of changes in upper tier plans
- l. to fulfill administrative court judgments

13. type of plan modification (as discussed in the previous sections)

As a result of this database, it became available to examine all plan modifications between 1986 and 2003 either in a quantitative or qualitative way. Since all data are recorded digitally on computer, all types of plan modifications and the results of analysis are spatialized on maps. The base map for this spatialization is produced with unification of city-wide plans and plan revisions that are approved by municipalities in Mersin. These plans go back to 1984. After that date, many plan revisions were approved by municipal councils. For the preparation of base map, the earliest plans are used. For instance, in 1984, plan revisions for the northern part of Mersin were approved by central planning authorities. Then in 1986, plan revisions for central city, for Western part and for mass-housing areas in northern part of Mersin are approved by Municipality of Mersin. Therefore, preparation of base map begins with unification of these plans. As soon as all later plan modifications are expected to change the decisions of these plans, their unification came into being as the base map for the study. All plan modifications are recorded on this base map on computer.

As a further step, within the framework of process-oriented analysis, many questionnaires and in-depth interviews are made with actors taking place in planning process and control mechanisms. Priority is given to *municipal council members*, by whom all planning actions and also plan modifications are approved. In the final analysis, they take decision about the

realization of planning proposals. In Mersin, municipal council of each district municipality consisted of 31 members within the temporal framework of the study. It was aimed to conduct questionnaires with all councilors. However, it would not be possible to reach all members. On this account, councilors of Yenişehir Municipality seemed to be the most enthusiastic ones among others. 29 of 31 councilors replied to questionnaires. On the other hand, only 9 of 31 councilors of Akdeniz Municipality and 14 of 31 councilors of Toroslar Municipality gave response to questionnaires. In questionnaires, their attitude within planning control mechanisms, preferences in and expectations from planning system, development plans and plan modifications are investigated⁸.

Moreover, in-depth interviews are made with *planning officers in municipalities* who prepare technical reports on plan modifications for councilors. These interviews were held with urban planners, architects and other professionals in planning department of district municipalities and Municipality of Greater Mersin. In-depth interviews were held with two urban planners in Municipality of Greater Mersin; with one urban planner and four technical officers in Akdeniz Municipality; with three urban planners in Yenişehir Municipality; and with two urban planners in Toroslar Municipality. Their duty differentiated in planning control mechanisms. For instance two of them were the vice-mayor, whereas two others were head of planning department. Rest of them took place in technical procedures of planning control mechanisms⁹.

On the other hand, a group of questionnaires were held with *free-lance planners*, who prepare proposals for plan modifications. These planners have carried on their professional life in Mersin. Along this path, in-depth interviews were made with five free-lance planners, working in Mersin. Those interviews were consisting of open-ended assertions in order to reveal their attitudes within planning system.

Within this framework, the findings of both simple statistical analysis and process oriented studies are touched upon in the following chapter. According to these findings specific cases are taken into consideration via site-specific analysis.

⁸ The form of questionnaires, held with local councilors and the raw data produced after this process are shown in Appendix B.

⁹ The form of questionnaires, held with planning officers and the raw data produced after this process are shown in Appendix B.

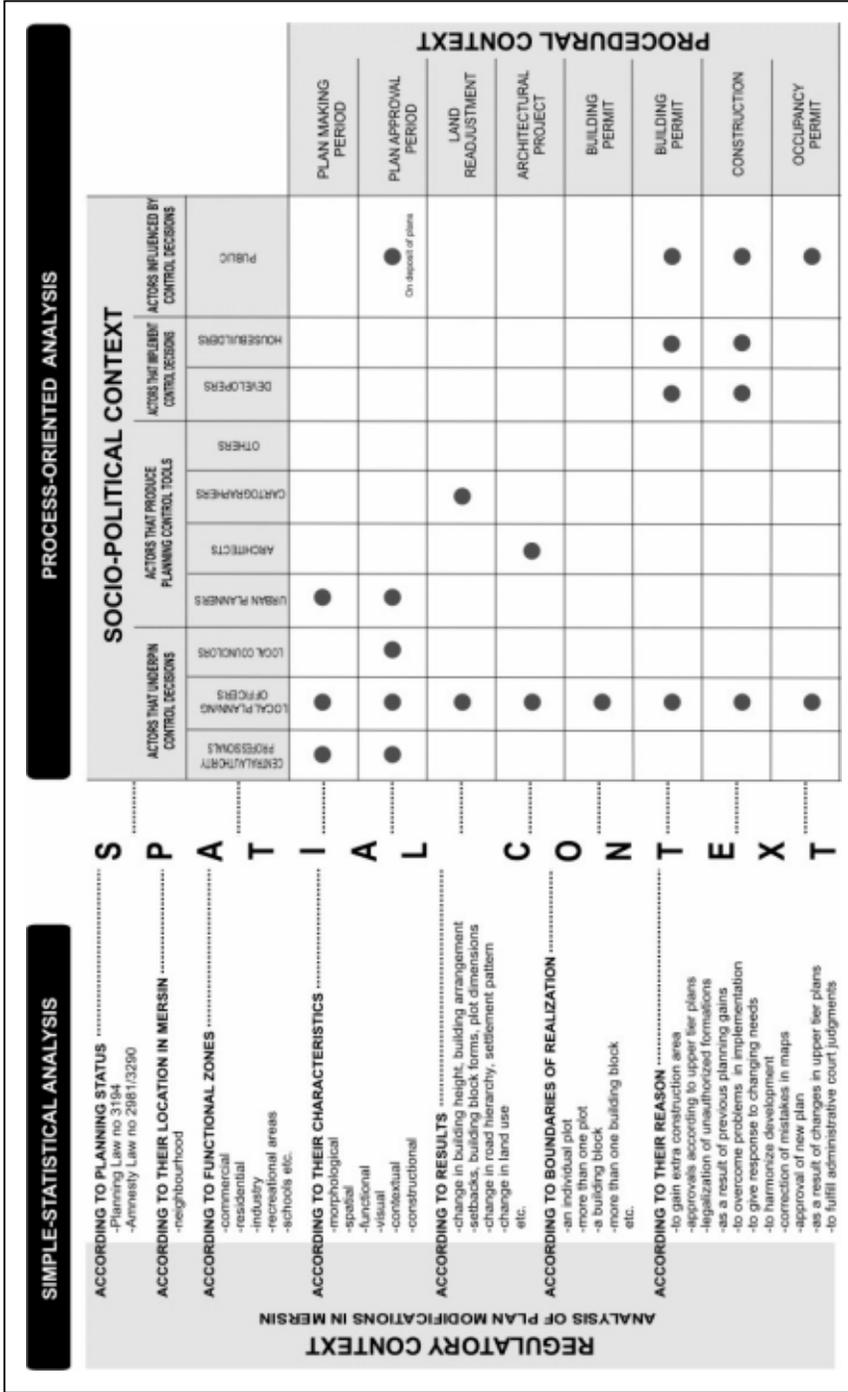


Figure 6.2: Methodological Framework of the Study

CHAPTER 7

CASE STUDY: PLAN MODIFICATIONS IN MERSIN

In this chapter of the study, plan modifications in Mersin are investigated with reference to the theoretical and methodological framework developed in previous chapters. The rapid urbanization of Mersin in the last two decades is clarified in the first part of the chapter. It helps to understand the context where the planning control decisions were developed. The second part is the main body, which concentrates on analysis of plan modifications in Mersin according to their effects on the characteristics of urban built environment. The last part of the chapter is evaluation of these effects on the basis of plan modification types.

7.1. URBAN DEVELOPMENT IN MERSIN: UNDERSTANDING THE CONTEXT

Mersin was an important settlement in ancient times, in Hellenistic and Roman periods within Cilicia region. However, a discontinuity, contrary to many developments in Anatolia, had been occurred until emergence of modern Mersin in the first half of nineteenth century (Adıyeke and Adıyeke, 2004). During the foundation –in 1830’s- the city was consisting of “nothing but a few huts on the shore” (Toksöz, 2002, 15). At present, the city reached to a population of approximately 520.000 persons. Its development in ancient times and in nineteenth century was taken into consideration in many studies. Nonetheless, urban development of the city was not touched upon in a comprehensive way. The enormous development during the last two centuries makes Mersin ‘a city of modernity’ and an alluring city for a research. Below, urban development of Mersin is taken into consideration under main two headings. First is the ‘unplanned period’. Since first development plan for Mersin was prepared in 1938, the period after 1938 is the ‘planned period’.

7.1.1. The Unplanned Period

Establishment of Mersin on the shores of Çukurova region is dated to occupation of the region by Mehmed Ali Pasha of Egypt in 1830's. In those years, there was a natural port in Kazanlı, one of the settlements in eastern regions of Mersin. The port was later extended to Mersin. From that date on, Mersin had a rather rapid development (Toksöz, 2002). Arab peasants from Syria and Egypt were settled around Mersin for working in especially cotton fields (Toledano, 2002).

The importance of Mersin in the region began to rise after improvements in transportation. As soon as ports in Tarsus and Silifke were covered by alluvium, port of Mersin became the focal point for trading with foreign countries. However, according to Toksöz (2002), the critical turning point for Mersin's development as a port town was the American civil war in 1860's. Until then, American companies were superior in cotton market and British production was not able to compete with them. After civil war, British interest on cotton brought a rapid increase of cotton production in response of the world demand. And in 1870's, Mersin port came to supersede the other ones in the region with considerable import-export rates. Besides, establishment of Mersin-Adana road in 1873 and railroad in 1886 made Mersin a commercial center in the region. Mersin began to be an urban center in the region. In this period, close relationships were settled with Syria, Cyprus and Egypt.

The population of Mersin was increased to 900 persons in 1870 and to 9000 persons in 1890's. And, many commercial activities like foundation of Court of Trade and opening of many branches of international banks came to being in the late years of nineteenth century. Many consulate buildings were established in those years (Adıyeke ve Adıyeke, 2004; Bozkurt, 2002). Thereafter, according to first and second population census of Republican Turkey, the population of Mersin was increased to 21.171 and 26.430 persons respectively.

Developments in Mersin came to scene after modernization processes of Ottoman Empire, after declaration of Tanzimat Charter. Tekeli (1998) points out five main changes in the structure of Ottoman city, Mersin had encountered, as a result of the new structuration in economical and institutional organization. First, newly formed economic relations with capitalist world facilitated the establishment of banks, hotels and insurance agencies. Thus, modern and traditional urban structures in the city center had been differentiated. Second,

urban transportation had begun to work up in masses by tram lines and boats. Third, the inhabitants in housing areas began to be diversified according to their class relations, besides their national and religious relations as a result of changing economical relations. Fourth, suburbanization was seen as a result of developing urban transportation system. Fifth, new living conditions and styles brought new urban land use facilities

Within this development, Uray Street was the backbone of the city. The Municipality Building, other governmental uses, banks, churches and commercial activities were located on this street (fig 7.1). According to Develi (2002), a tram line was settled between east and west sides of the city. The social and cultural life of Mersin was diversified through involvement of Levantines to commercial activities. A new village, called Christian Village, was established in the periphery of the city

On the other hand, it is seen that production of urban built environment was directed and controlled via Street and Building Regulations, issued in 1863 and Building Law, issued in 1882. Akçura (1982) claims that, these regulations did not take into consideration the characteristics of Islamic city; they were inspired by the regulations of the western world. As a result, the built-up areas of Mersin formed a grid-iron pattern. The main streets were Uray, Hastane, Atatürk and Çakmak streets, which are also the main streets at present. Within this framework, Camișerif and Mesudiye neighborhoods formed the city center. Besides, Kiremithane and Mahmudiye neighborhoods are other developed ones. According to Yenişehirlioğlu (2004) the buildings on Uray Street, which are frequently seen in port cities of eastern Mediterranean, showed some local characteristics of the region. On the other hand, there were two-storey houses with gardens in residential areas (fig 7.2).

7.1.2. The Planned Period

Mersin had developed as a ‘city of modernity’ until 1830’s and reached to a middle scale city in the first years of Republican Turkey, the modernization period for the young Republic of Turkey. In those years, many laws related with production of urban space became operative. One of those laws was Buildings and Streets Law, issued in 1933. This law made it compulsory to prepare development plans for each settlement. Therefore, first development plan of Mersin was prepared by Hermann Jansen in 1938¹⁰.

¹⁰ This plan is named ‘Jansen Plan’ in the study.



Figure 7.1: Views from Uray Street in the Late Nineteenth Century and Early Twentieth Century
(Source: Mersin University, Center for Urban Studies)



Figure 7.2: General Views from Mersin in the Late Nineteenth Century and Early Twentieth Century
(Source: Mersin University, Center for Urban Studies)

7.1.2.1. Jansen Plan

Hermann Jansen was a German architect and planner. He was also the first planner of Republican Turkey. He prepared development plan of Ankara, the new capital of Republic, after winning the planning competition. He sooner became consultant for planning activities in Ankara and the whole country. He came to Çukurova region for a series of planning studies in late 1930's after his contract with Republican government had been cancelled. Afterwards, he prepared development plans not only for Mersin but also for other cities in Çukurova region, like Adana, Tarsus, Ceyhan and Gaziantep.

Since Jansen was influenced by Garden City and Camillo Sitte movements, their impacts on first development plan of Mersin could be followed. For instance, within built-up areas, which have been characterized above, Jansen followed planning principles of Camillo Sitte. On the other hand, in newly-developing and vacant areas, he took up seriously the principles of Garden City movement.

It is seen that, prior to all planning decisions, Jansen disclosed the necessity to state precisely the character of Mersin. According to him, the port and the sea were the potentials for determination of character. On this account, commercial and recreational activities would have priority for planning studies in Mersin. In fact, the principles of Garden city movement gave opportunities to him to realize his decisions. He concentrated on sustaining spatial qualities in newly developing residential areas.

In order to maintain a coherent system throughout the city, recreational corridors were used to link different parts to each other. Different parts of the city, on the one hand depend on functional separation of land uses, on the other hand, on identical units of residential areas, each of which constituted a neighborhood. For Jansen, main unit for production of urban built environment did not seem to be individual plots; it was important to develop the city on the basis of these neighborhoods. Each of them was containing social and recreational facilities such as schools and playgrounds.

It is seen that, Jansen plan was not able to be implemented after its approval. Main reason behind this failure seemed to be 'transformation of property pattern' in a different way. Although the plot dimensions were determined to allow construction of two-storey

buildings on large plots, property pattern was not transformed in this way. The second reason for failure of Jansen Plan was its predictions about future population. He assumed Mersin's population to be 50000 persons during the following fifty years. However, Mersin reached that population only seventeen years after the plan. Therefore, another plan was prepared as a result of these developments.

7.1.2.2. Plan of Bank of Provinces

The new plan approved in 1963. It was prepared by 'Bank of Provinces', which is a branch of central planning authorities in the Turkish planning system. Some developments in eastern and northern parts of the city, which appeared out of Jansen Plan boundaries, began to emerge before the plan. The developments in eastern part came into being in Gazi, İnönü and Piri Reis neighborhoods in Yenişehir District, whereas northern developments came into existence in Osmaniye, Sağlık, Alsancak and Demirtaş neighborhoods in Toroslar District¹¹. The most significant developments contrary to planning decisions of previous period began to emerge on fertile agriculture land via shared title.

'Shared title developments' would be one of the main problematic issues within planning control mechanisms of not only Mersin, but almost all cities in country. They came into existence as a result of parceling the land of private owner and selling it to third parties. They were unauthorized developments as soon as they emerge in contrast to planning decisions. They had been seen in especially northern parts of the city since 1960's.

According to Akçura (1981), 'Plan of Bank of Provinces' was not able to cope with developments on fertile agricultural developments. Akçura points out that, plan admitted the development to the outskirts as a fact and was presented to the general development tendencies. As a consequence, Mersin expanded as an oil spot development, dispersing from center to the fringe.

It is observed that a conflictual condition concerning controlling urban built environment entered Mersin's planning agenda via 'Plan of Bank of Provinces'. This situation signifies different control approaches. In built-up urban environments, it was accepted that new developments would be controlled through *by-law regulation*, whereas new developments

¹¹ The name of neighborhoods and districts are given with reference to the settled borders at present.

in vacant lands would be controlled through *standard regulation*. Akçura (1981) points out that this conflictual situation brought about very different construction rights within similar building blocks. He distinguishes that, more than twice development rights on plots in by-law regulation sites emerged when compared with similar plots in standard regulation sites. As a consequence of this duality, the built-up areas, especially in city center, were developed via prescriptions of development bylaws and reached higher construction densities. Accordingly, there occurred deprivation of spatial quality on these sites¹².

To sum up, ‘Plan of Bank of Provinces’ could not cope with problems of Mersin and Mersin inherited some of today’s problems from this plan. These are ‘duality in control approaches’ and ‘shared title developments’. Especially the latter left important mark on planning studies after 1980.

7.1.2.3. Planning Studies After 1980

Since ‘Plan of Bank of Provinces’ could not cope with problems of urban development in Mersin, a new plan, which was a master plan, was approved by central planning authorities (İmar ve İskan Bakanlığı) in 1980. After that plan, many implementation plans of scale 1/1000 were approved by central and local planning authorities according to anticipations of master. Municipality of Mersin was the planning authority for the ones approved after 1985; the date new Planning Law no.3194 became operative. Formation of spatial characteristics in Akdeniz, Toroslar and Yenişehir districts was figured out especially via those development plans. In this period, development plans and other types of plans caused changes in spatial characteristics of urban built environment. They are touched upon in the next section. Below, the main developments in Mersin after 1980 are clarified.

-developments in transportation

As a result of the urban development and planning studies in Mersin, it is seen that a transportation network wrapped the whole city. For instance, GMK Boulevard had been the main road that connects Mersin to the outer regions since 1950’s. The arguments about establishment of this road came into being via Jansen Plan. In that plan, Jansen proposed a

¹² At present, it is observed that those areas reached to construction rights of 8-storey as a result of modifications in bylaws, although they were envisioned to develop with 2-storey buildings in Jansen Plan.

ring road at the north of the city. GMK Boulevard was constructed for the same reason in 1950's.

In 1990's, a new ring road, which is known as Okan Merzeci Boulevard, came into being in order to decrease the density of GMK Boulevard. These two roads are on the one hand, inter-city roads that sustain relation of Mersin with its surroundings; on the other hand, they sustain relation of east and west side of the city. Besides, one of the most important roads in Mersin was İnönü Boulevard. It originates from GMK Boulevard and Adana Road connection at the east, continues along shore throughout the Akdeniz District and reaches to north parts of the Yenişehir District. In Yenişehir District, Menderes Boulevard is seemed to be the extension of İnönü Boulevard along the seafront. On the other hand, Akbelen Boulevard and Hastane Street are important roads in Toroslar District that sustains relations of northern parts with city center. Apart from these roads within borders of Akdeniz, Toroslar and Yenişehir districts, extension of Çukurova Highway was established in 1990's on north of Mersin.

Besides these developments in transportation network, there exists a railway station, established in nineteenth century as a result of developments in Çukurova region, at the outer parts of city center. Since then, there have been no developments in railway network in Mersin and its surroundings.

One of the most significant interventions to the transportation network was the establishment of 'Port of Mersin' in 1962. It became one of the most important ports of Turkey and the largest port of the country in Mediterranean.

-development of settlement pattern

On the other hand, as a result of planning studies and urban development in Mersin, there occurred some specific characteristics about districts:

- **Akdeniz District:** it is the largest district in Mersin. It involves the city center and other working places such as industrial areas and warehouses. Those areas are at the east side of the city along Adana Road. Some of important industrial establishments are Akgübre and Ataş Oil Refinery within borders of Akdeniz Municipality. They are located on the south of Mersin-Adana Road, in adjacent areas of Karaduvar settlement.

Furthermore, 'Free Trade Zone' and 'Port of Mersin' are also located in borders of Akdeniz Municipality. The neighborhoods that establish city center at present are Camiışerif, Çankaya, Mahmudiye, Mesudiye, Kiremithane and Kültür. The city center is named as the *first part of Akdeniz District*. Within these neighborhoods, Camiışerif, Çankaya, Kiremithane and Mahmudiye are the oldest ones in Mersin.

- On the other hand, it is seen that 'shared title developments' emerged in Akdeniz District, especially in neighborhoods on northeast of the city, named as *third part of Akdeniz District*. These neighborhoods are Siteler, Mithatpaşa, Gündoğdu, Güneş, Şevket Sümer, Çay, Çilek etc. The neighborhoods between 'shared title developments' and city center constitutes a 'transition zone' around city center, which is the *second part of Akdeniz District*. These neighborhoods (Hamidiye, Turgut Reis, Barış, İhsaniye, Nusratiye, Yenimahalle, and Üçocuk) are also located along GMK Boulevard.
 - It is seen that there occurred a very intensive development especially in the city center and transition zone (fig. 7.3). The main reason seems to be enforcement of 'bylaw regulation' in these areas. It leaved the conditions for productions of urban built environment to prescriptions of development bylaws.
- **Toroslar District:** it is located in south of Mersin. GMK Boulevard establishes a part of border between Akdeniz and Toroslar districts. The area between GMK Boulevard and Okan Merzeci Boulevard in Toroslar District, the *first part of Toroslar District*, were mostly built through 'shared title developments'. Only, a little part of Turgut Türkali, Sağlık and Turunçlu neighborhoods were produced regularly via development plans. It is observed that most of buildings in these neighborhoods had begun to be constructed in early years of 1960's and continued till last years of 1980's¹³. In these neighborhoods, many improvement plans were approved in the first half of 1990's in Toroslar¹⁴.
 - On the other hand, *second part in Toroslar* is mass housing developments at northern regions, the most significant planned environments in the district. In this region, Güneykent, Çağdaşkent and Halkkent came into being in order to cope with the dynamic that produced 'shared title developments' and to supply low income housing.

¹³ State Institute of Statistics, 2000 Building Census

¹⁴ They are taken into consideration in the next section of chapter.

- *Third part of Toroslar District* is consisting of mostly regular housing environments in Akbelen, Çukurova, Portakal and Yusuf Kılıç neighborhoods.
- **Yenişehir District:** it is also consisting of mainly three sub-regions. *First part* is the built-up areas, emerged between early 1960's and late 1980's. This part embraces some of neighborhoods at the south of GMK Boulevard (Palmiye, Piri Reis, Gazi, İnönü, Dumlupınar) and some neighborhoods along the north side of GMK Boulevard (Cumhuriyet, Hürriyet, Bahçelievler, Güvenevler, and Aydınlikevler). It is seen that most of these neighborhoods had been built up until 1986, when the first development plan for Yenişehir was approved. Among these neighborhoods, Piri Reis, Palmiye, Cumhuriyet and Hürriyet are closer ones to the city center and began to develop earlier than others. It is seen that, most of developments in this part came into being by the use of standard regulation of development plans.
- *The second part* of Yenişehir mostly developed in 1980's. Some areas within these neighborhoods were developed through 'shared title developments'. These neighborhoods are Eğriçam and Barbaros. However, some parts of Menteş, and Batıkent neighborhoods also developed by means of 'shared title developments'.
- *A third part* of Yenişehir District is named 'newly developing areas' in the following parts of the study. Developments in this part came into existence mostly in 1990's. It is the part on the north of Yenişehir. The characteristics of these developments differentiate from that of other parts. In this part, the development is consisting of low-rise buildings and they came into existence through ratio regulation.

Therefore, each district reveals different characteristics. Akdeniz embraces almost all working areas in the city while the others are consisting of mostly housing environments. A considerable amount of housing stock in Toroslar was produced through 'shared title developments'. In the following parts of the study, plan modifications in these districts after 1985 are taken into consideration by their character.



Figure 7.3: Views from the City Center In 2005
(Source: Personal Archive)



Figure 7.4: Views from Built-Up Neighborhoods of Yenisehir District in 2005
(Source: Personal Archive)

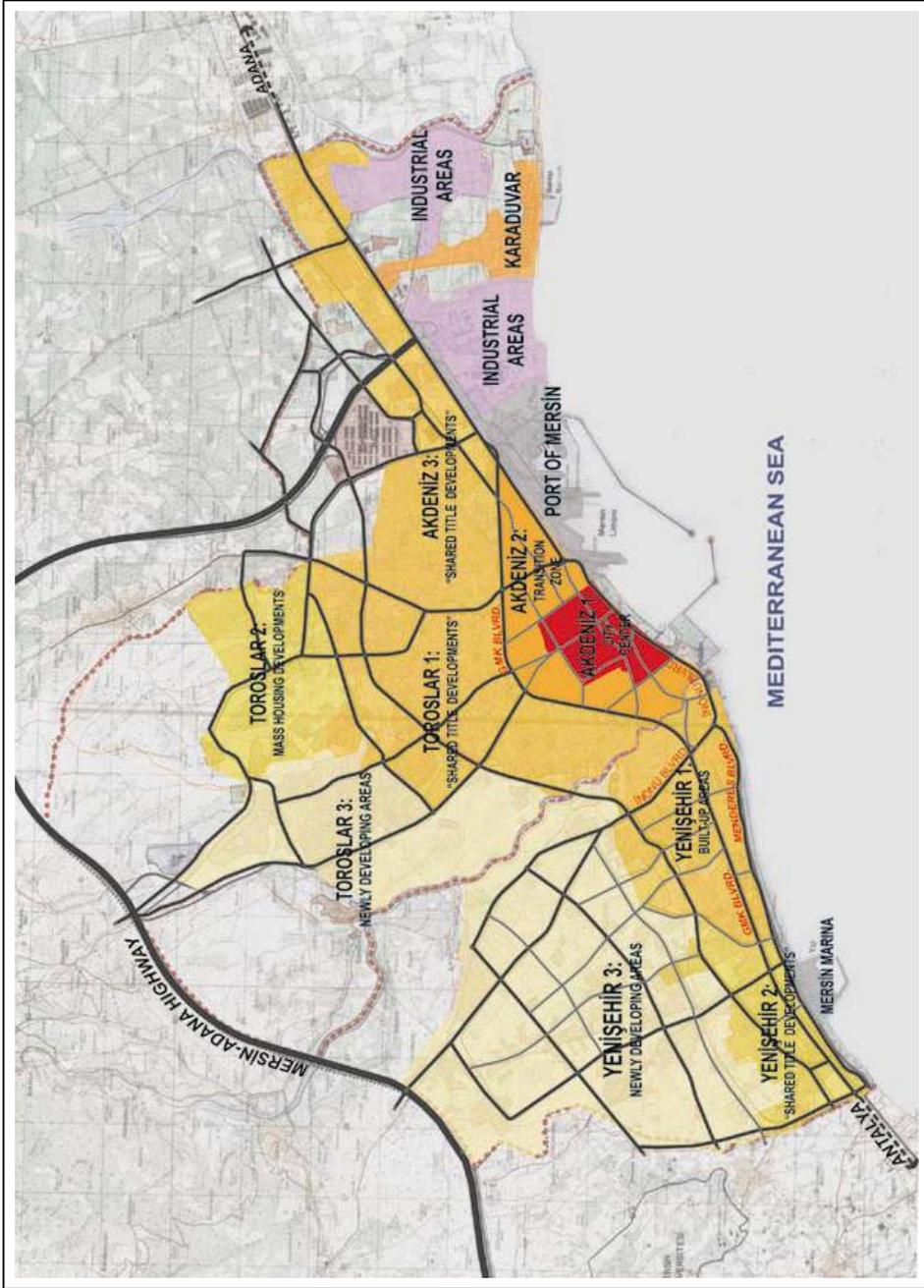


Figure 7.5: Definition of Subregions in Urban Development of Mersin on the Basis of Neighborhood Borders

7.2. FINDINGS OF THE STUDY: CHANGES IN SPATIAL CONTEXT

Throughout the study it is observed that totally 1614 plan modifications, including city-wide plans, plan revisions, partial plans, improvements plans, modifications in bylaws and plan notes, came into existence within municipal borders of Mersin during 1986-2003. They inevitably caused occurrence of ‘changes in spatial context’ in various scales.

This section aims to focus on different categories of plan modifications *with reference to their characters*. These are spatial, functional, morphological, functional and morphological, and other plan modifications on the basis of plan modification typology. Their distribution among neighborhoods of Mersin is shown in figure 7.6. They are also decomposed *with reference to their types*. In each part, firstly, the quantitative results of plan modifications are given according to their *location, authority to approve, reason and boundary of realization*. Secondly, specific examples according to their types are taken into consideration in order to reveal the ‘changes in spatial context’ in a more concretized way. Therefore, simple statistical analysis, process oriented analysis and site-specific analysis work out together.

During the creation of database for plan modifications in Mersin, a codification system was developed in order to make them available for a relevant inquiry (Table 7.1). Types of plan modifications are taken as the starting point during preparation of ‘plan modifications database’ for Mersin. It is seen that more common plan modifications are the ones that change morphological and functional characteristics (fig. 7.7).

7.2.1. Plan Modifications towards Changing Spatial Characteristics: Spatial Plan Modifications

Spatial plan modifications include on the one hand all types of plans (*development plans, revision plans, improvement plans, and partial plans*) and on the other hand modifications towards changing road hierarchy. Therefore, they are modifications at the first level of ‘changes in spatial context’ (table 1.1). Developments in the districts of Mersin were tried to be directed and controlled via various kinds of development plans, each of which is conceived to be a kind of plan modifications that brought about changes in spatial characteristics of urban built environment.

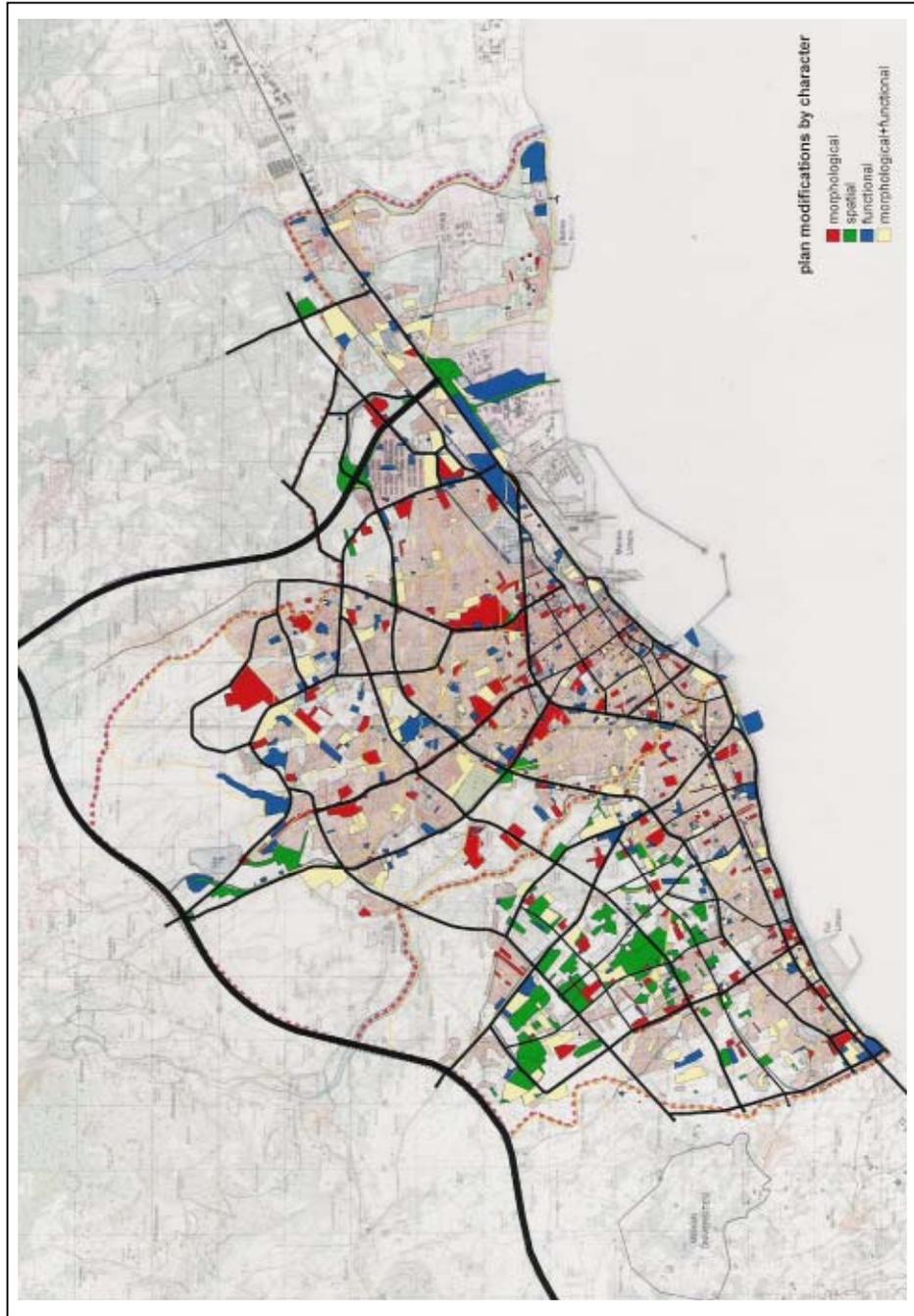


Figure 7.6: Plan Modifications by Character among Neighborhoods of Mersin between 1986 and 2003

Table 7.1: Types of Plan Modifications and Their Codes in Database

	TYPES OF PLAN MODIFICATIONS (plan modifications that cause change in)	CODES IN DATABASE
MORPHOLOGICAL CHARACTERISTICS	- building block forms	7
	- building block forms and building arrangement	9
	- building heights	11
	- building heights and building arrangement	12
	- setbacks (plot dimensions)	15
	- building block forms, setbacks and building arrangement	16
	- building height and setbacks	18
	- building arrangement	19
	- width of streets	32
FUNCTIONAL CHARACTERISTICS	- land use decisions	20
SPATIAL CHARACTERISTICS	-hierarchy of road network	34
	-plan approvals in city-wide scale and its surroundings	41
	-plan approvals in city-wide scale: master plans	42
	-plan approvals in district/area-wide scale: plan revisions	43
	-plan approvals in the areas that have no existing plan: partial plans	44
	-approval of improvement plans	45
MORPHOLOGICAL AND FUNCTIONAL CHARAC.S	-land use decisions and building arrangement	10
	-land use decisions and building height	13
	-forms of building blocks and land use decisions	17
ALL CHARACTERISTICS	-development bylaws and plan notes	8

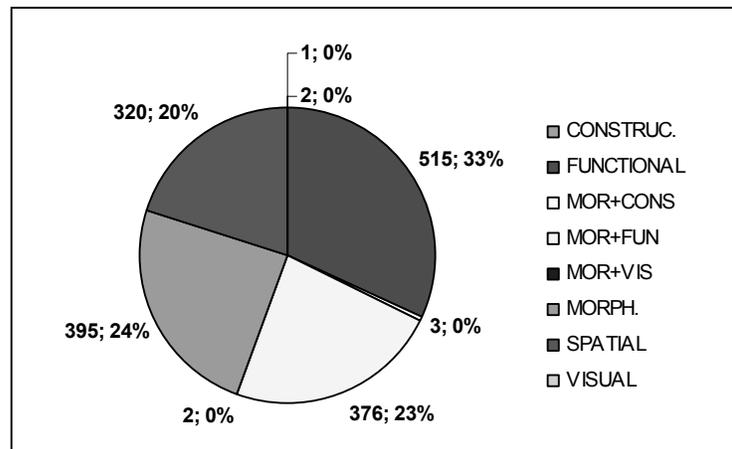


Figure 7.7: Plan Modifications in Mersin between 1986 and 2003 by Changes in Characteristics of the Urban Built Environment

385 spatial plan modifications, which corresponds to a proportion of 20% within all plan modifications, were approved in Mersin between 1986 and 2003.

- *6 of them were plans at city-wide scale and its adjacent area.* These were plans at scale of 1/5000 and 1/25000. They caused changes in characteristics of urban built environment as a whole. They are expected to bring forth a settlement pattern. They were on the one hand, modifications in existing master plans; on the other hand they were totally new plans. The master plan approved in 1996 is still the binding development plan at city-wide scale.
- *21 plan modifications caused changes in hierarchy of transportation network.* They were concentrated on rearrangement of road junctions that meant to set a different transportation network, therefore a change in settlement pattern.
- *63 plan modifications were plan revisions at district-wide or area-wide scales.* Among this type of modifications, ‘City Center Revision Plan’, ‘Development Plan for Western Mersin’ and ‘Development Plan for Güneykent Mass Housing Area’ were approved in 1986. Besides, ‘Çavuşlu and Karaisalı Development Plan’, ‘Development Plan for Eastern Mersin’, ‘Karaduvar Development Plan-I’ were approved between 1986 and 1993. These were district-wide plans in the first period. On the other hand, plans like ‘Plan Revision for Western Mersin’ (in 1995), ‘Karaduvar Development Plan -II’ (in 1997), ‘City Center Revision Plan-II’ (in 1998) and ‘Conservation Plan’ (in 1998) were approved by the related municipalities in the second period (fig. 7.8).

However, despite these plans, it is seen that there occurred attempts to stay out of planning conditions in Mersin within the study period. The main indicators of these attempts in regulatory context are *improvement plans* and *partial plans*. It is observed that:

- *101 partial plans* emerged in Mersin between 1986 and 2003. 27 of them came into being out of neighborhood boundaries. On the other hand, it seems to be distinguishing that 69 of partial plans appeared in Yenişehir District. They came into being between 1987 and 1993, in the northern parts of Yenişehir. It is pointed out above that ‘Plan Revision for Western Mersin-I’ was approved by Municipality of Mersin in 1986 for the first phase of urban development in Yenişehir District. This plan covered the southern parts of Yenişehir. However, it

was not able to control development in plan borders. Partial plans appeared on the north (fig. 7.8). On this account, some developments at the northern Yenişehir came into existence out of plan boundaries and plan anticipations. The ‘context for control’ that ‘Plan Revision for Western Mersin-I’ was impinged by individual actions. Most of partial plans emerged as a result of demands of cooperative housing organizations. On this account, *partial plans are conceived to be tools for ‘individualization of urbanism’*.

- On the other hand, **134 improvement plans** came into being in Mersin between 1986 and 2003. Improvement plans are the result of ‘shared title developments’ in the previous periods. They became the tools to legalize unauthorized developments, which came into being via ‘shared title developments’. They mostly appeared in Toroslar District (60 of 134 improvement plans). And it is seen that 47 of them were approved in the second period.

As it is stated above, urban development in Mersin was supposed to be directed and controlled via development plans throughout republican period. Therefore, it could be claimed that Mersin has a planning background. However ‘shared title developments’ and *improvement plans* and *partial plans* revealed that those planning studies could not cope with controlling the production of urban built environment in general and ‘changes in spatial context’ in specific.

Improvement plans came into existence in order to legalize the infringements in urban built environment, while *partial plans* became the legal tools to produce developments out of planning considerations and borders. Besides these plan types, which are comprehended to be spatial plan modifications since they replaced the existing plan decisions, studies, plan modifications became the main tools to produce urban built environment instead of development plans. They are taken into consideration in the following sections.

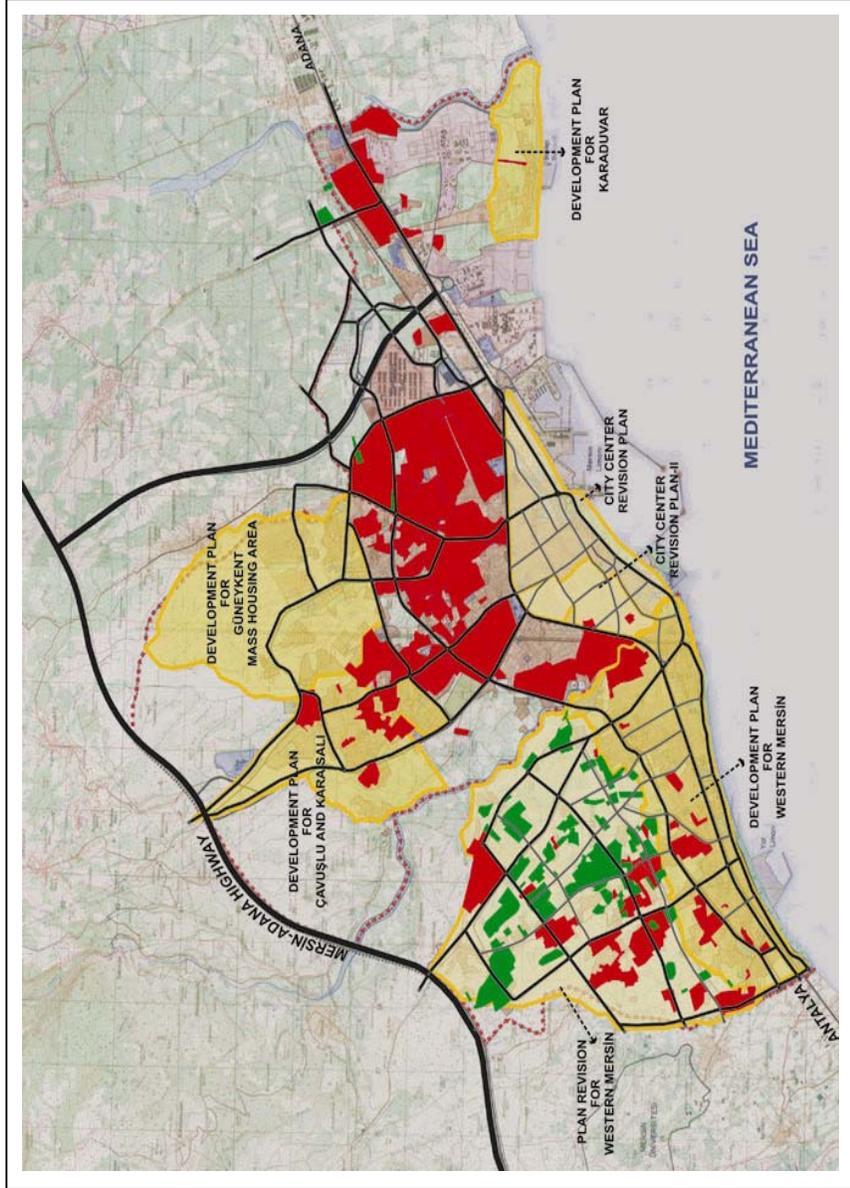


Figure 7.8: District-Wide and Area-Wide Development Plans and Improvement Plans in Mersin between 1986 and 2003: The yellow painted regions show main development plans, while the red ones demonstrate improvement plans and the green ones display partial plans

7.2.2. Plan Modifications towards Changing Functional Characteristics: Functional Plan Modifications

Throughout the period between 1986 and 2003, 33% of all plan modifications in Mersin resulted with changes in functional characteristics of urban built environment. They were related with land use alterations. Therefore, the main concern for these plan modifications is 'changes in land use decisions'. Within the context of Mersin, total amount of functional plan modifications was 512 of 1614 totals between 1986 and 2003.

-First period (1986-1993)

It is observed that 143 of 512 functional plan modifications were approved in the first period. Among these modifications:

- **60 of them (42%) emerged in Akdeniz District.** 13 of these modifications were in the city center. Moreover, 21 of them appeared in transition zone of city center. And 26 plan modifications in Akdeniz came into being in outer neighborhoods, which were consisting of mostly 'shared title developments'.
- **45 of all functional plan modifications in the first period (32%) came into existence in Yenisehir District.** It is observed that almost all of them appeared in built-up residential areas, in neighborhoods like Piri Reis, Palmiye, Gazi and Cumhuriyet. They also emerged in developed areas of other neighborhoods.
- **27 of all functional plan modifications (19%) appeared in Toroslar District.** Most of them (19 of 27) came into being in 'shared title developments'. However, some of them (4 of 27) emerged in mass housing sites like Güneykent, Halkkent and Çağdaşkent. Moreover, (4 of 27) some appeared in newly developing sites.

Within the total 143 functional plan modifications:

- 65 of them (45%) emerged in order to get additional construction right.
- 40 of them (28%) appeared as a result of inadequacies of plans.
- Furthermore, 19 of them (13%) came into order as a result of problems confronted in implementation process.

It is observed that, in the first period, most of plan modifications came into being with a *plot-based understanding*:

- 60 of 143 totals (42%) in the first period emerged on individual plots

- 22 of 143 totals (15%) came into being on more than one plot in a building block
- 40 of 143 totals (28%) occurred on individual building block, and
- 21 of 143 totals (15%) were appeared on more than one building block.

Although, the first two categories are taken into consideration as indicators of plot-based understanding, some of block-based modifications are seemed to be examples of an extended formation of plot-based ones.

-Second period (1993-2003)

369 of 512 functional plan modifications were approved in the second period:

- **131 of them (36%) came into being in Akdeniz District.** 19 plan modifications appeared in city center. 23 plan modifications emerged in transition zone of city center while a considerable amount (89 of 131 totals) came into being in outer neighborhoods, in mostly ‘shared title developments’.
- **127 of all functional plan modifications (34%) arose in Yenişehir District.** It is observed that there occurred a considerable increase in the amount of plan modifications in newly emerging neighborhoods like 50.Yıl, Menteş, Limonluk, Batıkent and Fuat Morel. 47 of 127 plan modifications came into being on those sites. Especially it is seen that coming out of Carrefour Supermarket and Yenişehir Municipality Building in Limonluk gave rise to this kind of modifications. Plan modifications in built-up areas still took the larger proportion in all functional plan modifications. However, their rate was decreased when compared with first period.
- An increase in the amount of functional plan modifications occurred in Toroslar. **111 of totals (30%) appeared in Toroslar District.** Still, most of them came into being in ‘shared title developments’. However, the amount of modifications in mass housing sites had risen.

Within total 369 functional plan modifications in the second period:

- 110 of them (30%) emerged to get additional construction right.
- 153 of them (42%) appeared as a result of inadequacies of plans.
- 34 of them (9%) came out as a result of problems in implementation process.
- 46 of them (12%) arose as a consequence of modifications in upper-tier plans.

It is observed that, in the second period, most of plan modifications came into being again with a *plot-based understanding*:

- 152 of 369 totals (42%) in the first period emerged on individual plots
- 49 of 369 totals (15%) came into being on more than one plot in a building block
- 116 of 369 totals (28%) seemed to occur on individual building block, and
- 45 of 369 totals (15%) appeared on more than one building block.

Moreover, it is noteworthy that 7 plan modifications emerged within boundaries of more than one neighborhood, generally via modifications in bylaws and plan notes.

-whole frame of the study (1986-2003)

An overview about functional plan modifications is presented in Table 7.2 and Figure 7.9. Within all functional plan modifications, it is seen that most of them came into being in Akdeniz and Yenişehir districts. Especially, in the second period, their amount in Yenişehir increased and almost tripled. However, most significant increase can be seen in Toroslar. The amount of functional plan modifications increased more than four times, when compared with the amount in the first period.

Furthermore, it is observed that functional plan modifications began to be seen in outer neighborhoods of all districts in the second period. In Yenişehir, they began to emerge in newly developing neighborhoods at northern parts of district. Likewise, they began to move towards northern parts of Toroslar where mass housing areas and newly developing sites exist. On the other hand, in Akdeniz District, they moved towards eastern parts of the city (fig. 7.9).

From another viewpoint, it is seen that most of functional plan modifications came into being as a result of *inadequate conditions of development plans*. In this sense, it is assumed that static nature of development plans was not able to cope with changing needs of people. Nonetheless, all demands of people towards changing land use decisions need not to come into order as a result of changing needs. A considerable amount of functional plan modifications emerged *in order to gain additional profits*. On the other hand, it is observed that *problems in implementation process of development plans* made it necessary to approve functional plan modifications.

Table 7.2: Functional Plan Modifications in Mersin between 1986 and 2003

PLAN MODIFICATIONS THAT CAUSE FUNCTIONAL CHANGES		FIRST PERIOD		SECOND PERIOD		ALL PERIODS	
		(1986-1993)		(1993-2003)		(1986-2003)	
		amount (number)	percent. (%)	amount (number)	percent. (%)	amount (number)	percent. (%)
MUNICIPALITY (authority to approve)	MERSİN	143	100%	0	0	143	28%
	AKDENİZ	0	0	89	24%	89	17%
	YENİŞEHİR	0	0	109	30%	109	21%
	TOROSLAR	0	0	75	20%	75	15%
	GREATER MERSİN	0	0	96	26%	96	19%
	TOTAL	143	100%	369	100%	512	100%
DISTRICTS (location)	AKDENİZ	60	42%	131	36%	181	36%
	YENİŞEHİR	45	32%	127	34%	172	34%
	TOROSLAR	27	19%	111	30%	138	28%
	OUT OF BORDERS	9	6%	0	0%	9	2%
	TOTAL	143	100%	369	100%	512	100%
N.HOODS (location)	AKDENİZ	newly developing areas (outer nhoods)		newly dev. areas (outer nhoods)		newly developing areas (outer nhoods)	
	YENİŞEHİR	built-up areas (residential)		dev. areas & built-up (residential)		dev. areas & built-up (residential)	
	TOROSLAR	built-up areas (unauthorised dev.)		built-up & mass housing (unauthorised-res.)		built-up & mass housing (unauthorised-res.)	
REASON	harmonizing development	0	0%	0	0%	0	0%
	additional dev. rights	65	45%	110	30%	175	34%
	problems in implement.	19	13%	34	9%	43	8%
	inconvenience with plans	1	0%	3	1%	4	1%
	inadequacies of plans	40	28%	153	42%	193	38%
	upper-tier plans	0	0	46	12%	46	9%
	court decisions	0	0	8	2%	8	2%
	legal. of infringements	3	2%	8	2%	11	2%
error in fact	4	3%	4	1%	8	2%	
BOUNDARY	individual plot	60	42%	152	42%	212	41%
	more than one plot	22	15%	49	13%	71	14%
	individual bldg block	40	28%	116	31%	156	30%
	more than one bldg block	21	15%	45	12%	66	13%
	neighborhood	0	0	0	%	0	0%
	more than one n.hood	0	0	7	2%	7	1%

Type of plan modifications that resulted with land use alterations can vary. It is seen that *development bylaws* (type 8) were able to effect changes in land use decisions; however considerable amount of this kind of changes appear through *plan modifications* (type 20). It is observed that within 512 totals 508 were functional plan modifications while 4 of them related with modifications in development bylaws and plan notes. Below, firstly, those modifications in bylaws are touched upon and following functional plan modifications are taken into consideration.

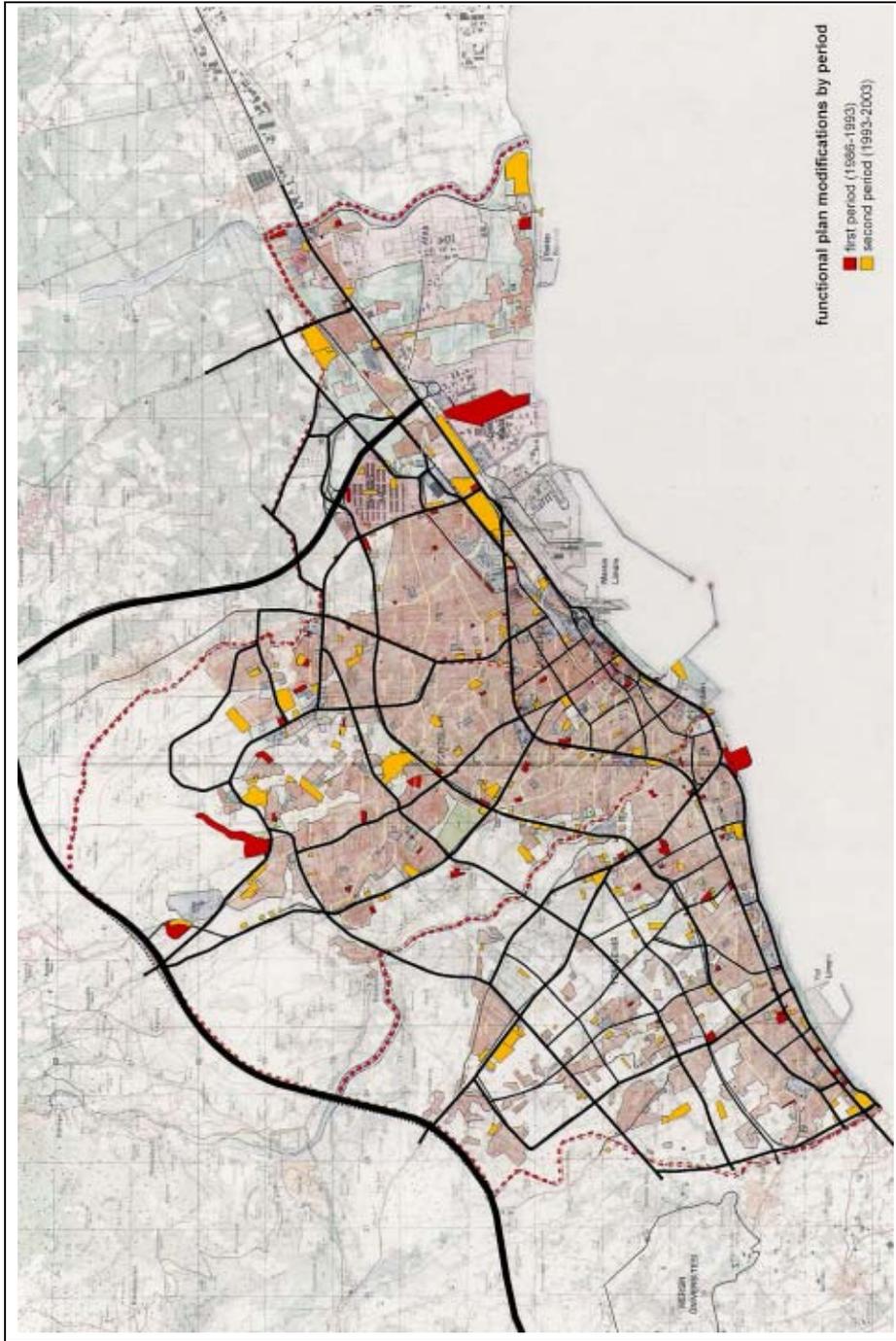


Figure 7.9: Functional Plan Modifications in Mersin by Period between 1986 and 2003

7.2.2.1. Development Bylaws and Plan Notes

Modifications in development bylaws and plan notes towards changing the functional characteristics of urban built environment usually arose as tools for creating a ‘context for control’ for certain land uses. Modifications, approved by Akdeniz Municipality in 1996 with number 140, in 2000 with number 104 and in 2003 with number 103, are examples of this attitude.

The first modification, approved by Akdeniz Municipality in 1996 with number 140 aimed to solve inconformity between master plan and implementation plan, relating to boundaries of central business district. It is stated in council records that commercial developments emerged in areas envisaged to develop as residential in binding development plans. Furthermore, it is pointed out that any commercial development in those areas could be permitted with reference to the revised master plan, which re-defined boundaries of CBD.

Therefore, land use decisions of implementation plans were changed via plan notes in accordance with master plan decisions in order to define the boundaries of CBD and also the core of city center. According to its prescriptions, there would not be any residential development in the core of city center, while residential developments could be developed in other areas of the CBD. In its essence, it attempted to bring forth a *“place of distinction”* and a definition of *“a particular spatial context for control”* on the grounds of functional characteristics of urban built environment within the whole context of the city. On this account, it sought *to create a new spatial context* in Mersin. It seems to be far away from plot-based understanding; rather it is an area-based approach.

The second modification, approved by Akdeniz Municipality in 2000 with number 104 referred to a wider context. It covered the whole Akdeniz District. It was again about commercial developments. In the council records, it is stated that any commercial developments might come into existence along the roads of which the width were 14.50 and wider although those plots were not envisaged to develop as commercial. It is seen that most of those areas were predicted to be residential zones in binding development plans.

In this case, another *“spatial context for control”* was brought forth for commercial activities. It seemed to define commercial corridors in Akdeniz District. It is conceived to

be in-between plot-based and area-based understandings within planning control mechanisms. On the one hand, it dealt with defining commercial corridors; on the other hand, its main concern was the individual urban plots and the land use alterations on them.

Another modification in plan notes, approved by Akdeniz Municipality in 2003 with number 103 was again related with land use alterations, which was towards changing any use to showrooms as soon as the proposal complied with also sanitary bylaws. It seemed to be solely the result of *plot-based understanding* like modification approved by Yenişehir Municipality in 1996 with number 25, which was related with land use alterations from residential use to commercial use. What was necessary for a functional change was the conformity of proposals with the technical specifications of bylaws. Therefore, it is assumed to result with *individual developments in spatial context*. And, a “spoiled spatial context” is supposed to come into existence through these modifications. They are regarded as examples of “***plan modifications towards causing the creation of a spoiled spatial context***”.

Although most of modifications in development bylaws and plan notes were related with morphological characteristics of urban built environment, it is seen that they also had a considerable effect on changing functional characteristics. However, they rarely related with definition of a character area or a particular context for control. Rather they usually came into existence as a result of plot-based understanding. Their main concern was developments on individual plots which might cause the ***formation of spoiled spatial context*** on the basis of functional characteristics of urban built environment.

7.2.2.2. Plan Modifications

As stated above, although plan revisions and bylaws are used as tools to change functional characteristics of urban built environment, main tool for changing them is the functional plan modifications (type 20 in database) in regulatory context. Certainly, they are expected to change the land use decisions of an existing plan. The codification of land use during the preparation of database for plan modifications in Mersin is shown in Table 7.3. And Table 7.4 shows the ‘changes in land use decisions’ with reference to existing land use in development plans and proposed land use in plan modifications.

Table 7.3: Codification of Land Use in Development Plans and Plan Modifications

USE OF LAND	CODE IN DATABASE
No use	0
Commercial	1
Residential	2
Industrial	3
Parks	4
Education	5
Health	6
Street/road/parking	7
Military zone	8
Municipal service area	9
Filling station	10
WPWH	11
Religious	12
Uses under property of public institutions	13
Infrastructure	14
Warehouse	15
Social facilities	16
River basin	17
Mix use	18
Special project area	19
Tourism	20
Port/marina	21
Airplane running track	22
Fair	23
Congress center	24
Cemetery	25
Marketplace for animals	26

Table 7.4: Functional Plan Modifications in Mersin between 1986 and 2003: existing plan decisions and proposed land uses.

Count of TYPE	PROP.																											Grand Total
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	18	19	20	21	22	24	25	26	27		
EXIST. 0				4	1	2					3				2	3										1		16
1			2	2	1				2	3				2														12
2	1	10		34	8	9	2	2	75	8	4	8	15	2	4	1		1										184
3			1		1					1						1												4
4		3	34	1	1	10	8	3	1	9	1	11	8	1	4	3				1			1	1			101	
5		2	6	4			1	6					3		2												24	
6		2	2		2			1								1											8	
7		7	6		1	1						2		1												2	20	
8													1														1	
9		2	4		8	9	6			1	1	2	6	3		8											50	
10		1	2						1											1							5	
11		1	1					1														1					2	
12			4				2																				6	
13			10			2				1				2													15	
14			1		1																						2	
15		3	3		1	4			2	4	1											1					19	
16		2			4		4						2														12	
18														13			1	1									15	
19		3		2		1				3		1		1	1	1											12	
20			1	1								1		1													3	
22					1																						1	
Grand Total		1	35	76	6	59	41	31	7	1	23	92	10	19	30	39	11	18	3	1	2	1	1	1	1	1	512	

Throughout the temporal frame of the study, 512 of 1614 all plan modifications are functional ones and they take a proportion of 33%. When plan revisions, improvement plans, and development plans are excluded from the total, 36% of 1381 plan modifications are seen as functional ones. *It is seen that interventions to the existing plan conditions are concentrated on residential areas, parks and municipal service areas* (Table 7.4).

7.2.2.2.1. Land Use Alterations from Residential Use to Other Uses

Within total functional plan modifications, 184 of them (36%) resulted with alteration of plan conditions from residential use to another use (fig. 7.10). At this point, *it is distinguished that alterations to filling station were noteworthy*. The largest amount of functional plan modifications among 512 totals emerged in residential areas via proposals towards filling stations (Table 7.4 and 7.5). *Residential use was altered towards filling stations via 75 functional plan modifications*. 34 of 182 functional plan modifications (18%) caused land use alterations *from residential use to parks*. And, 15 plan modifications (8%) caused alterations *from residential use to municipal service area*.

Table 7.5: Land Use Alterations in Mersin from Residential Use to Other Uses between 1986 and 2003

	Amount	Percentage
Filling station	75	41.2
Parks	34	18.6
Municipal service area	15	8.3
Commercial	9	5.2
Health	9	5.2
Education	8	4.3
KDKÇA	8	4.3
Public institutions	8	4.3
Others	16	8.6

A. Land use alterations from residential use to filling station

In the first period, only 11 of 75 of land use alterations from residential use to filling station came into being by functional plan modifications. The rest of them are seen in the second period. However, it makes a distinction that 27 of 64 (42%) were appeared in 2003 in the second period. The other years show a more moderate distribution (Fig. 7.11). The development in 2003 seemed to be the effect of changes in regulatory context.

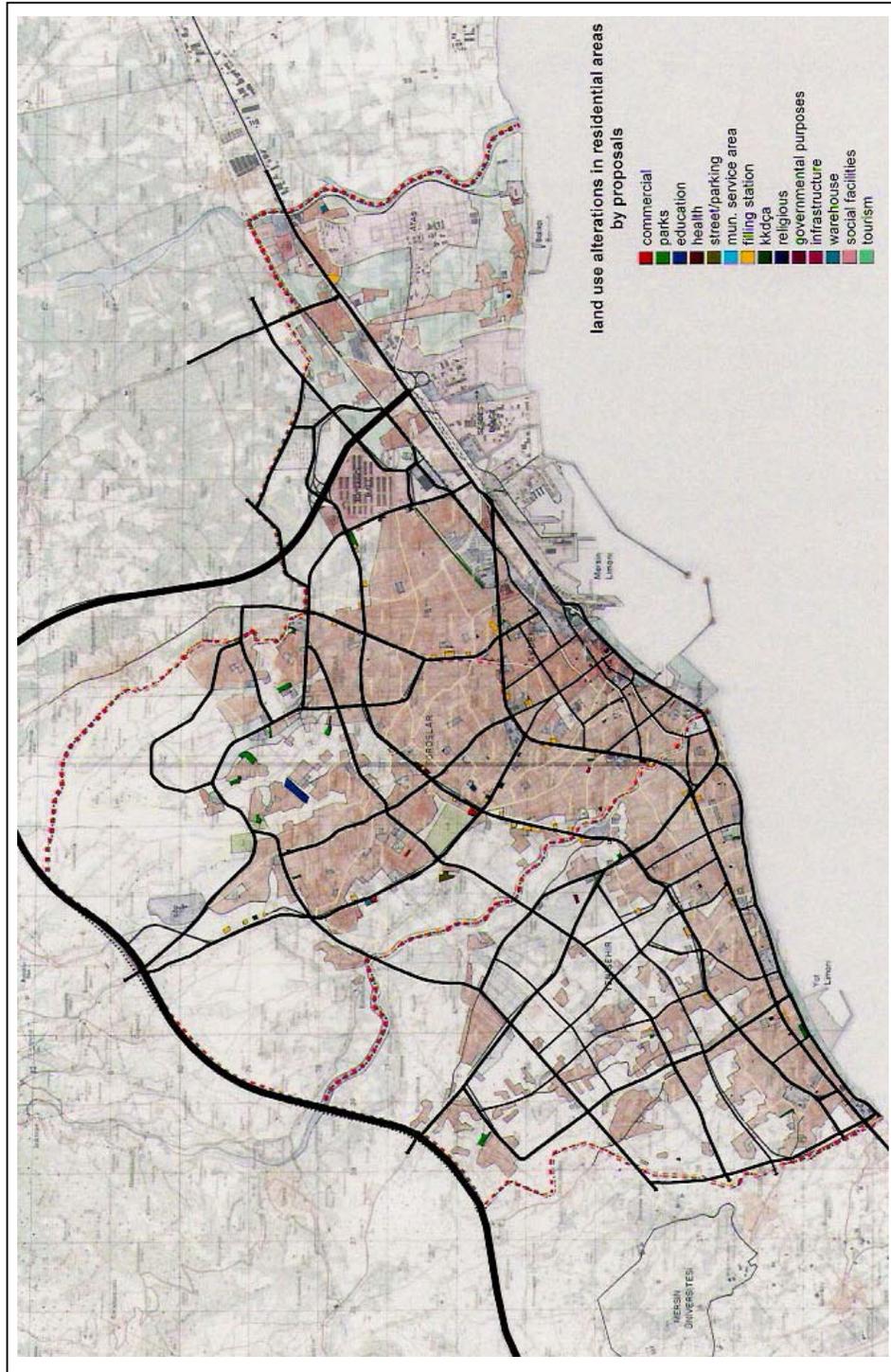


Figure 7.10: Land Use Alterations in Residential Areas in Mersin between 1986 and 2003 by Proposals

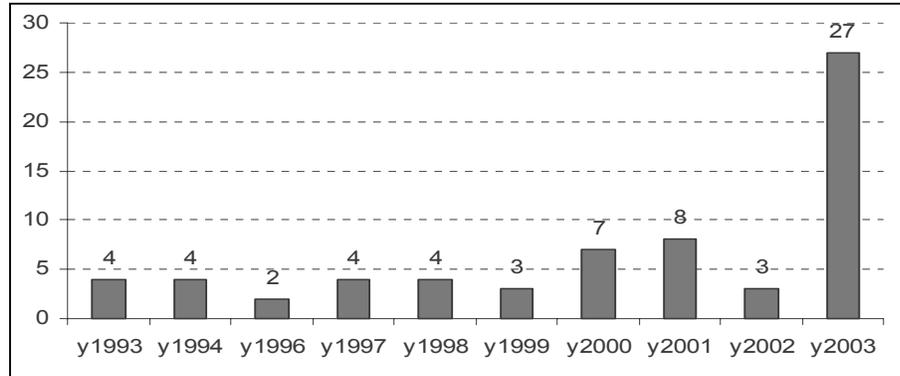


Figure 7.11: The Amount of Functional Plan Modifications towards Changing Residential Use to Filling Stations by Years.

In the last month of 2003, a new law that regulates the petroleum market (Petroleum Market Regulation Law) became operative. According to that law, limitations for filling stations, which depend on the amount of petroleum sold, were brought out. If any filling station distributor sold petroleum under those limitations, its license to sell would have been abrogated at the national level. Therefore, it is observed that many filling stations, which were dealers of different national and international distributors, were opened in order to catch up the limitations through plan modifications in 2003 before Petroleum Market Regulation Law became operative.

Most of plan modifications approved in the lower-tier by district municipal councils were the result of modifications approved by Municipality of Greater Mersin from an upper-tier. Throughout a development bylaw, which is approved by Municipal Council of Greater Mersin in 1998 by number 118, Municipality of Greater Mersin became the dominant authority that gives permission and license to the filling stations.

As a result, in some areas, duplications of functional plan modifications about land use alterations from residential use to filling stations occurred. Once Municipality of Greater Mersin approved them from an upper tier, in the same place the district municipalities also approved it in the lower tier. Consequently, 24 duplications transpired within 75 this type of plan modifications. It corresponds to 51 locations where land use alterations from residential use to filling stations came into being.

Since there are no decisions for the location of filling stations in the existing development plan, this kind of functional plan modification might come into existence as a result of necessity for filling stations. In addition to 75 plan modifications, 17 others also caused land use alterations from other uses to filling stations. This corresponds to total 92 plan modifications that caused land use alterations from other uses to filling stations, and changes from residential use to filling stations covered 81% of them.

As filling stations are considered to be one of the profitable commercial activities, the amount of these plan modifications might not be surprising. However, besides this, '**filling stations bylaw**', which controls only morphological characteristics of filling station plots on the basis of dimensional parameters, seemed to facilitate these plan modifications. It is far away to control their location in the city. It is stated in bylaw that the frontage line of any plot, which is aimed to be altered from other uses to filling station, must be minimum 40 meters. Its setbacks should be minimum 25 meters and plot area would be minimum 1800 m². *As soon as any plan modification proposals comply with the technical concerns of bylaw, Municipality of Greater Mersin would be obliged to give permission to them. It is concerned to be an indication of 'bureaucratization of control mechanisms' that is assumed to prevail in procedural context of control mechanisms.*

Furthermore, these functional plan modifications are good examples for **plot-based understanding** since emergence of filling stations is controlled on individual plots, based on quantitative parameters. Consequently, filling stations became dispersed in spatial context in the course of time. They are scattered throughout 27 neighborhoods, and concentrated in Demirtaş and Zeki Ayan neighborhoods of Toroslar Municipality, Şevket Sümer, Gündoğdu and Nusratiye neighborhoods of Akdeniz Municipality, and Barbaros, Güvnevler and Limonluk neighborhoods of Yenişehir Municipality.

Within this framework, the 'changes in land use decisions' on the grounds of development of filling stations in the spatial context *did not appear to be controlled by development plans*. Rather, *Filling Stations Bylaw, which is concentrated basically on dimensional type of control* (Delafons, 1994), had a considerable effect on the formation of 'changes in spatial context' on the basis of functional changes from residential use to filling station. Since Filling Stations Bylaw brought about a **plot-based understanding** rather than 'places

of distinction’ in the spatial context, it is assumed that it contributed the *‘formation of spoiled spatial context’*

B. Land use alterations from residential use to parks

On the other hand, a large amount (*34 of 182 plan modifications, 18%*) of interventions to residential areas resulted with their *transformation into ‘parks’*. Furthermore, 34 of 59 (57%) land use alterations from any use to parks come into being by changing the use of land from residential use (Table 7.4).

Parks, like roads, are under possession of public and play a considerable role on the formation of public realm and production of use value in urban environments. They may be generated in many scales within a city. “*Small scale parks*” are usually located in neighborhoods, and even on individual plots alongside a street. “*Medium scale parks*” are appeared in urban environments to provide recreational facilities to districts. In addition, “*large scale parks*” contribute to the creation of public realm in city-wide scale and even in regional scale. From this perspective, functional plan modifications that transform residential use to parks can be assessed in a positive way. Within the land use alterations from residential use to parks;

- 14 of them were approved by Yenişehir Municipal Council
- 6 of them were approved by Akdeniz Municipal Council
- 4 of them were approved by Greater Mersin Municipal Council
- 2 of them were approved by Toroslar Municipal Council.

26 of 34 plan modifications were approved in the second period. Only 8 of them occurred in the first period. And, it is observed that 41% of them in general and 53% of them in the second period came into being in Yenişehir District.

When their realization boundary is considered, within the whole, these plan modifications came into existence within boundaries as follows: 44% on individual plots, 20% on two or more plots in a building block, 26% in a building block and 10% in more than one building block. Therefore, *22 of 34 totals were plot-based modifications*, and *12 of 34 totals were block-based*. The plot-based ones are usually small scale parks within a specific residential area. Below, plan modification towards changing land use decisions from residential use to

parks are taken into consideration according to their ‘boundaries of realization’. Since plot-based modifications appeared dominantly within these modifications, firstly they are touched upon.

-Plot-based modifications

Within the total 22 plot-based plan modifications, it is seen that half of them arose *as a result of changing needs of people*. In these cases, development plans became inadequate due to changing conditions in the socio-political context. On the other hand, a considerable amount of plan modifications (8 of 22) *emerged as a consequence of problems in implementation process of development plans*. Moreover, it is distinguishing that one plan modification emerged *as a result of court adjudications*. Below, the cases are taken into consideration according to these findings.

-case(s) 1: modifications as a result of problems in implementation process of development plans

It is observed that, these cases came into being as a result of urgencies during production of urban built environment. For instance, it is stated in Yenişehir Municipal Council Decision, approved in 1998 with number 121, that the use of plot at the issue should be transformed into park from residential use, since it is not available to develop housing on the plot because of the infrastructure networks (fig 7.12).

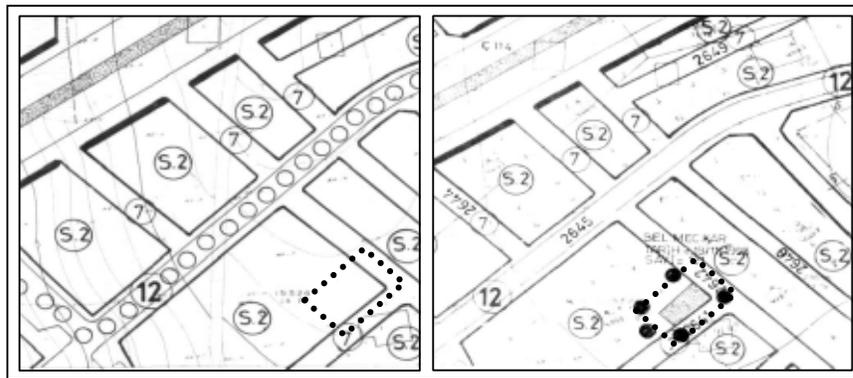


Figure 7-12: Land Use Alterations from Residential Use to Parks, as a result of Problems during Implementation Process: the figure at the left shows the conditions of existing plan on the plot, whereas the figure at the right shows the plan modification that was approved by Municipality Council of Yenişehir (dated 1998 with number 121).

*In that case, it does not seem possible to mention that attitudes of Municipality of Yenişehir were towards creation of new parks in spatial context for creation of a public realm. On the contrary, if it was possible to develop housing in the plot, this plan modification would have come into existence. It is considered that there was a **limited participation of socio-political context** during approval of plan modification. Within the socio-political context, *planning officers in the municipality and the members of municipality council take place in the process.* The plan modification is approved by municipality council according to the reports of planning officers and planning commission with reference to the process defined in procedural context.*

-case(s) 2: modifications as a result of changing needs and conditions

On the other hand, some of the plot-based modifications came into existence as a result of changing needs of people. *They are assumed to make contributions to the creation of public realm.* Moreover, some examples show **particular examples of the involvement of individuals**. Plan modification that was approved by Municipality of Mersin, was an example for those cases. It is specified in related municipality council decision (dated 1993 with number 69) that the plot owner was also the owner of neighboring plot and he donated the plot to Municipality of Mersin formerly in order to be used as park. However, Municipality of Mersin decided to sell it to third parties in order to develop housing on the plot. Hence, it was transformed to residential use through a Municipality Council Decision in 1992 with number 255. At this point, the individuals in the surrounding context developed their reaction against the council decision. What they requested from Municipality of Mersin was to use the plot as a public park. As a result of pressures by inhabitants and ex-owner of the plot, it was transformed from residential use to park (fig. 7.13).

In this case, interests of Municipality of Mersin and individuals in the residential area seemed to come against to each other within socio-political context. *Development pressures* in socio-political context came into effect via *individual actions* of Municipality of Mersin, the local authority that is assumed to control the development of urban built environment and ‘changes in spatial context’ in favor of public benefit. The reason for the modification was to gain profit through housing development while individuals would like to use the plot as a public park.

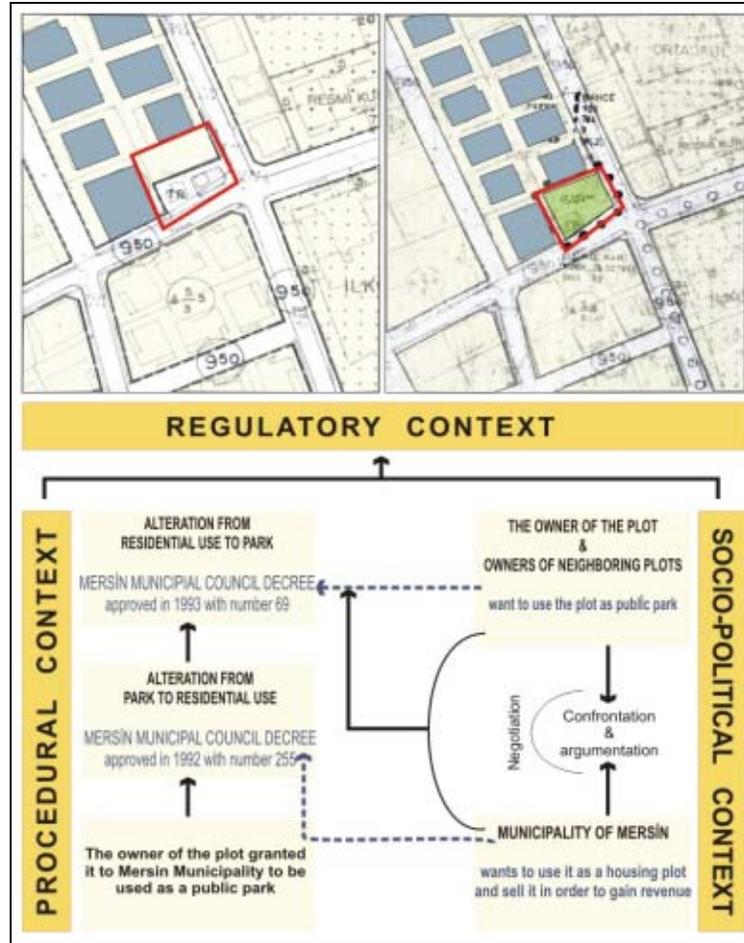


Figure 7-13: Land Use Alterations from Residential Use to Parks, as a result of the Changing Needs and Conditions: the figure at the left shows the conditions of existing plan in the plot, whereas the figure on the right shows the plan modification that was approved by Municipality Council of Mersin (dated 1993 with number 69).

The individuals in the surrounding context involved to planning control mechanisms via submitting their proposal to Municipality of Mersin. Where planning process and control mechanisms are left only to only municipality or planner, ‘bureaucratization of control’ is subject to come into existence. In those cases, usually *standardization* becomes a point of reference. Yet, confrontation and argumentation processes began to take place in control mechanisms. In this sense, *the social consciousness in control mechanisms was raised* in the process. Furthermore, it seemed to be an example of *context-based control* on the basis of responses to needs of individuals in socio-political context.

-case(s) 3: modifications as a result of Supreme Court's adjudications

On the other hand, in the cases where the problems within the control mechanisms cannot be solved through argumentation and communication between local actors, central actors might appear in the process. In these cases, central actors might be the planning officers of central government or administrative court and the Supreme Court itself. As observed in some cases, the ones who gain adverse effect from the 'change in spatial context' might bring the case on to administrative court.

Yenişehir Municipal Council Decision, approved in 1995 with number 77, seems to be one of the examples of this attitude. By this decision, residential use of more than one plot is transformed into park as a result of Supreme Court decision. However, the problem goes back to another Municipal Council Decision, which was approved by Municipality of Mersin in 1987 with number 378, by which the use of plots at the issue was changed to residential use from park. After that, one of the owners of neighboring plots objected that plan modification and appealed the case.

Contrary to the previous case, in this one, argumentation and communication process did not end with agreement between local actors within socio-political context. Therefore, the owner of neighboring plot used his right to appeal the case on administrative court. In those cases, as stated in Chapter 5, adjudication process is carried on after expert reports and judges give the final decision. If any actor has still complaints about the situation, he might carry the case on to Supreme Court, which is the final central adjudication authority in the Turkish administrative law. As a result of this process, every actor taking place within control mechanisms is obliged to abide the adjudication of court decisions.

In this case, the adjudication process was brought on to Supreme Court by the owners of neighboring plots. Plan modification which was approved by Municipal Council Decision of Yenişehir in 1995 with number 77 (fig. 7-14) was the result of this process. Through this decision, Yenişehir Municipality complies with the final judgment of local administrative court and Supreme Court. By this way, use of plots is altered from residential use to parks.

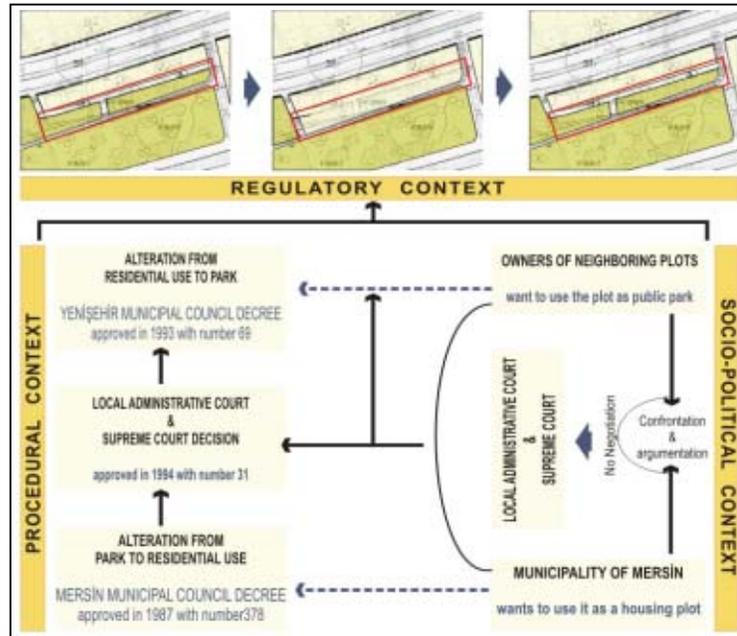


Fig. 7-14: Land Use Alterations from Residential Use to Parks as a result of Supreme Court Adjudications: the figure at the left shows the conditions of existing plan in the plot, whereas the figure on the right shows the plan modification that was approved by Municipality Council of Yenişehir (dated 1995 with number 77). The figure in between them shows the plan modification approved by Mersin Municipal Council in 1987 with number 378.

In this case, the local planning authority (Yenişehir Municipality) acted along with *development pressures* that demanded the park to be opened to housing development as it was similar in the previous case. What distinguished this case were the disagreements between actors in the socio-political context. Operation of control mechanisms could not function in its contexts and a *context-based control* could not be developed. Therefore, administrative courts as one of the central authorities in planning control mechanisms, intervened to processes to solve the conflicts.

The cases, brought on to administrative courts, are assessed to be the examples for uncovering bottlenecks in operation of planning control mechanisms via external forces. Along this path, *a context-based control* is tried to be developed *outside the context*. Starting force for this process was given by owners of neighboring plots, who got involved to the process through adjudication process.

Plot-based modifications are assumed to be very specific in their surrounding context. In their essence, *although functional plan modifications that transforms residential use to parks, can be assessed positively in creating a use value and making contribution to the creation of public realm, plot-based ones cannot give response to the needs of community at city-wide scale.* However, especially the latter two cases are significant in showing the sensitivity of inhabitants that have adverse effect as a result of plan modifications. In those cases, inhabitants give a *proactive response to changes in spatial context* within the control mechanisms.

-Building block based modifications: Marina Park

Besides the plot-based ones, block-based functional plan modifications that transform residential use into parks can give response to the changing needs of community. One case for this example came into being in one of the most controversial places in Mersin. The place is called “Marina Park”, which is located near Mersin Marina in Yenişehir District.

Plan modification which changed land use from residential to park was approved by Yenişehir Municipal Council Decision in 2001 with number 52. However, it is the end of a long process. The place at the issue had encountered totally seven plan modifications until being “Marina Park”. These were all in essence, functional plan modifications. Some of them transformed the use of place from park to residential use and some others from park to residential use. Therefore, two types of functional plan modifications are taken into consideration while evaluating the cases in Marina Park.

Before those entire functional plan modifications, ‘Development Plan for Western Mersin’, came into force in 1986, emphasized that land use of the place at the issue would be a public park. However, beginning with plan modification approved in 1991 by Municipal Council of Mersin with number 342, it was area was desired to be developed as a residential area to solve the problems of unauthorized housing at the place. However, in 1995, Municipal Council of Greater Mersin approved a plan modification by number 9 in order to change its residential use to public park. Within this perspective, since this modification was approved by Municipality of Greater Mersin in upper tier, it should be approved also by Yenişehir Municipality in lower tier in order to be realized.

At this point, Yenişehir Municipality seemed to prefer the place to develop as residential area in order to solve the unauthorized housing problems. Therefore, Yenişehir Municipality did not approve the same modification in lower tier through Municipal Council Decision (dated 1997 by number 33) and land use remained basically as the same condition as that was in 1991. Nonetheless, this plan modification was refused by Municipality of Greater Mersin. After that, Yenişehir Municipal Council put forward a new proposal for the area and approved it in 1997 by number 111. The place was still accepted as residential area. It was again refused by Municipality of Greater Mersin and sent it back to Yenişehir Municipality for the revision of the decision.

Hence, two alternatives occurred for Yenişehir Municipality. First was to change the use of land as Municipality of Greater Mersin required or second was to insist on their allegation and develop the place as a residential area. For the latter, Yenişehir Municipal Council must insist on their previous decision and approve it with a 2/3 majority of councilors. It is seen that, the councilors insisted on their previous decision with a 2/3 majority. In this sense, Municipality of Greater Mersin had no right to refuse it.

However, 1999, the date for local elections in Turkey, was critical for the developments in Marina Park. After local elections, all municipalities and their councilors were renewed. Then, the contradictory condition between two municipalities appeared to reach an end. As a result, the use of land in Marina Park was changed from residential to public park at both municipalities (fig 7.15). Firstly, it was approved by Greater Mersin Municipal Council in 2001 by number 39 and secondly by Yenişehir Municipal Council by number 52.

The last plan modifications in 2001 are examples for land use alterations from residential use to park. However, there were strong *confrontations*, *argumentations* and *negotiations* behind them. Especially, before 1999, two municipalities, as two actors in socio-political context, appeared to insist on their own decisions. On this account, Greater Mersin Municipal Council seemed to examine the problems from an upper tier and to try to produce a park for the public in general. On the other hand, Yenişehir Municipal Council seemed to apprehend the condition in a more localized way and to pay attention for the users of unauthorized housing. In other words, interests of two diverse municipalities made them to change functional characteristics of urban built environment in different ways. Along this path, two municipalities came up against to each other many times.

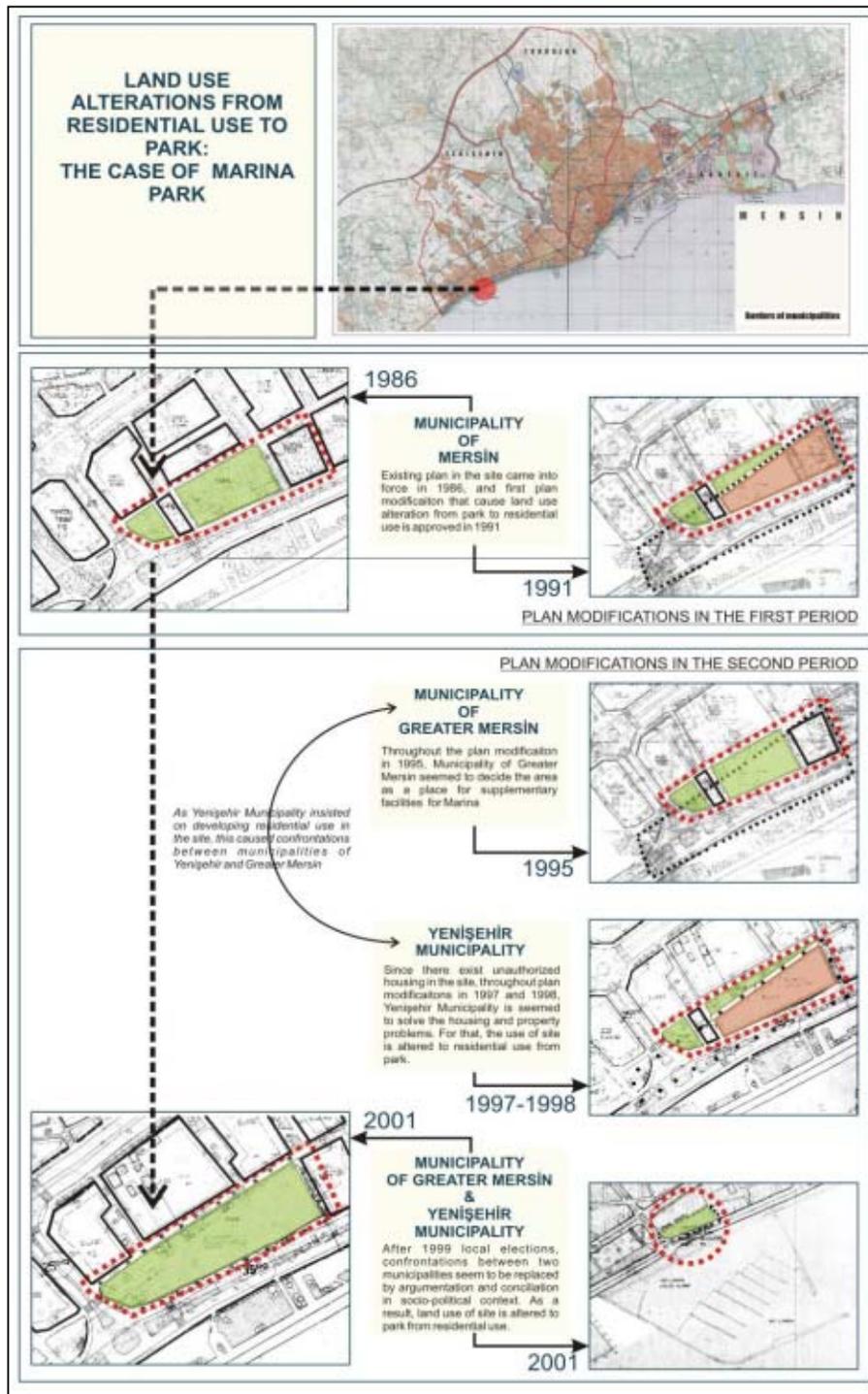


Fig. 7.15: Land Use Alterations from Residential Use to Park: The Case of Marina Park

It is seen that the attitudes of both municipalities gave rise the *tensions within contexts of planning control mechanisms*. However, after 1999, instead of confronting with each other, two municipalities were assumed to discuss their priorities, needs and preferences and reach to a common denominator through *argumentation* and *communication* processes.

It seems to be significant that anticipations of ‘Development Plan for Western Mersin’ were realized seventeen years after its approval. The tensions of static nature of regulatory context over planning control mechanisms are conceived to produce further tensions in socio-political context on the basis of functional characteristics of urban built environment. The dynamic nature of socio-political context changed continuously within the complexity of planning control mechanisms. However, it is seen that plan modification process concluded with modification of actions of actors in front of regulatory context that preserved its attitude during the process.

7.2.2.2.2. Land Use Alterations from Public Parks to Other Uses

Besides the previous functional plan modifications, the ones towards causing changes in land use decisions from public parks to other uses appeared to take a considerable proportion within totals. They have a proportion of 19% with a total number of 101.

As it was mentioned in Chapter 5, parks like roads are appropriated by public through the process called “Land Readjustment” in Turkish planning legislation. By this way, a use value is assumed to be created for the general public. Along this path, land use alterations from parks to other uses stand in a critical position in all functional plan modifications. Through this type of plan modifications, a value created by the public is given to anybody for his/her private purposes.

Among all plan modifications towards causing changes in land use decisions from parks to other uses, transformation to residential use takes a prior place (fig. 7.16). Besides, parks were changed into uses under public property such as education, health, municipal service area, religious places and public service areas. It shows that, public authorities had a tendency to demand land use alterations in parks for their purposes. *Prior analysis group for land use alterations in parks is that caused changes to residential use* since it has a considerable weight in this type of functional plan modifications.

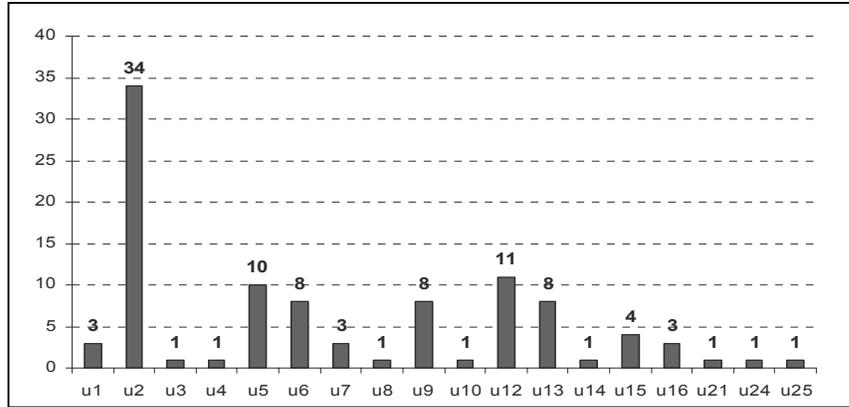


Fig 7.16: Distribution of Number of Functional Plan Modifications That Changed the Use of Land from Parks to Other Uses between 1986 and 2003

A. Land use alterations from parks to residential use

It is observed that land use alterations from parks to residential use came into being basically via *plot-based modifications*. Within 34 totals, 25 plan modifications emerged in this way. In Akdeniz District, they are seen mostly in neighborhoods out of city center. In Yenisehir District, plan modifications came into being in built-up neighborhoods such as Piri Reis, Güvencüler and Cumhuriyet. Moreover, this type of plan modifications emerged generally in unauthorized developments in Toroslar.

As far as their reasons are concerned, it is observed that most of these modifications emerged *in order to gain additional construction rights*. On the other hand, a considerable amount of modifications appeared *as a result of problems in implementation problems*. These frequently come into existence as a result of Land Readjustment Process in order to produce urban plot. The cases for land use alterations reveal diversity according to their ‘reason for realization’. Therefore, below they are examined by these reasons.

-case(s) 1: modifications in order to gain additional construction area

Most of these modifications emerged as a result of the attempts to open new plot for residential development. For instance it is stated in Mersin Municipal Council Decision, approved in 1987 by number 452, that the plot owners at the issue wanted to change its use from park to residential use. On this account, one of two park areas on development plan

was changed into residential use in order to allow housing development. Furthermore, one of the plots within building block is taken by municipality as a result of this change.

This case and the similar ones reveal that municipalities seemed to conceive themselves as the owner of all parks in the city and they tried to gain profit from parks through functional plan modifications. As far as the parks are not owned by a person or authority, they belong to public. Therefore, they cannot be evaluated as a normal plot of other uses. In the Turkish planning system, municipalities are charged with maintenance of parks and controlling their sustainability. On the contrary, these cases highlighted the attitude of municipalities towards parks: *parks are conceived to be residual areas* that might be open to housing development when/wherever it is needed.

-case(s) 2: modifications as a result of problems during implementation process

It is seen that the amount of LRS taken from plot owners is at the very center of most of problems during implementation process of development plans. For instance, it is stated in Mersin Municipal Council Decision approved in 1986 by number 511 that 65% of cadastral plot is taken from the owner during plan implementation process. Therefore, Municipality of Mersin must expropriate the excess amount over 35% of cadastral plot. Frequently, none of the municipalities tend to pay for such expropriations; instead they approved plan modification in order to decrease LRS to its legal limitations -to 35%. And, it is seen that, commonly, in municipal council decision records, the LRS was labeled as “*wastage ratio (zayiat)*”.

In Mersin Municipal Council Decision it is recorded that, “within the plot at the issue, *the wastage ratio* is 65%, and the owner applies municipality in order to decrease it to legal frames”. It is observed that parks are conceived as abandoned areas in the urban built environment by municipalities. As a result of modifications from parks to residential use, plot owners inevitably would gain additional construction area. However, *this kind of plan modifications are seen as the ones that come into existence as a result of problems in plan implementation process* dependent on the land readjustment share (LRS).

Although urban development plans are the main documents in regulatory context to control implementation process, they are not taken into consideration as a result of problems during implementation process. From this perspective, *‘land readjustment process’ and*

‘even distribution of development rights’ are supposed to become instruments to control ‘changes in spatial context’ instead of development plans.

*Development plans might be inadequate for creating a vision for the development of distinctive cities with their static nature. Nonetheless, in these cases, it is not stated that development plans have such inadequacies. Their inadequacy is reduced to in compliance to “land readjustment share” sentenced in article 18 of Development Law. **This kind of plan modifications reveal the inadequacy of regulatory context of Turkish planning system in producing innovative planning control tools for the implementation of development plans** like design guides, design codes or ZAC in the British, US and French examples for the improvement of place character and places of distinction. These plan modifications show the domination of quantitative control in the Turkish planning system, which left controlling public parks solely to land readjustment process on the basis of distribution of development rights in a technical manner.*

The cases emerged through approval of Toroslar Municipality reveal distinctive examples for this attitude. 3 of 9 total such modifications in Toroslar occurred in Çavuşlu neighborhood, within neighboring places. The surrounding context of the place at the issue was anticipated as a residential area with its schools and social facility areas. Land use map shows us that the place was a built up area in 2001. Development at the place depends on the plan modifications approved by Toroslar Municipal Council in 1994. These plan modifications were approved by numbers 79, 98 and 106 respectively (fig. 7-17).

First plan modification seemed to be the precedent for others. It is stated in Toroslar Municipal Council Decision, dated 1994 with number 79, that the plot owners applied to planning department of Toroslar Municipality and demanded to develop housing at the place. As it is seen in fig. 7-17, the place was predicted to be a public park in residential areas between two large roads. However, Toroslar Municipal Council gave a decision to develop the place as residential. Although there was not a brief explanation about this evaluation, it is seen that, the land was going to be used out of anticipations of development plan. Furthermore, as a result of this modification new land was opened for residential use, although there were sites for residential development, determined in development plan.

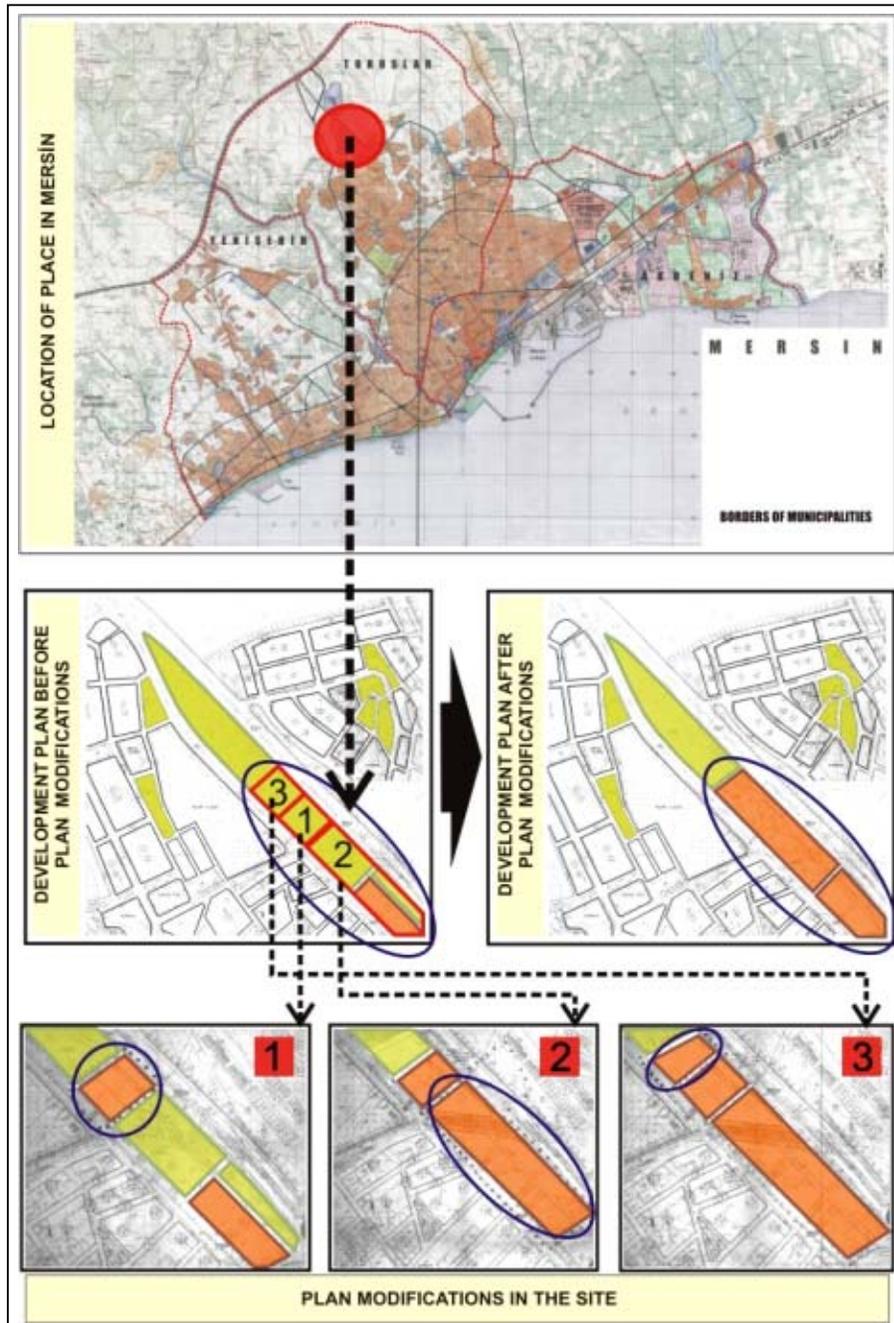


Fig. 7.17: Land Use Alterations from Parks to Residential Use as a result of Problems during Implementation Process: three plan modifications that were approved by Toroslar Municipal Council in 1994 by numbers 79, 98 and 106 reveal a typical case for land use alterations from park to residential use. Through these three modifications, each became precedent for others; the integrity of plan cannot be sustained. From this perspective, these plan modifications are seen as the examples for other ones that contribute to formation of spoiled spatial context.

On the other hand, this plan modification seems to be precedent for the next modification. Toroslar Municipal Council approved a similar one on the neighboring plot in 1994 with number 98. In this case, LRS taken from the owner of cadastral plot was also seen as *wastage land (zayiat)*. As a result, alteration of land use from park to residential use seems to be justified by municipality. Same reason was adapted to also third plan modification, which was approved by Toroslar Municipal Council in 1994 by number 106. The reasons were clearer in this case. Besides conceiving the amount of land taken from cadastral owner as wastage, other reasons for this plan modification were to revitalize housing sector and to regularize the housing development areas.

These plan modifications are typical for *land use alterations from park to residential use* that have a reason *to open new housing area in the city*. Once one of them came into being, it would be precedent for others. Furthermore, they show that *parks are conceived to be residual areas for any housing development*. On the one hand, they are used to solve problems confronted in implementation process; on the other hand, they are immediately altered into residential use when anyone applies to municipality. By this way, continuity of park on development plan was spoiled in the spatial context. In other words, they are seemed to be the *weakest chain among other uses* in development plans. In both conditions, the values created by public are transferred to private benefits. Within this perspective, these plan modifications are conceived as the ones that contribute the formation of a *spoiled spatial context*.

-case(s) 3: modifications as a result of Supreme Court's adjudications

Apart from the examples above, **three** land use alterations from parks to residential use occurred due to Supreme Court's judgments. Those plan modifications transpired in the city center of Mersin. For instance, in Bahçe neighborhood, land use was changed from park to residential use on an individual plot by means of Akdeniz Municipal Council Decision in 1999 by number 6. In the records, it is stated that the plot was encountered with another functional plan modification that resulted with alteration from residential use to park via Akdeniz Municipal Council Decision in 1994 by number 129 (fig. 7-18).

Since it is sentenced in Turkish planning legislation that each plot has to have a frontage line with a road or street that surrounds the building block, the plot at the issue remained inside the building block individually and Akdeniz Municipal Council seemed to develop

it as a park. By this way, it would be able to use it in a multi-purpose way inside the building block.

However, in this situation, the plot owner seemed to oppose this alteration and would like to use it as residential area for his own benefit. Hence, he brought the case on to administrative court and wanted to appeal it. As a result of the jurisdiction process, it was prescribed by Supreme Court that alteration of residential use to park did not suit with public benefits, and individual benefit of the owner was injured. As a result of this process, the plot at the issue was altered to residential use again by Akdeniz Municipal Council decision in 1999 by number 6 (fig. 7-18).



Figure 7.18: Land Use Alterations from Parks to Residential Use as a Result of Supreme Court Adjudications: plan modification was approved by Akdeniz Municipal Council because of administrative court judgments. The figure at the top on right shows the situation after plan modification that is approved by Akdeniz Municipal Council Decision in 1994 by number 129 and the figure below shows the situation after plan modification that is approved by Akdeniz Municipal Council Decision in 1999 by number 6 as a result of administrative court judgment.

Plan modification towards changing land use decisions from park to residential use was a consequence of dismissal of the previous plan modification by local administrative court and Supreme Court and alteration from residential use to park was assumed to be an intervention to ‘right to private property’ by Supreme Court. *Behind this functional plan modification, in its essence, there laid morphological problems originating from plot-based understanding, embedded in regulatory context of Turkish planning system.*

As pointed out in Chapter 5, in the Turkish planning system, building blocks are formed in order to produce individual urban plots on the grounds of distribution of development rights. Development inside the plots has no or little relation to its adjacent plots. Hence, operation of planning control mechanisms is reduced to controlling the distribution of development rights on a plot-based understanding. This is supposed to result with *average spaces*. In all residential areas or in city center or in anywhere else, rectangular building blocks, which are the result of togetherness of standard plots, became the dominant living environment. All plots are individualized and leave no place for common use, such as courtyards or parking areas in these building blocks. Each plot has a garden of its own and the owners are free to use them separately. Formation and designation of building blocks as a basic element of urban space production is not seemed to be taken into consideration. The problem at this point is *how to change the situation from one in which actors behave independently to one in which they formulated coordinated strategies* (Olstrom, 1990).

From this perspective, in the former case, Akdeniz Municipality seemed to make use of the plot for common uses inside the building block as it was placed at the center of building block and has no frontage line to any road. However, since all plots are individualized and allowed to be developed separately, inevitably each owner would want to maximize his benefit from the development on the plot. Creating common places in building blocks requires a different approach during distribution of development rights at a larger context.

B. Land use alterations from parks to municipal service areas (MCA)

It is observed that nine functional plan modifications towards changing land use decisions from public parks to municipal council areas occurred throughout temporal frame of the study. This corresponds to 9% in all land use alterations from parks to other uses. Although the amount of this type of land use alterations was smaller than the ones from parks to

residential use, they are taken into consideration for the special use of municipal service area in development plans and the special consideration during implementation process.

Municipal service areas are the uses in which any activities related with municipalities came into being. It might be a large area that is used for vehicle parking area or an area used for city hall. Furthermore, they might be used for other municipal-related activities. Therefore, it embraces a large domain of uses. During the implementation process, municipal service areas are acquired through *land readjustment plans*, by which also parks are appropriated with reference to *land readjustment share*. The way for ***appropriation of municipal service areas*** is different than that of parks. This difference originates from the ownership of parks and municipal service areas. As mentioned above, parks do not belong to any natural person or legal entity. Property owner of parks is public of its own. On the other hand, the property owner of municipal service areas is municipality as a legal entity and they are assumed to be used for their needs and services. Therefore, they are assumed to be used for public services by municipalities.

Within this framework, municipal service areas are possessed by the related municipalities through “***public share (PS) (kamu ortaklık payı-KOP)***” appropriated from property owners within the boundaries of land readjustment. Different from “land readjustment share”, “***public share***” is ***subject to a compulsory purchase by related municipalities***. Every private person is shared to municipal service areas equally on the basis of public share (PS) during the land readjustment process¹⁵. After that, municipalities are expected to expropriate the municipal service area and pay its price to shared persons with reference to their PS in the area in order to be the only property owner. It is a compulsory action, needed to be directed by municipalities. Until the end of this process, municipal service areas remained under property of shared private persons.

Appropriation of municipal service areas in the urban built environment does not seem to be a trouble-free process since there exists many ‘public shares’ in the area and it requires expropriation by municipalities. Thus, land use alterations from any use to municipal service areas are supposed to be the indicator for the desire of supplying public services by municipalities. However, especially four of nine plan modifications that caused land use

¹⁵ PS is the ratio of public uses, such as MCA, schools, hospitals etc. to the private uses within land readjustment boundaries

alterations from parks to municipal service areas seemed to represent other ways of their use in plan modifications.

They were approved by Municipality of Mersin in 1987 with number 227 and with number 527, by Yenişehir Municipality in 1995 with number 144 and in 1998 with number 12. Their common point was pointed out in related municipal council records that they came into being as a result of problems during the plan implementation process. In the first case, LRS was 45% and in the third 49%. These two cases were related with development plans. First was ‘Development Plan for Western Mersin’ that came into action in 1986 and the second is ‘Plan Revision for Western Mersin’ that became operative in 1995. Since land readjustment shares would exceed the legal frames, related municipalities faced with the compulsory purchase for the amount that exceeds 35% as it was mentioned in the previous parts. *In these cases, it seems that, in order to avoid the bill for expropriation, municipalities tend to approve plan modifications that change the use of land from parks to municipal service areas.* Consequently, the excess amount over 35% was changed to municipal service area from parks.

Among nine modifications, only one of them is supposed to be the result of a search for creating areas for public services. In Yenişehir Municipal Council Decision, approved in 2000 with number 89, it is stated that the plots at the issue were altered to municipal service area from park in order to develop a cultural center and plaza. This modification came into action in the area that is so-called “Muğdat Plaza”, which is one of the public investment areas of Yenişehir Municipality, like Marina Park in the urban built environment.

Besides these cases, although it is not stated clearly in municipal council records, the other four seems to be the result of problems encountered during implementation problems, concerning the amount of land readjustment shares. *The emergence of these plan modifications can be considered as a consequence of implementation problems. However, it gives indications about the behavior of municipality against parks and public services in the urban arena. They seemed to be taken as **wastage areas in urban built environment that are acquired through the compulsion of standards in planning legislation.***

7.2.3. Plan Modifications towards Changing Morphological Characteristics: Morphological Plan Modifications

The ‘changes in spatial context’ via functional plan modifications might not be perceptible in the urban built environment since the physical changes in the spatial context were limited. However, morphological plan modifications might be more observable than the functional ones. They are related with the physical settings of the urban built environment. The basic types of morphological plan modifications might cause changes in:

- building block forms (type 7)
- building heights (type 11)
- setbacks and plot dimensions (type 15)
- building arrangement (type 19), or
- width of streets (type 32)

However, it is observed in many cases that each type might occur together with another type and cause changes in:

- building block forms and building arrangement (type 9)
- building heights and building arrangement (type 12)
- building blocks forms, building arrangement (building heights) and setbacks (type 16)
- building heights and setbacks (type 18)

All types of *morphological plan modifications* (totally 395) take place within the whole plan modifications at a rate of 24%. 156 of them came into existence in the first period and 239 morphological plan modifications appeared in the second period (fig. 7.19).

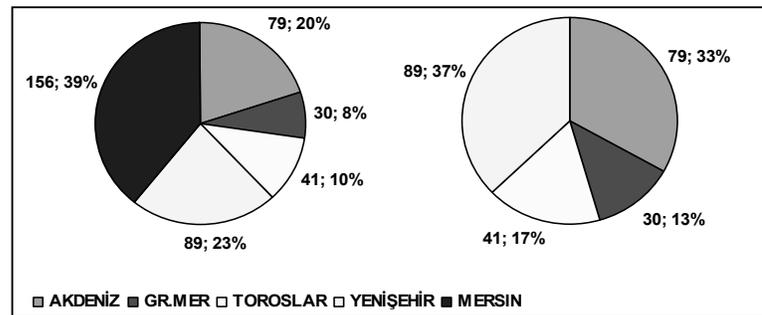


Figure 7.19: Morphological Plan Modifications in Mersin between 1986 and 2003 by Municipalities. Figure at the left shows morphological plan modifications within the whole temporal frame, while figure at the right shows the ones in the second period.

-First period (1986-1993)

Among 156 morphological plan modifications in the first period:

- **75 of them (48%) morphological plan modifications emerged in Akdeniz District.** Most of them (33 of 75) appeared in the transition zone of the city center. Furthermore, 28 plan modifications came into being in the city center and 14 plan modifications came out in the outer neighborhoods, which were consisting of mostly 'shared title developments'
- **49 of them (31%) appeared in Yenisehir District.** Most of morphological plan modifications (31 of 49) arose in built-up residential areas, in neighborhoods such as Palmiye, Barbaros and Bahçelievler. The others emerged in both newly developing sites and in 'shared title developments'.
- **30 of them (21%) came into being in Toroslar District.** They mostly appeared in 'shared title developments'. 25 of 30 plan modifications transpired in this region. The others emerged in newly developing sites.

In the first period, within the total 156 morphological plan modifications:

- 53 of them (34%) emerged in order to harmonize the development with its surrounding context
- 41 of them (26%) appeared as a result of problems during implementation process.
- 39 of them (25%) came into being in order to get additional development right.
- Furthermore, 7 of them (4%) existed as a result of changing needs of people.

It is observed that, most of morphological plan modifications in the first period were block-based ones:

- 32 of 156 totals (42%) in the first period emerged on individual plots
- 31 of 156 totals (15%) came into being on more than one plot in a building block
- 21 of 156 totals (28%) seemed to occur on individual building block, and
- 70 of 156 totals (45%) appeared on more than one building block.

The last two categories imply that block-based modifications were dominant. Besides, one plan modification was influent in boundaries of one neighborhood whereas another one

refers to the whole city. It is seen that the latter was a modification in plan notes and development bylaw prescriptions.

-Second period (1993-2003)

In the second period, most of 239 morphological plan modifications appeared in Yenişehir District:

- **101 of 239 (42%) plan modifications came into existence in Yenişehir District.** In the second period, they began to be seen in newly developing residential areas: in 50.Yıl, Menteş and Fuat Morel neighborhoods. 39 plan modifications appeared in these neighborhoods, while 38 plan modifications emerged in built-up neighborhoods. And it is observed that, most of morphological plan modifications resulted with changes in building arrangement, in arrangement of building blocks and in setbacks and plot dimensions.
- **83 of totals (35%) appeared in Akdeniz District.** Most of them (34 of 83) emerged again in transition zone of city center. Furthermore, a considerable amount of plan modifications (23 of 83) arose in the city center of Mersin.
- **49 of totals (21%) came into being in Toroslar District.** Since the settlement pattern in *Toroslar District* depends on mostly the shared title developments, by the time, morphological plan modifications seemed to be used to change building block forms. It is observed that most of the cases (25 of 49) came into being in ‘shared title developments’, in Demirtaş, Kurdalı and Çukurova neighborhoods.

It is observed that 30 of total 239 morphological plan modifications were approved by Municipal Council of Greater Mersin in the second period. 12 of them were in Yenişehir District; 8 plan modifications were in Toroslar District; and 4 plan modifications were in Akdeniz District. Furthermore, 5 plan modifications were related with morphological issues in plan notes and development bylaws and covered all municipalities (Table 7.6).

In the second period, within the total 239 morphological plan modifications:

- 24 of them (10%) emerged to harmonize the development with its surrounding
- 87 of them (36%) appeared as a result of problems in implementation process.
- 66 of them (28%) came into being in order to get additional development right.
- 25 of them (10%) existed as a result of changing needs of people.

- It seems to be distinguishing that 16 plan modifications (7%) came into being in order to legalize the infringements in planned urban environments.

It is observed that, most of morphological plan modifications in the second period were block-based ones as it was the case in the first period:

- 69 of 239 totals (29%) in the first period emerged on individual plots
- 19 of 239 totals (8%) came into being on more than one plot in a building block
- 41 of 239 totals (17%) were seemed to occur on individual building block, and
- 93 of 239 totals (39%) were appeared on more than one building block.

Besides, 9 plan modifications were influent in boundaries of more than one neighborhood whereas other 8 modifications referred to the whole city. It is seen that these modifications were the ones in plan notes and development bylaw prescriptions.

-whole frame of the study (1986-2003)

Within the whole temporal frame of the study, throughout all, only one of morphological plan modifications seemed to come into effect through approval of *plan revision*, approved by Municipality of Greater Mersin in 1993 with number 107. It seemed to bring about a new design for “Atatürk Parkı”, which is the oldest and the largest park in the city center.

On the other hand, ‘changes in morphological characteristics’ emerged through 11 modifications in development bylaws and plan notes. The rest of morphological changes in spatial context occurred through plan modifications, of which the main types are mentioned above. In both periods, the most common morphological plan modification type is the one that caused *changes in building heights* (type 11). The other mostly seen morphological plan modifications seemed to cause changes in *building arrangement* (type 19), *in road sections* (type 32), *in setbacks and plot dimensions* (type 15), and *in building block forms* (type 7). Among these types, a sharp increase is observed in types 15 and type 7 in the second period, whereas the other ones seemed to show little changes in total. Although the other types of morphological plan modifications seemed to place a less amount within the whole, type 8 has a considerable increase (from 1 to 10) in the second period. Type 8 shows the morphological changes that come into force through modifications in development bylaws or plan notes (fig. 7.20).

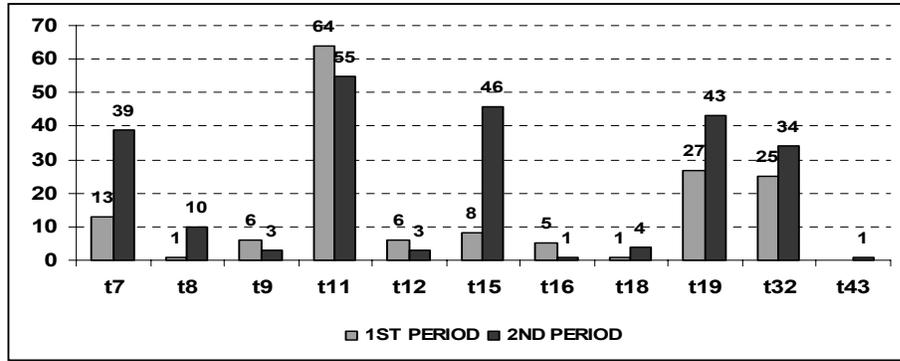


Figure 7.20: Morphological Plan Modifications in Mersin by Types

It is seen in figure 7.21 that *each municipality seemed to have different priorities and preferences* within all types of morphological plan modifications. For instance, *Akdeniz Municipality* and *Municipality of Greater Mersin* mostly approved the ones that caused ‘changes in building heights’. Besides, what distinguishes Akdeniz Municipality is the approval of plan modifications that caused changes in road and street sections. On the other hand, these types did not have a considerable weight in Yenışehir District as opposed to the general trends. Mostly appeared morphological plan modifications in the *Yenişehir District* were the ones that caused changes in setbacks and plot dimensions, in building arrangement, and in arrangement of building blocks. These three types also frequently appeared ones in boundaries of *Toroslar Municipality*; however their amount shows a difference from that of Yenışehir Municipality (fig 7.21).

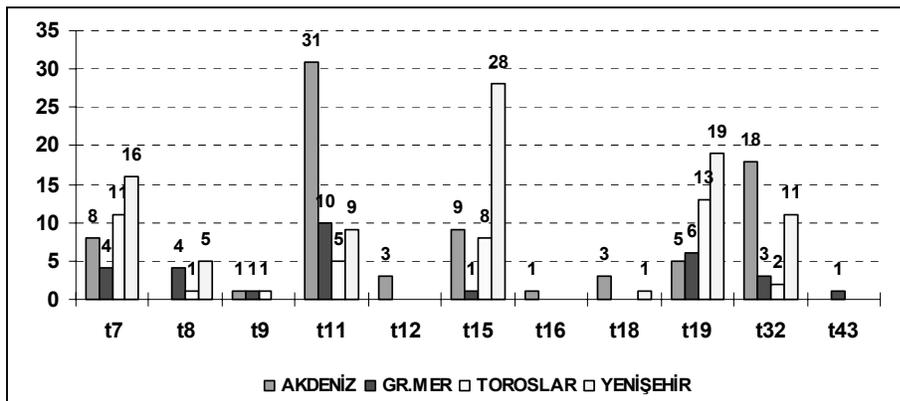


Figure 7.21: Morphological Plan Modifications in Mersin by Types and by Municipalities.

As it can be followed from Table 7.6, morphological plan modifications mostly appeared as a result of problems in implementation process, in order to gain additional development rights and in order to harmonize the development with its surrounding context. Furthermore, morphological plan modifications might appear according to either plot-based or block-based understanding.

The reasons and boundaries of realization might change according to types of morphological plan modifications. In the following section, the types of morphological plan modifications are taken into consideration in detail.

Table 7.6: Morphological Plan Modifications by Location

PLAN MODIFICATIONS THAT CAUSED MORPHOLOGICAL CHANGES		FIRST PERIOD		SECOND PERIOD		ALL PERIODS	
		(1986-1993)		(1993-2003)		(1993-2003)	
		amount (number)	percent. (%)	amount (number)	percent. (%)	amount (number)	percent. (%)
MUNICIPALITY (authority to approve)	MERSİN	156	100%	0	0	156	39%
	AKDENİZ	0	0	79	33%	79	20%
	YENİŞEHİR	0	0	89	37%	89	23%
	TOROSLAR	0	0	41	17%	41	10%
	GREATER MERSİN	0	0	30	13%	30	8%
	TOTAL	156	100%	239	100%	395	100%
DISTRICTS (location)	AKDENİZ	75	48%	83	35%	158	40%
	YENİŞEHİR	49	31%	101	42%	150	38%
	TOROSLAR	30	21%	49	21%	79	20%
	ALL	1		11	4%	12	3%
	OUT OF BORDERS	1		1		2	
	TOTAL	156	100%	239	100%	395	100%
N.HOODS (location)	AKDENİZ	built-up areas (city center)		built-up areas (city center)		built-up areas (city center)	
	YENİŞEHİR	built-up areas (residential)		built-up areas (residential)		built-up areas (residential)	
	TOROSLAR	built-up areas (unauthorised dev.)		built-up areas unauthorised & newly dev.		built-up areas unauthorised & newly dev.	
REASON	harmonizing development	53	34%	24	10%	77	19%
	additional dev. rights	39	25%	66	28%	105	26%
	problems in implement.	41	26%	87	36%	128	32%
	inadequacies of plans	7	4%	25	10%	32	8%
	legal. of infringements	2	1%	16	7%	18	4%
BOUNDARY	individual plot	32	42%	69	29%	101	25%
	more than one plot	31	15%	19	8%	50	13%
	individual bldg block	21	28%	41	17%	62	16%
	more than one bldg block	70	15%	93	39%	163	41%
	neighborhood	1		-		1	
	more than one n.hood	-		9	4%	9	2%
	the whole city	1		8	4%	9	2%

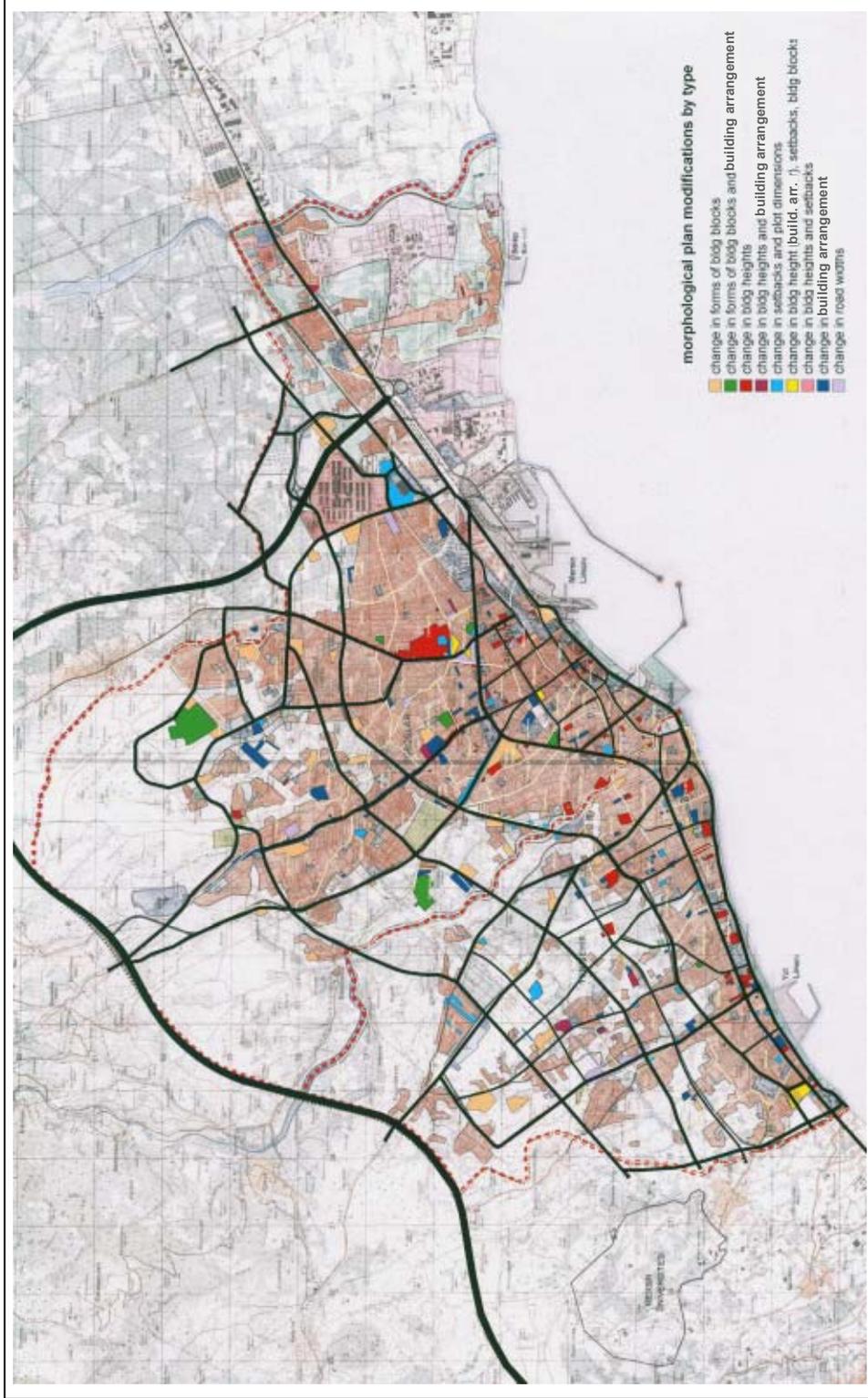


Figure 7.22: Types of Morphological Plan Modifications in Mersin between 1986 and 2003 among Neighborhoods

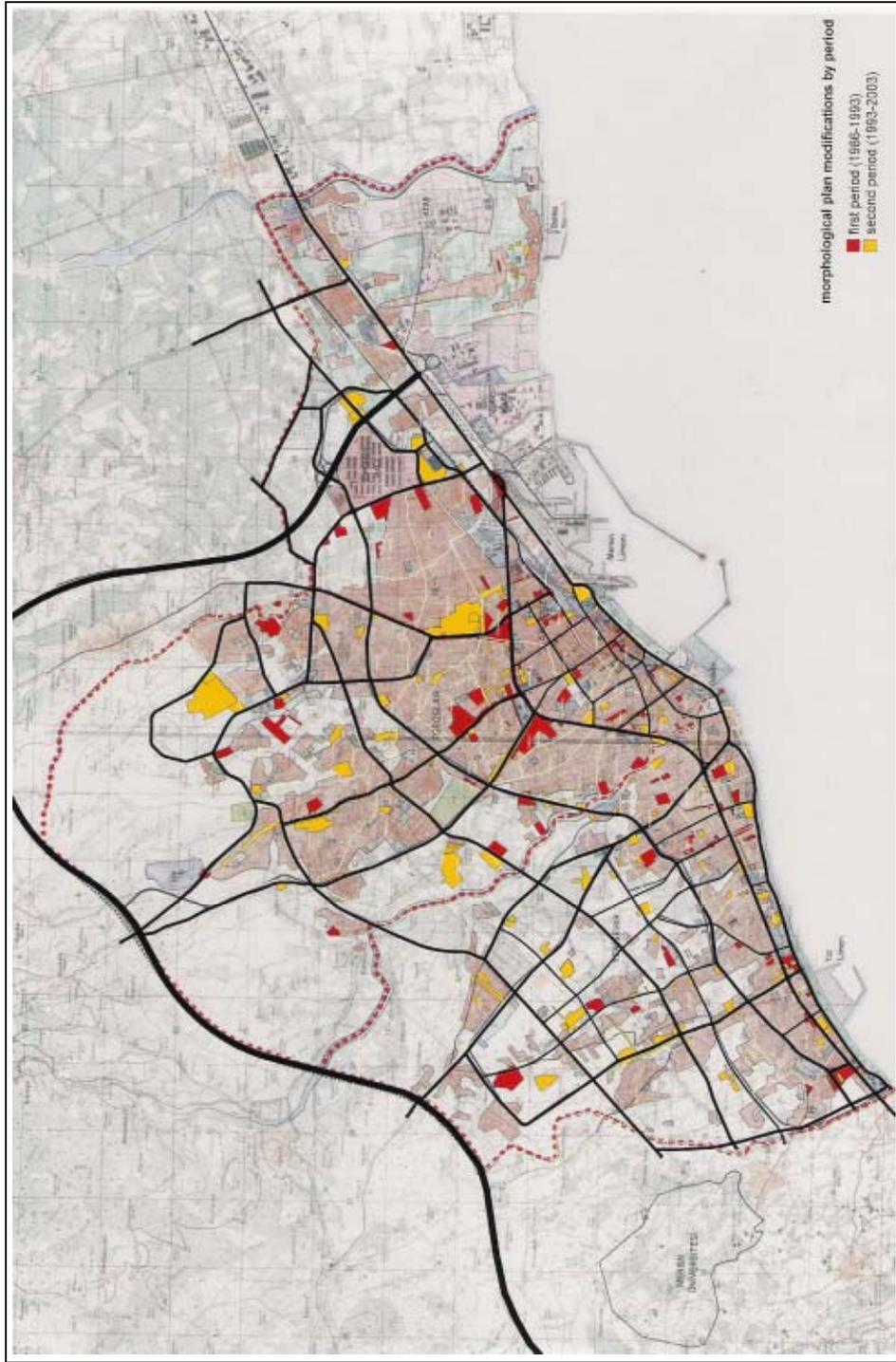


Figure 7.23: Morphological Plan Modifications in Mersin between 1986 and 2003 by Period

7.2.3.1. Plan Modifications towards Causing ‘Changes in Building Heights’

Within types of morphological plan modifications the most apparent was the one that resulted with ‘changes in building heights’. In general, 119 of 395 morphological plan modifications resulted with changes in building heights in Mersin between 1986 and 2003. It placed a 30% proportion within all morphological plan modifications.

-The first period (1986-1993)

In the first period, it is observed that **64 of 156 (41%) morphological plan modifications** resulted with **changes in building height** (fig 7.20 and table 7.7).

- 36 of them (56%) came into being in **Akdeniz District**. 25 of 36 them appeared in the city center of Mersin in neighborhoods such as Çankaya, Camișerif, Kültür, Mahmudiye and Mesudiye
- 21 of them (33%) emerged in **Yenişehir District**. 19 of them occurred in built-up neighborhoods. 8 of 19 plan modifications came into force in the neighborhoods along the seafront such as İnönü and Palmiye.
- 7 of them (11%) came into existence in **Toroslar District**. They appeared in both built-up regular housing areas and in unauthorized developments, in neighborhoods such as Turgut Türkali, Alsancak, Sağlık and Tozkoparan.

Within the total 64 plan modifications that caused ‘changes in building height’,

- 44 of them emerged *to harmonize development with surrounding development*.
- 14 of them came into existence *for additional development rights*.
- And, 4 of totals appeared *as a result of problems during implementation process*.

It is observed that, in the first period, most of plan modifications towards changing building heights came into being with a plot-based understanding:

- 28 of 64 totals (44%) in the first period emerged on individual plots
- 19 of 64 totals (30%) came into being on more than one plot in a building block
- 4 of 64 totals (6%) seem to occur on individual building block, and
- 13 of 64 totals (20%) appeared on more than one building block.

-The second period (1993-2003)

In the second period, it is observed that the weight of ‘changes in building heights’ within the whole morphological plan modifications was decreased. **55 of 239 morphological plan modifications (35%)** resulted with **changes in building height** in the second period (fig 7.20 and table 7.7).

- Most of them (31 of 55, 56%) appeared in **Akdeniz District** as it was the case in the first period. They were concentrated in the city center of Mersin. 23 of 31 plan modifications resulted with ‘changes in building heights’ in neighborhoods like Çankaya, Kültür, Mesudiye, Camișerif and Kiremithane in the city center.
- However, in Yenişehir District, a decrease occurred in this type of morphological plan modifications. 15 of 55 (27%) plan modifications caused ‘changes in building heights’ in Yenişehir District. This ratio was 33% in the first period. They mostly appeared in neighborhoods like Dumlupınar, Barbaros, Palmiye, and İnönü which are built-up residential areas. Only one plan modification came into existence in Limonluk which was a newly-developing neighborhood.
- In the second period, it is seen that the least amount of morphological plan modifications that caused changes in building heights (9 of 55 totals-17%) appeared in Toroslar District. They came into being in built-up residential areas such as Sağlık, Osmaniye, and Turgut Türkali neighborhoods.

Within these modifications, 10 of them were approved by Municipality of Greater Mersin. On this account, 6 of 10 plan modifications emerged in Yenişehir District in built-up areas, and 4 of 10 totals came into existence in Toroslar District.

Concerning the reasons of plan modifications that caused ‘changes in building heights’:

- 18 plan modifications emerged *to harmonize the development with its surrounding.*
- However, most of them (22 of 55) came into force *without any reference to their surrounding context* in order to *gain additional development rights*
- 5 of them arose in order *to solve the problems during implementation process,* and
- 4 of them appeared as a result of the reason *to rule out the inconvenience with upper-tier master plan Decisions.*

It is seen that, in the second period, plot-based understanding prevailed during preparation and approval of plan modifications that caused ‘changes in building heights’. 34 of totals arose on an individual plot and 8 of all plan modifications came into being on more than one plot. Only 3 of 55 plan modifications emerged within individual building blocks and 6 plan modifications in more than one building block. However, 4 plan modifications came into effect within boundaries of more than one neighborhood (Table 7.7).

-The whole temporal frame (1986-2003)

Within the whole temporal frame of the study, it is observed that most of the plan modifications towards changing building heights in both periods came into existence in Akdeniz District (67 of 119-56%). Despite the decrease in the second period, 30% of all plan modifications that caused ‘change in building heights’ appeared in Yenişehir District. The least amount of modifications (16 of 119-14%) emerged in Toroslar District.

Within the whole temporal frame of the study, 109 of 119 changes in building heights resulted with additional construction area. In other words, they resulted with increasing building heights. It is observed that ***only 10 of 119 plan modifications caused decrease in building heights***. However, it did not expose that all increase in building heights came to order for solely gaining additional construction area. It is seen that within the whole temporal frame most of plan modifications (62 of 119-52%) were approved in order to harmonize the development with its surrounding context. And 30% of totals (36 of 119) appeared in order to gain additional construction area.

Furthermore, it is observed that most of them came into being on individual plots:

- 62 of them (52%) emerged on individual plots.
- 27 of them (23%) arose on more than one plot within a building block.
- 7 of them (6%) occurred on an individual building block
- 19 of them (16%) transpired on one building block.
- 4 of them (4%) came into being on more than one neighborhood.

The above numbers reveal that ***plot-base understanding*** prevailed during changing building heights. Totally 75% of them came into existence on individual plots or more than one plot. It is considerable that four plan modifications occurred within boundaries of more than one neighborhood. One of them came into force in order to harmonize development

with its surrounding context. As it will be discussed briefly, this type of plan modifications came into existence after appearance of other modifications for increasing building heights in an area. Once many plan modifications resulted with increases in building heights in a plot-based understanding, the owners of other plots in the surrounding context began to demand same kind of increases for their own plots. This development usually covers the plots alongside a street. Therefore, they might appear within the boundaries of more than one neighborhood.

Table 7.7: Morphological Plan Modifications in Mersin towards Changing Building Heights

MORPHOLOGICAL PLAN MODIFICATIONS THAT CAUSE CHANGES IN BUILDING HEIGHTS		FIRST PERIOD (1986-1993)		SECOND PERIOD (1993-2003)		ALL PERIODS (1993-2003)	
		<i>amount (number)</i>	<i>percent. (%)</i>	<i>amount (number)</i>	<i>percent. (%)</i>	<i>amount (number)</i>	<i>percent. (%)</i>
the amount and percentage in all morphological modifications		64 of 156	41%	55 of 239	23%	119 of 395	30%
MUNICIPALITY (authority to approve)	MERSİN	64	100%	0	0	64	54%
	AKDENİZ	0	0	31	56%	31	26%
	YENİŞEHİR	0	0	9	16%	9	7%
	TOROSLAR	0	0	5	9%	5	4%
	GREATER MERSİN	0	0	10	19%	10	9%
	TOTAL	64	100%	55	100%	119	100%
DISTRICTS (location)	AKDENİZ	36	56%	31	56%	67	56%
	YENİŞEHİR	21	33%	15	27%	36	30%
	TOROSLAR	7	11%	9	17%	16	14%
	TOTAL	64	100%	55	100%	119	100%
N.HOODS (location)	AKDENİZ	built-up areas (city center)		built-up areas (city center)		built-up areas (city center)	
	YENİŞEHİR	built-up areas (residential)		built-up areas (residential)		built-up areas (residential)	
	TOROSLAR	built-up areas (unauthorised dev.)		built-up areas (residential)		built-up areas (unauthorised-residential)	
REASON	harmonizing development	44	69%	18	32%	62	52%
	additional dev. rights	14	22%	22	40%	36	30%
	problems in implementation	4	6%	5	9%	9	7%
	inconvenience with plans	1	1,50%	4	9%	5	4%
	legalization of infringments	1	1,50%	1	2%	2	2%
BOUNDARY	individual plot	28	44%	34	62%	62	52%
	more than one plot	19	30%	8	15%	27	23%
	individual bldg block	4	6%	3	5%	7	6%
	more than one bldg block	13	20%	6	11%	19	16%
	neighborhood	0	0	0	0	0	0
	more than one n.hood	0	0	4	7%	4	4%

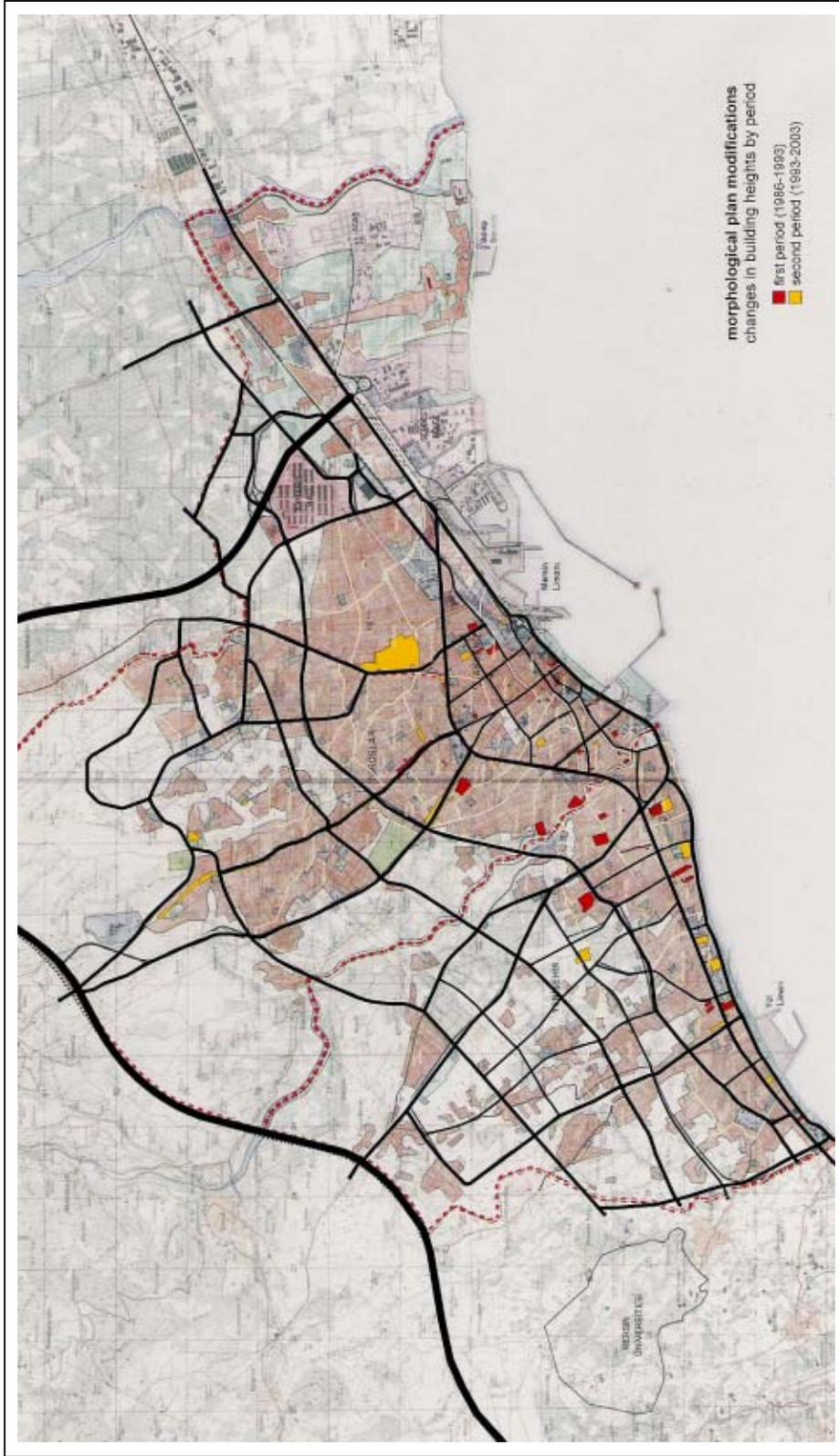


Figure 7.24: Morphological Plan Modifications in Mersin towards Changing Building Heights by Period among Neighborhoods

-‘Changes in building heights’ by “boundaries of realization”

Since plot-based understanding dominated the ‘changes in building heights’, they are analyzed with respect to their “boundaries of realization” as classified above. Under the heading of plot-based modifications, the ones that occurred on individual plots and on more than one plot are taken into account. On the other hand, the ones that came into existence on an individual building block and one more than one building block are building-block based modifications.

-Plot-based plan modifications

As stated above, most of morphological plan modifications that caused ‘changes in building heights’ emerged on individual plots. Within 89 plot-based modifications, 47 of them (52%) were approved by Mersin Municipal Council in the first period. And 30 of 47 plan modifications came into existence in the city center of Mersin, in Akdeniz District in neighborhoods like Çankaya, Camișerif, Kiremithane, Kültür, Mesudiye and Barış.

In the second period, 26 of 42 plot-based modifications were approved by Akdeniz Municipal Council. They appeared in the same neighborhoods of the city center as it was the case in the first period. Besides Akdeniz Municipality, 7 of 42 plot-based modifications were approved by Yenişehir Municipal Council, and also 7 of 42 by Greater Mersin Municipal Council, and only 2 of 42 by Toroslar Municipal Council. Below, the plot-based modifications that cause change in building heights will be taken into consideration in detail with reference to some specific cases according to their reasons.

-Case(s) 1: changes in building height for harmonization of development with surrounding context

Within two periods, *most of plot-based modifications (47 of 89-53%)* were justified by the purpose of *harmonizing development with surrounding context*. They usually ceased to increase building heights as a result of a *gradual change in the surrounding context*.

Within this framework, the building heights of plots in the surrounding context had been increased individually previously. They furthermore would have been interpreted as *precedent for similar developments*. Following, building heights for all plots that have frontage line to the same street could be increased wholly. This is conceived to be a

gradual change in spatial context. This kind of developments was most obviously followed usually alongside streets. The gradual change is conceived to be the *propagation of plot-based understanding* in a wider context. Examples are taken into consideration in detail below. In fact, *influence of development bylaws on planning control* seems to be significant in those cases.

-Case(s) 1.1

It is stated in Yenişehir Municipal Council Decision, approved in 1994 with number 118, that although the plot at the issue had the development right of a 6-storey building, it would be increased to 7-storey. The reference was given to prescriptions of development bylaw, which regulates the height of buildings with reference to street width. At that date, the Mersin Development Bylaw allowed to construct 7-storey buildings on plots that had frontage line to 14.50 meter width street. This case reveals the *duality between bylaw regulation and plan-based regulation*. Although the plot at the issue was in a *standard regulation site*, development on the plot was controlled as if it was in a *bylaw control site*. The planning obligations signified a 6-storey building to be constructed on the plot. However, the other plots on the southern parts of the street were developed with 7-storey buildings with reference to development bylaw prescriptions and taken into account as precedent for further developments. Within the regulatory context, the prescriptions of development bylaw transcended planning obligations. Consequently, development plan became insufficient during controlling the ‘changes in spatial context’.

The same reason was considered in Mersin Municipal Council Decision, approved in 1987 with number 282, which resulted with increasing the number of storey from five to six due to the frontage line to 12.00 meter width street, and previous developments in the surrounding development. In many other plan modifications this attitude were carried out by all councilors in Mersin. In fact, these examples did not seem to make contributions to the *formation of a spoiled spatial context* although the height of buildings was increased. On the contrary, they emerged with reference to the *morphological characteristics in the surrounding context, formed as a precedent previously*. They were usually the typical examples for revealing the plot-based understanding which takes into account the width of roads as the only parameter for controlling the height of buildings (fig. 7.25).

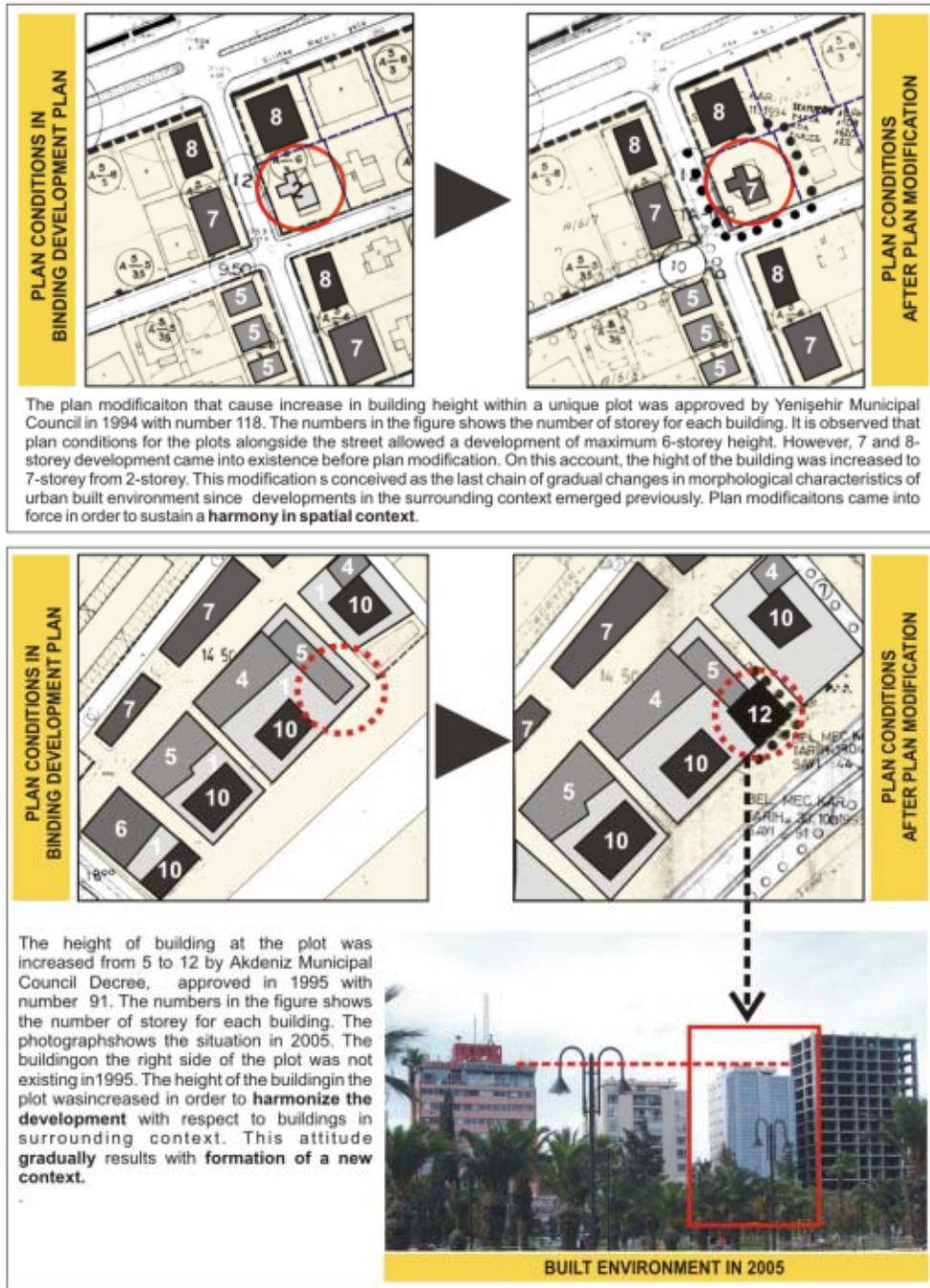


Figure 7.25: Changes in Building Heights for Harmonization of Development: examples for plot-based plan modifications.

-Case 1.2

One of the most significant *gradual changes in morphological characteristics of urban built environment* is seen in the case, of which plan modification was approved by Akdeniz Municipal Council Decision in 1994 with number 112. The plot at the issue was located in a residential area in the city center, on a *bylaw control site*. A two-storey building was present in existing situation at that time. However, in the neighboring plots higher buildings began to emerge. Some of them had four and five storey, but the building on the east side of the plot was a 9-storey building.

Three plan modifications were approved for the plot in nine years. First proposal to increase building height in 1985 would like to develop a 9-storey building on the plot. It was not approved by local planning authorities in 1985. However, after Urban Development Law no.3194 became operative in 1985, the proposal was approved by Mersin Municipal Council Decision in 1986 with number 293. It granted an 8-storey building to be developed on the plot. After that, a second proposal came into order in 1994, which was evaluated by councilors of Akdeniz Municipality in the second period. The permit for 9-storey building was granted for the plot owner by Akdeniz Municipal Council Decision, approved in 1994 with number 112 (fig 7.26). The nine-storey building on the east neighboring plot was taken into consideration as a precedent for the development on the plot at the issue.

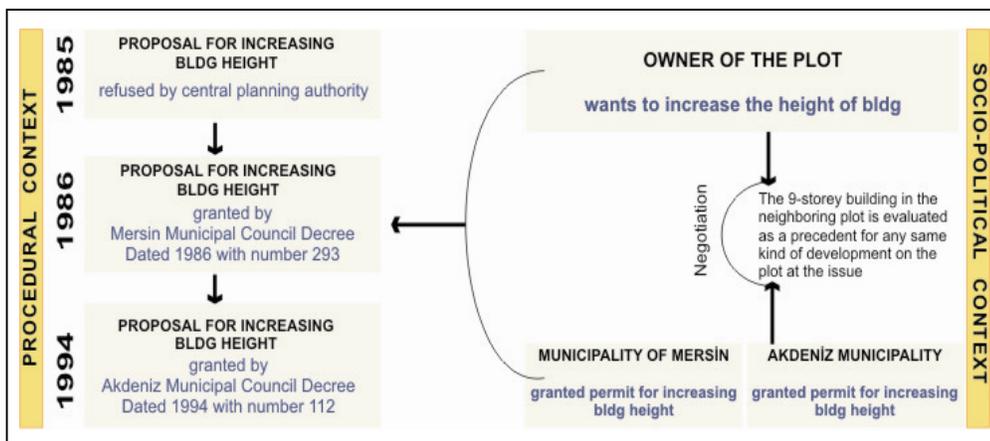


Figure 7.26: Changes in Building Heights for harmonization of development, Case 1.2: developments in procedural and socio-political contexts

Within socio-political context, it is seen that the proposals for increasing building height was rejected by central planning authorities in 1985. However, it is observed that the demands of the plot owner for increasing the building height were welcomed by the members of both Mersin and Akdeniz Municipal Councils in the first period and second periods. It is seen that the morphological characteristics of the neighboring plot (on which nine-storey building was developed) became precedent for operation of control mechanisms. Thus, no confrontation occurred between the plot owners and councilors.

In this case, existence of a high rise building in the surrounding context seemed to cause other changes in building heights in the course of time. It was conceived to be a *triggering force* for other plan modifications that would result with *gradual changes in the morphological characteristics* of urban built environment alongside the street. However, usually the gradual changes seemed to be limited with the three dimensional pattern of spatial context without changing property pattern and other two-dimensional patterns of spatial context such as forms of building blocks. As soon as the property pattern remained the same, development rights were enhanced through increasing building heights.

The effect of gradual change in the surrounding context can be followed in present situation. The area became an urban environment consisting of 9-storey buildings (fig 7.27). In other words, *as a result of combination of plot-based plan modifications that contribute to the formation of a spoiled spatial context without any reference to their surrounding, a totally new spatial context is produced*. Hence, plan modification that was approved by Akdeniz Municipal Council Decision in 1994 with number 112 is conceived as one of the chains of gradual changes in spatial context

-Case(s) 1.3

The *utmost level of gradual changes* in morphological characteristics as a result of plot-based modifications seemed to be increasing building heights alongside a street. For instance, the building heights alongside Cengiz Topel Street were increased to 7 and 8 through the plan modification approved by Akdeniz Municipal Council in 1995 with number 4.

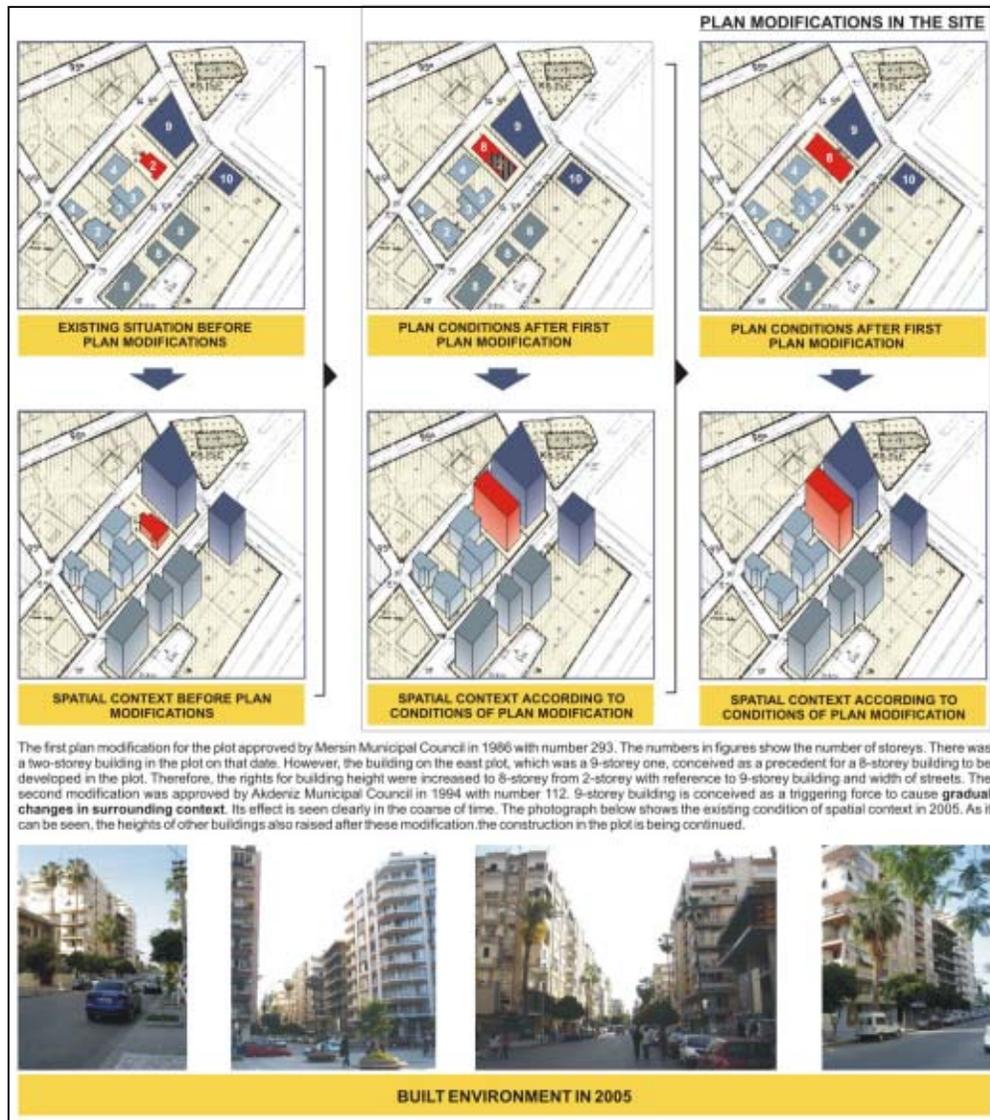


Figure 7.27: Changes in Building Heights for harmonization of development, Case(s) 1.2- developments in regulatory context: one of the latest rings of gradual changes in the spatial context, realized by plot-based plan modifications.

Cengiz Topel Street is one of the important streets in the city center. In the municipal council records, it is stated that “plan conditions for plots that have frontage line to Cengiz Topel Street signifies 5, 6 and 7-storey development. This situation bears outrageous developments along Cengiz Topel Street. Therefore, in order to harmonize the future development, building heights for the southern part of the street is determined to be 8-storey, whereas for the northern part they are determined to be 7-storey”.

The Cengiz Topel Street case clearly shows the *utmost level of gradual changes and plot-based understanding* that caused increase in building heights alongside a road. Once the building height was increased on an individual plot that has frontage line to the street, then the other plots would demand same kind of plan modifications. In photographs shown in figure 7.28, it is seen that development along Cengiz Topel Street was limited with 3-storey heights in the past. By the time, building heights were increased to 8-storey through plan modifications without changing property pattern or building block forms. As it can be observed from the photographs in figure 7.28, development along Cengiz Topel Street created a *new spatial context* by the time. It is observed that same kind of plan modifications were approved by Toroslar Municipal Council in 1994 and 1995, along Akbelen Road and Kuvayi Milliye Street.

-Case(s) 2: ‘changes in building height’ without any reference to surrounding context

Some of plot-based modifications (26 of 89-29%) that caused increase in building heights seemed to *emerge without any reference to existing context*. On the one hand they are conceived as the ones that cause the *formation of a spoiled spatial context*, on the other hand they are considered as *precedent for following plan modifications*.

-Case(s) 2.1

The plan modification that was approved by Mersin Municipal Council Decision in 1989 with number 180 reveals a similar example. In this case, it is observed that changes in morphological characteristics emerged not only in a three-dimensional way, but also in a two-dimensional manner. Therefore, this case involves some unique peculiarities within planning control mechanisms. First is the *transformation of property pattern* during increasing building heights, and the second is the *use of discretion* via plan notes.

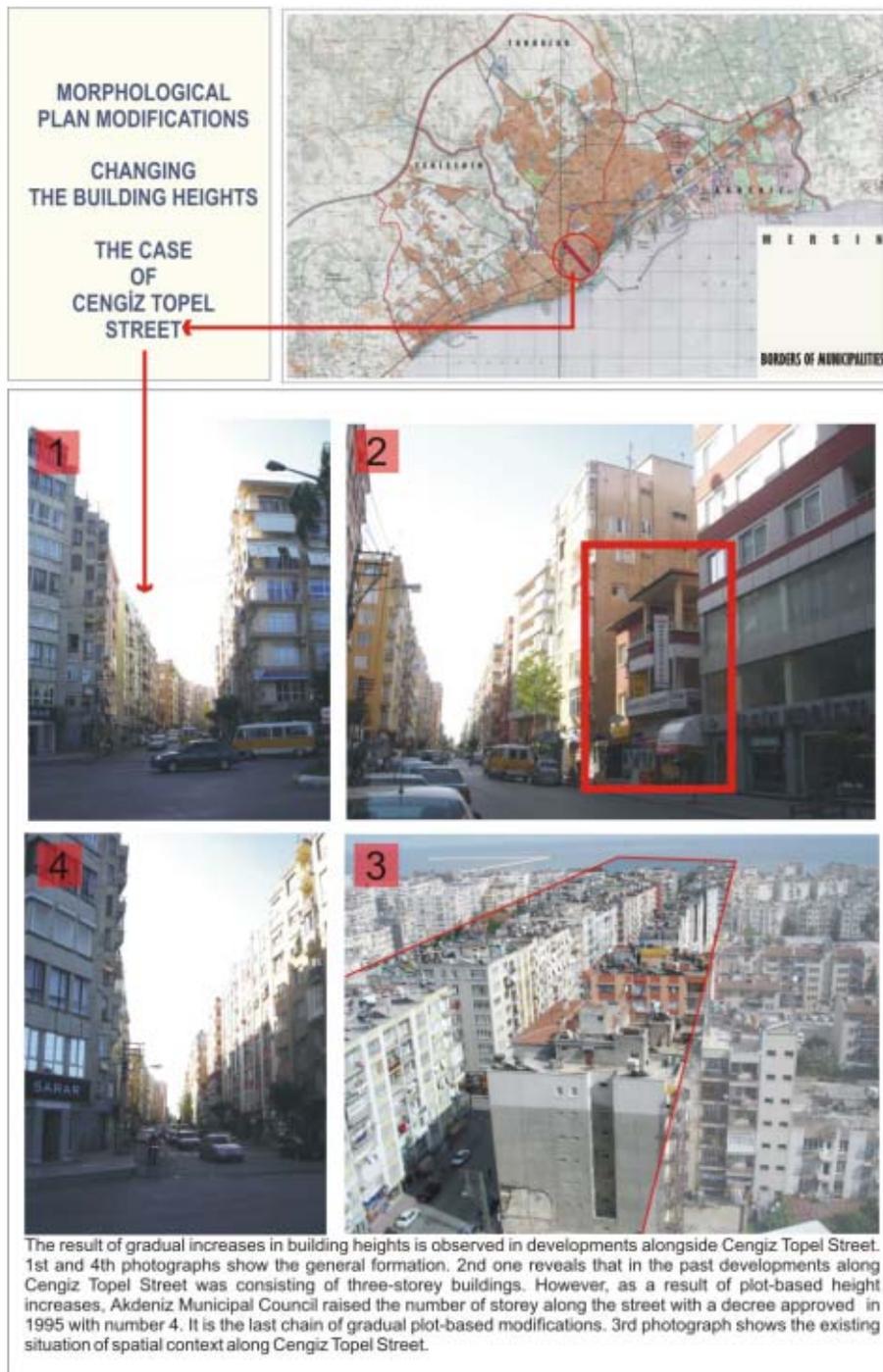


Figure 7.28: Changes in Building Heights for harmonization of development, the Case of Cengiz Topel Street: the utmost level of plot-based modifications

Two-dimensional morphological changes (*transformation of property pattern*) depend on unification of plots. It emerged with unification of three plots; of which numbers were 7, 16 and 13 before the unification. The unification process came into existence gradually. It is seen that firstly the plots numbered 7 and 16 were unified in 1989 and a building permit for an 8-storey building was granted. As a result, two buildings would be built on newly emerged two plots. One of them would have 8-storey on plots numbered 7 and 16 (on the south), and the other would have a 7-storey on plot numbered 13 (on the north). However, after the second unification of three plots, a new and larger plot emerged on the site. Hence, Mersin Municipal Council made a decision that, instead of two buildings it would be better to have one building on the plot. For that, the development rights of two plots were added together and total construction area of plots was made available to be used on one plot. In newly emerged plot after unification of three plots, a 16-storey building was permitted to be developed.

Plan modifications began to be experienced after unification process. In Mersin Municipal Council Decision in 1989 with number 157, it is pointed out that alongside the road on the southern front of the plot all developments emerged with 10-storey buildings. And it is stated that emergence of a 16-storey building in the area would spoil the silhouette of city. As a consequence, in order to preserve the silhouette of the city one 10-storey building in the southern part, and one 7-storey building in the northern part of the plot were permitted to be on an individual plot. That is to say, building heights were decreased from sixteen to ten and seven without changing the total construction area on the plot.

After this development, it is stated in the municipal council records that pressures occurred from public in general and from the plot owners in specific to return back to the previous development conditions. As a result, a 16-storey building was permitted to be developed on the plot through Mersin Municipal Council Decision in 1989 with number 180. Today, the building came into existence in the spatial context consisting of 10-storey buildings.

From another point of view, this case seemed to be unique in terms of *use of discretion* within socio-political and procedural contexts. In plan notes, it was stated that “the related municipality is authorized to make arrangements in building heights as if new arrangement does not exceed the development right determined through plan decisions”. This gave flexibility for planning officers during planning control processes. Therefore, a possibility

arose for Mersin Municipality to load the development rights of each plot on newly emerged one after unification of three plots. The management of ‘changes in spatial context’ was held via development bylaws, which brought forth conditions for plot unifications, and via plan notes, which gave Mersin Municipality the use of discretion in determining building heights and development rights in the case of plot unifications.

Since use of discretion might allow formulation of participation processes in control mechanisms, 1989 local elections seemed to be a turning point for development of interactions between actors taking place in planning control mechanisms. Before 1989, it is observed that discretion given to municipality was used to sustain *morphological continuity in the spatial context* and *spatial quality in terms of protecting silhouette of the city*. However, in case of unification of three plots, the height of building on the new plot was increased to 16-storey. After 1989, new councilors seemed to protect qualitative characteristics of urban built environment and to try to change the conditions that would cause formation of a *spoiled spatial context*. However, they could not resist *development pressures* that demand the previous conditions for the plot. As a result, Mersin Municipal Council Decision in 1989 with number 180 was approved (fig 7.29).

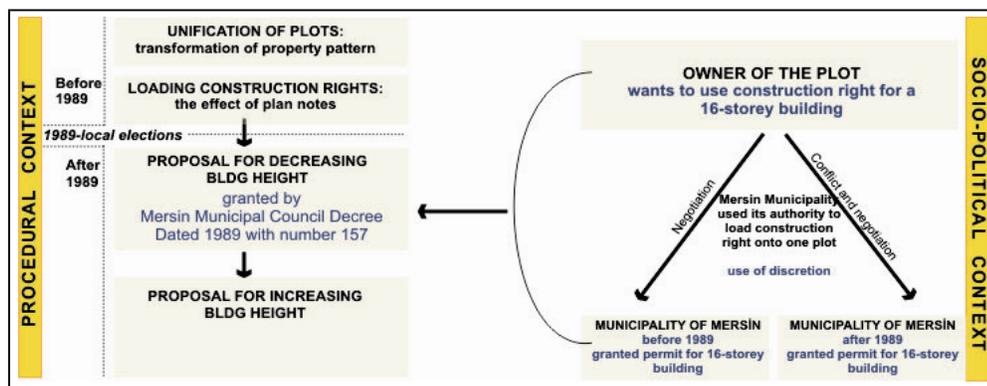


Figure 7.29: Changes in Building Heights, Case(s) 2.1: socio-political and procedural contexts

It is seen that planning officers in Mersin Municipality granted permission for 16-storey building as soon as it was convenient to legislation and it did not increase the total development rights of each plot. The results of questionnaires and interviews with planning officers also affirm this attitude. The planning officers who have been working for more

than ten years stated that *convenience to legislation and protecting development rights as same as the previous conditions* are of primary importance for them in appraisal of proposals about ‘changes in spatial context’. It is observed that *improvement of spatial quality or harmonization with the surrounding context* did not seem to be prior parameters for controlling ‘changes in spatial context’¹⁶.

The *use of discretion* might come into effect in order to find innovative solution within static control mechanisms of the Turkish planning system. However, the attitude of Mersin Municipality in this case is considered as one of typical indicators of ***quantitative control***. It is assumed by Mersin Municipality that it would be available to make any development in any place without any reference to existing context for anybody as if it would not exceed the construction area determined by plan decisions.

It is observed that the spatial context in which the plot at the issue was composed of 10-storey buildings on the southern part and of 7-storey buildings on the northern part of the building block. On this account, the new formation after plan modification is conceived to be one of the examples that contribute to the formation of spoiled spatial context. It seems ***to destroy the morphological continuity of spatial context*** that was produced before. (fig 7.30). Moreover, the new development might have a triggering effect for similar developments in surrounding context.

-Case 2.2

Beyond the cases discussed above, ***one of the most influential and controversial cases for plot-based morphological plan modifications*** came into existence in the core of city center. It is considered as one of the most remarkable examples in Mersin that ***contributed to the formation of spoiled spatial context***. In Mersin Municipal Council Decision approved in 1991 with number 339, it was stated that the height of the possible building on the plot was increased from 30 meters (10-storey) to 63 meters (21-storey). This might lead to change morphological characteristics of the city center and Mersin as a whole. In other words, it might be a triggering force for any other plan modifications in the core of the city and in all neighborhoods of Mersin.

¹⁶ The results of questionnaires held with planning officers are given in Appendix C. Their attitude towards development plans and plan modifications can be followed from answers to questions between 13 and 28.

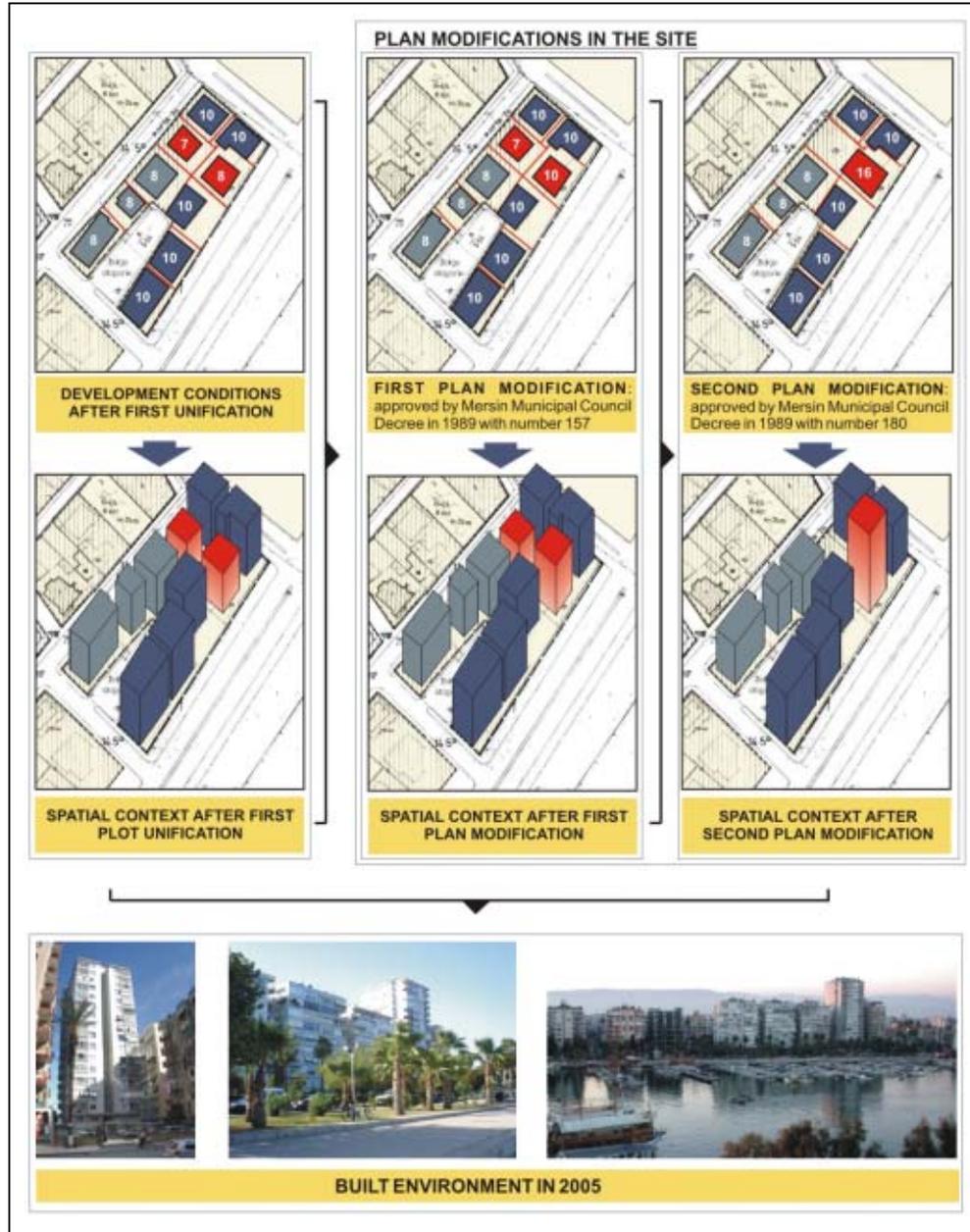


Figure 7.30: Changes in Building Heights, Case(s) 2.1-regulatory context: Increasing building heights without any reference to the surrounding context.

In fact, the desire for developing the city center in a three-dimensional way was declared in municipal council records. It was pointed out that “in order to cope with the needs of immigrants that had come to Mersin in the last years, new working places are needed to be developed. Thus, since it is not possible to enlarge the city center, it would be developed through increasing the building heights”.

In this sense, the building height for the plot at the issue was increased from 30 meters to 63 meters. The plot has a frontage on İnönü Boulevard (south frontage line), along which the neighboring plots in the surrounding context were developed with 10-storey (30 meters) buildings at that time. On the other hand, the backyard of the plot has a frontage on Atatürk Street (north frontage line), which is a pedestrianized street at the core of the city. The plots in the surrounding context that have frontage on Atatürk Street were usually developed with 4-storey buildings alongside the plot at the issue.

It is seen that certain morphological characteristics with respect to building heights had been sustained in the spatial context in which the plot at the issue was situated (fig. 7.32):

- 10-storey buildings were developed on the plots with frontage to İnönü Boulevard.
- 4-storey buildings were developed on the plots on the southern front of Atatürk Street.
- 7-storey buildings were developed on the plots on the northern front of Atatürk Street.

In the case of its realization the morphological plan modification would cause a considerable increase in building heights on the plot at the issue. It was approved in the first period. Following, another plan modification was approved by Akdeniz Municipal Council Decision in 1996 by number 163. By this way, the height of the possible building was decreased to 10-storey as it was the case in the surrounding context. In the related municipal council records, it is stated that “the construction process has not began in its legal duration after granting building permission. Therefore, a new application for building permit is required”. Furthermore, it is pointed out that “the previous plan modification would cause increase in construction area. Thus, new development conditions are determined as same as the conditions before previous plan modification”. By this way, the future development on the plot would not disturb the morphological continuity of the surrounding context. Hence, it could be conceived as the one *responsive to the surrounding context*. However, the planning officers in Akdeniz Municipality seemed to

be distant from developing a qualitative control approach since the decrease of building height was reduced to the calculation of additional construction area without any reference to the morphological characteristics of the surrounding context.

After this plan modification, it is observed that the plot owners brought the case on to local administrative court. They claimed that the legal duration did not exceed in the date of second plan modification and they asserted that a new plan modification could not be approved for their plot. After analysis of the case, administrative court adjudicated that the allegations of the plot owners were right. Therefore, the plan modification approved by Akdeniz Municipal Council became insufficient at law.

Along this path, a new plan modification was approved in 2003. It reveals indications for developing **qualitative control**. During preparation of this plan modification it is observed that the *social consciousness in the operation of control mechanisms was raised* through involvement of chambers of professions. Akdeniz Municipality required getting viewpoints of Chamber of City Planners and Chamber of Architects about the possible plan modification for the plot. It is seen that *the participation channels* was empowered and *a medium for argumentation* was created. Through taking into consideration the viewpoints of chambers, and the plot owner, members of municipal council made a decision about a possible development on the plot. Consequently, plan modification approved by Akdeniz Municipal Council Decision in 2003 with number 69 brought forth a new alternative, which seemed to take into consideration the morphological characteristics of built-up environment in the surrounding context (fig. 7.31 & fig. 7.32).

According to the modification, the plot was divided into three parts artificially. The first was the southern part that had a frontage on İnönü Boulevard. The second was the northern part that had a frontage on Atatürk Street and the third was the area in-between them. Being responsive to the surrounding context, a 10-storey building in the first part, a 4-storey building in the second part and a 7-storey building in the third were permitted to be developed. As a result, in both sides of the plot the possible development would come into existence with reference to its surrounding context. This solution seemed to be one of the best solutions for the plot.

It is considered that *the operation planning control mechanisms with reference to all contexts* gave possibility to develop mediums for creating a *qualitative control* understanding. *It did not solely refer to the calculations about construction area or distribution of development rights but also took into account the characteristics of built-up urban environment in the surrounding context.*

However, this plan modification was not approved by Municipality of Greater Mersin after approval by Akdeniz Municipality. It was rejected and sent back to Akdeniz Municipality to be considered again in order to develop another alternative. As a result, plan modification approved by Akdeniz Municipal Council in 2003 with number 105 brought about a new alternative (fig. 7.31).

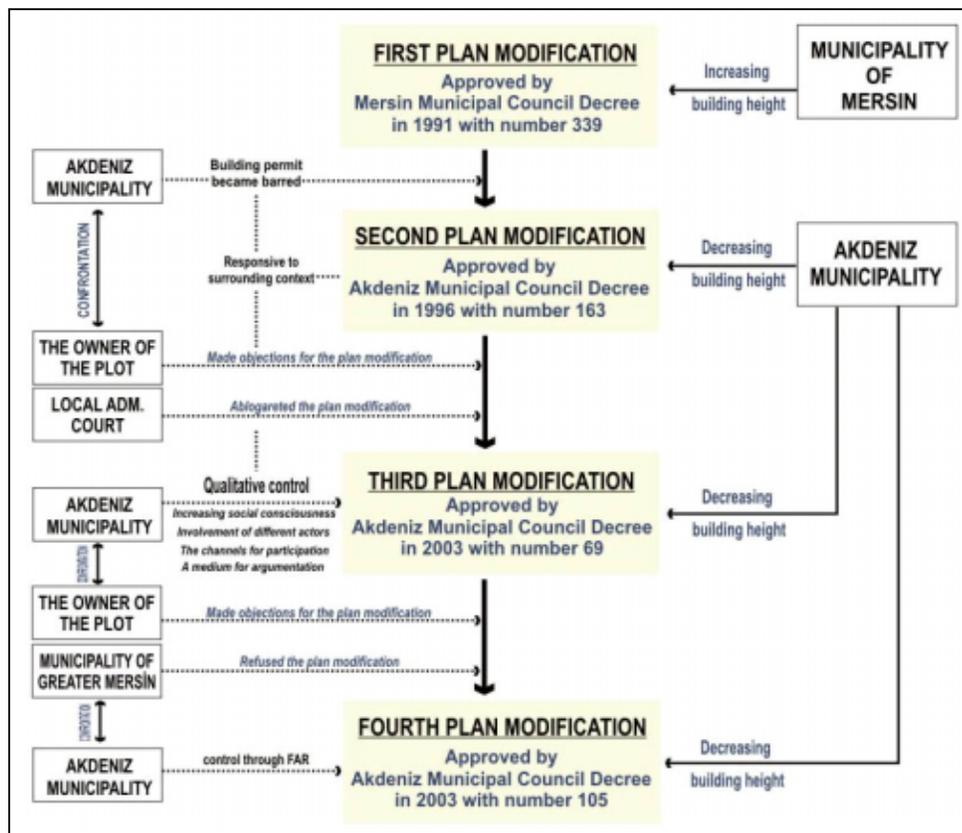


Figure 7.31: Plot Based Plan Modifications towards Causing Changes in Building Heights- Case(s) 2.2: socio-political and procedural context.

This was the fourth plan modification on the site. In this alternative the first part remained as same as the previous one that permits 10-storey building. However, it was permitted to develop a building according to floor area ratio (FAR) =5 in the second and third parts without any considerations about building heights. Therefore, the height of the building was not a morphological concern to be controlled (fig. 7.31).

The use of FAR without any limitations about building heights controls only the construction area of any building as it addresses the ratio of construction area to plot area. In this case, the construction area was anticipated to be 5 times of plot area. On this account, the use of floor area ratio (FAR) can be used in several ways. For instance,

- If the whole plot area is used as “lot coverage” (Lot Coverage Ratio-LCR=1.00), the possible building would have 5-storey.
- On the other hand, if the half of plot area is used as “lot coverage” (LCR =0.50), the building would come into existence with 10-storey.
- Moreover if the quarter of plot is used as “lot coverage” (LCR =0.25), it would have 20-storey.

Thus, directing the implementation process was supposed to be reduced to quantitative control again- at least in the second and third parts of the plot. Nonetheless, it seemed to be the result of confrontation between Akdeniz Municipality and Municipality of Greater Mersin since the latter did not approve the previous alternative. However, the last plan modification on the site also gave clues about a qualitative control approach. A special note in municipal council decision pointed out that building permit for any development on the plot would be granted after evaluation of any proposal for the second and third part of the plot by planning officers in Akdeniz Municipality. This indicated that the use of FAR on the site would be considered so as not to disturb the *morphological continuity on the site*. The building permit was assumed to be granted with reference to the morphological characteristics of the surrounding context. This implies a way of using discretion in planning control mechanisms in order to acquire qualitative outcomes.



Figure 7.32: Changes in Building Heights, Case 2.2-regulatory context: Increasing building heights without any reference to the surrounding context

-Block based plan modifications

Beyond plot-based modifications, some others came into existence within the boundaries of one building block or more than one building block. Throughout all morphological plan modifications towards changing in building heights, 21% of them (26 of 119) were block-based. 7 of 26 modifications came into being on an individual block, whereas 19 of 26 emerged in more than one building block. Moreover, it is observed that 17 of 26 plan modifications came into existence by approvals of Municipality of Mersin in the first period, which were concentrated in first three years (1986, 1987 and 1988) and 9 of them emerged in the second period. *Almost half of them (12 of 26) were justified with the reason of harmonizing the possible development with its surrounding context.* Contrary to plot-based plan modifications, most of the block based plan modifications (20 of 26) appeared in newly developing residential areas. Only 6 of them emerged in the city center.

-Case(s) 1: changes in building height for harmonizing development with surrounding context

The effect of development bylaws on increasing building heights for harmonization of developments with the surrounding context is observed also through block based plan modifications. For instance in Mersin Municipality Council Decision approved in 1986 with number 93, it is stated that the plots in the building block had a development right for 4 storey buildings. However, 8-storey buildings emerged alongside the street, of which the width was 19.50 meter. Therefore, it was conceived that the plots within the building block that have frontage line to the street should have the right to develop 8-storey buildings.

This plan modification was simply an indicator of *gradual changes in morphological characteristics of the urban built environment*. In these examples, the plot owners seemed to propose increasing development conditions for building height in order to get additional profit. As soon as these proposals were appreciated as rightful actions by councilors with reference to development bylaw, they each became cases that began to contribute to the formation of spoiled spatial context.

On the contrary, some examples reveal that some of the plot owners hesitate to spoil the spatial context and propose to decrease their conditions for building height. In Mersin Municipality Council Decision approved in 1987 with number 357, it is stated that the plot

owners in two building blocks offered to decrease building heights from 8 to 5. As a result, building heights were decreased by municipal council. It is seen that, the building heights were decreased in order to harmonize the development with the surrounding context, where development is limited with 5-storey. The development rights for plots, which allowed raising 8-storey buildings, were not used by the plot owners. As if this happened, they might become potential examples for other plots and building blocks alongside the street for increasing building heights (fig 7.33).

In this case, it is seen that *the attempts for harmonizing development with its surrounding context did not always result with increase in building heights*. It is distinguishing that the plot owners themselves proposed to decrease the building heights. However, this was not the only plan modification in the area. It is observed that both building heights and building arrangement were changed by following plan modifications. It is discussed below in the following section.

-Case(s) 2: changes in building height without any reference to surrounding context

Following the previous process, building heights were increased from 5 to 7 as a result of change in building arrangement ¹⁷ in the same area. The attitude of plot owners was changed. In the previous case, they proposed to decrease building heights, on the contrary this time they tried to gain profit through increasing the building heights (fig 7.33).

It is distinguishing that both plan modifications were approved by same councilors. They accepted both proposals although the reasons of each were totally different. First one aimed to decrease building heights, whereas the latter tried to increase both total floor area and building heights. Former was supposed to be a positive example that *responds to the morphological characteristics of urban built environment*, whereas the latter is seemed to be developed for *gaining additional profit* without any reference to surrounding context.

Furthermore, the floor area ratio (FAR) for building blocks was doubled and building height was increased to 45 meters from 21.50 meter, which corresponds to approximately a

¹⁷ By this modification, also *the building arrangement was changed from standard regulation to ratio regulation*. As it is discussed in detail, *the latter is preferred* in mostly newly developing urban areas in order *to give flexibility for designing buildings in plots*. On this account, use of ratio regulation generally comes into existence in one or more than one building blocks. Through ratio regulation it is aimed to control construction area for plots via FAR.

14-storey building through Greater Mersin Municipality Council Decision approved in 1993 with number 391. Therefore, building heights were increased from 5 to 14, after decreasing it from 8 to 5. It was considered by councilors that in that time many plan modifications were approved to allow high-rise buildings in Mersin in a wide context. In the municipal council records it was pointed out that “qualitative aspects of the urban built environment are raised through increasing building heights which results with a new silhouette for the city”.

As a result of conditions of plan modification, two buildings were designed in northern building block. One of them would have 12 meters height (4-storey) and the other 45 meters (15-storey). Furthermore, the building block in the southern building block was supposed to have 60 meters height which corresponded to 20 storey building. In the site, one more plan modification which was a functional one was approved. It resulted with land use alteration from residential to commercial use. As a consequence, at present there is one of the shopping centers in Mersin (fig. 7.33).

This kind of morphological plan modifications reveals that at certain locations some small-scale projects, which are totally opposite to the plan conditions, were tried to be developed in Mersin. The reason for their realization was to create a totally different spatial context. The focus was given to formation of a new silhouette for the city. However, it is observed that they did not come into being in a planned way. Rather, they emerged as a result of *individual actions*. These cases reveal the fact that plan modifications became the tools for “*individualization of planning*”. It is assumed that the plot owners in the socio-political context became the prior actors in planning control. The same attitude is also pointed out by planning officers in municipalities. In other words, production of urban built environment within the contexts of planning control mechanisms seemed to be left to individual actions. It was declared in face-to-face interviews that the plot owners have considerable role on the formation of ‘changes in the spatial context’ via plan modifications. In that case, individual actors began to produce their own way of urbanism. Thus, “*plotization of control*” became the reference point for members of municipal councils. The result of this kind of plan modifications would contribute to the *creation of spoiled spatial context*, not only in their surrounding context but also in a wider context, throughout the city.

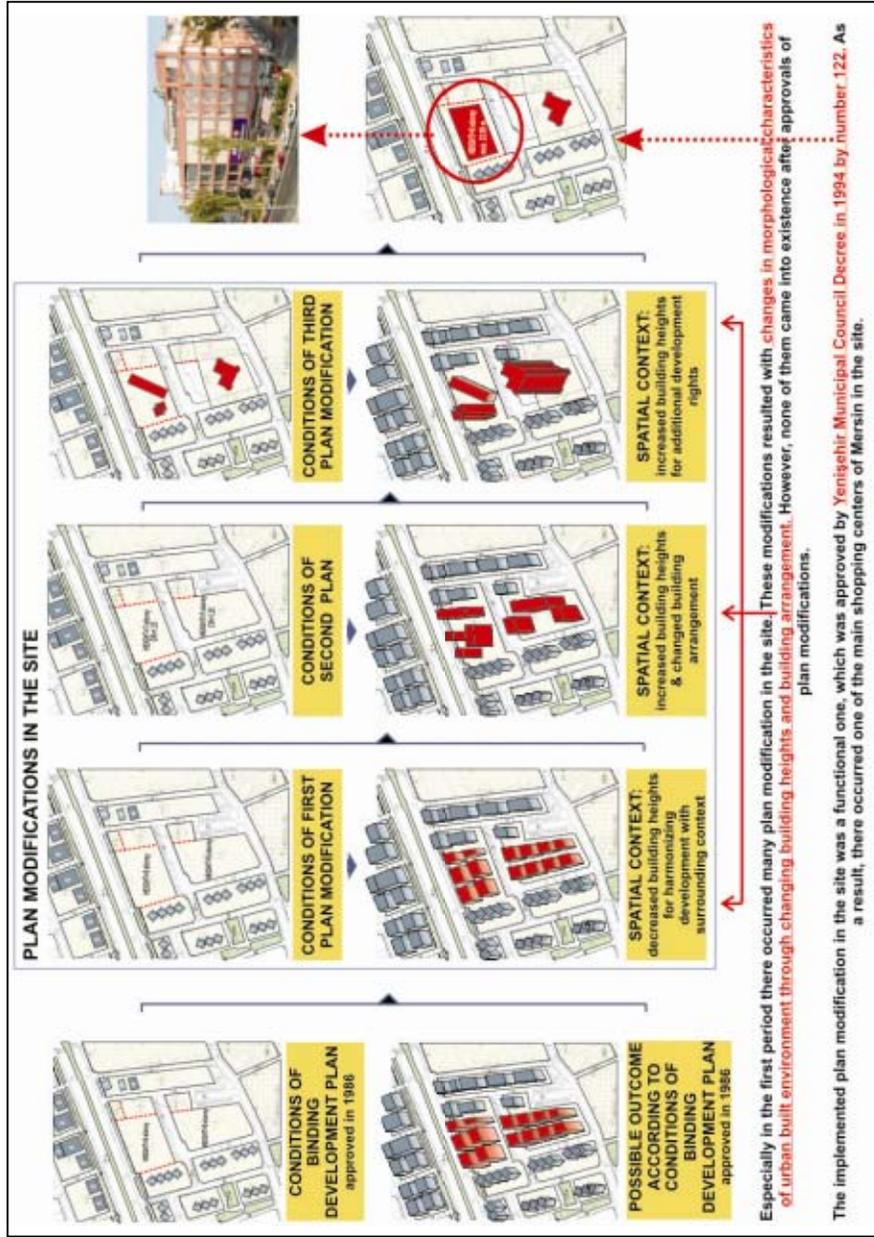


Figure 7.33: Building Block Based Plan Modifications Causing Change in Building Heights: morphological plan modifications on the site resulted with both decreasing building heights in the name of harmonizing development with its surrounding context and increasing building heights without any reference to the surrounding context.

7.2.3.2. Plan Modifications towards Causing ‘Changes in Building Arrangement’

Within temporal and spatial frames of the study, 70 of 395 (17%) morphological plan modifications resulted with ‘changes in building arrangement’ (fig 7.20). They usually did not arise in the city center, or in built-up areas. Most of them occurred in newly developing sites. On this account,

- Most of them (37 of 70- 53%) appeared in Yenişehir District since it embraces mostly newly developing residential areas.
- On the other hand, in Toroslar District, 17 of 70 plan modifications and
- In Akdeniz District 13 of 70 plan modifications came into being.

-First period (1986-1993)

Among 70 plan modifications towards changing building arrangement, 27 of them (39%) came into being in the first period.

- 8 of them (30%) came into existence in Akdeniz District
- 12 of them (44%) emerged in Yenişehir District
- 7 of them (26%) appeared in Toroslar District

Most of the ‘changes in building arrangement’ came into being in residential areas (fig. 7.34). In the first period, it is seen that most of them appeared in neighborhoods close to the city center, which were newly developing ones and some built up areas. For instance, neighborhoods such as Palmiye, Bahçelievler, and Gazi were built up areas whereas Menteş, Barbaros, and Eğriçam were newly developing ones in Yenişehir District. Plan modifications in Toroslar District mostly arose in built up areas in Zeki Ayan and Sağlık neighborhoods. In Akdeniz District, only one of them emerged in the city center in Çankaya; the other ones came into existence in transition zone of the city center (fig 7.34).

In the first period, within 27 total plan modifications that caused change in building arrangement:

- 11 of them resulted with additional construction area without any reference to surrounding context.
- 7 of them emerged in order to harmonize development with surrounding context.
- 3 of them came into order as a result of implementation problems.

- 2 of them appeared to rule out inconvenience with upper tier master plans, and
- 1 plan modification came into being for legalizing infringements on the site.

On the other hand, most of the plan modifications were block based ones:

- 11 of them occurred in boundaries of more than one building block
- 8 of them appeared in boundaries of one building block
- 6 of them came into being on more than one plot, and
- 2 of them transpired on individual plots.

-Second period (1993-2003)

Within 70 totals, 43 plan modifications emerged in the second period:

- 5 of them (12%) came into existence in Akdeniz District.
- 25 of them (58%) emerged in Yenişehir District.
- 13 of them (12%) appeared in Toroslar District.

It is observed that, 6 plan modifications were approved by Greater Mersin Municipal Council from an upper tier in the second period. They all came into being in Yenişehir District, where most of plan modifications that caused ‘change in building arrangement’ appeared in newly developing sites (in neighborhoods such as Barbaros, Menteş). In Toroslar District, this type of plan modifications came into being in both built up areas (in Sağlık, Toroslar, Z.Ayan neighborhoods) and in newly developing sites (Portakal, Çukurova neighborhoods). In Akdeniz District, as it was the case in the first period, most of plan modifications arose in transition zone.

In the second period, within total 43 total plan modifications:

- 27 plan modifications resulted with additional development rights without any reference to surrounding context
- 4 plan modifications emerged for harmonizing development with the surrounding context.
- 1 plan modification came out as a result of implementation problems
- 3 plan modifications came into existence as a result of acquired rights due to the previous development plans
- 3 plan modifications appeared for legalizing infringements.

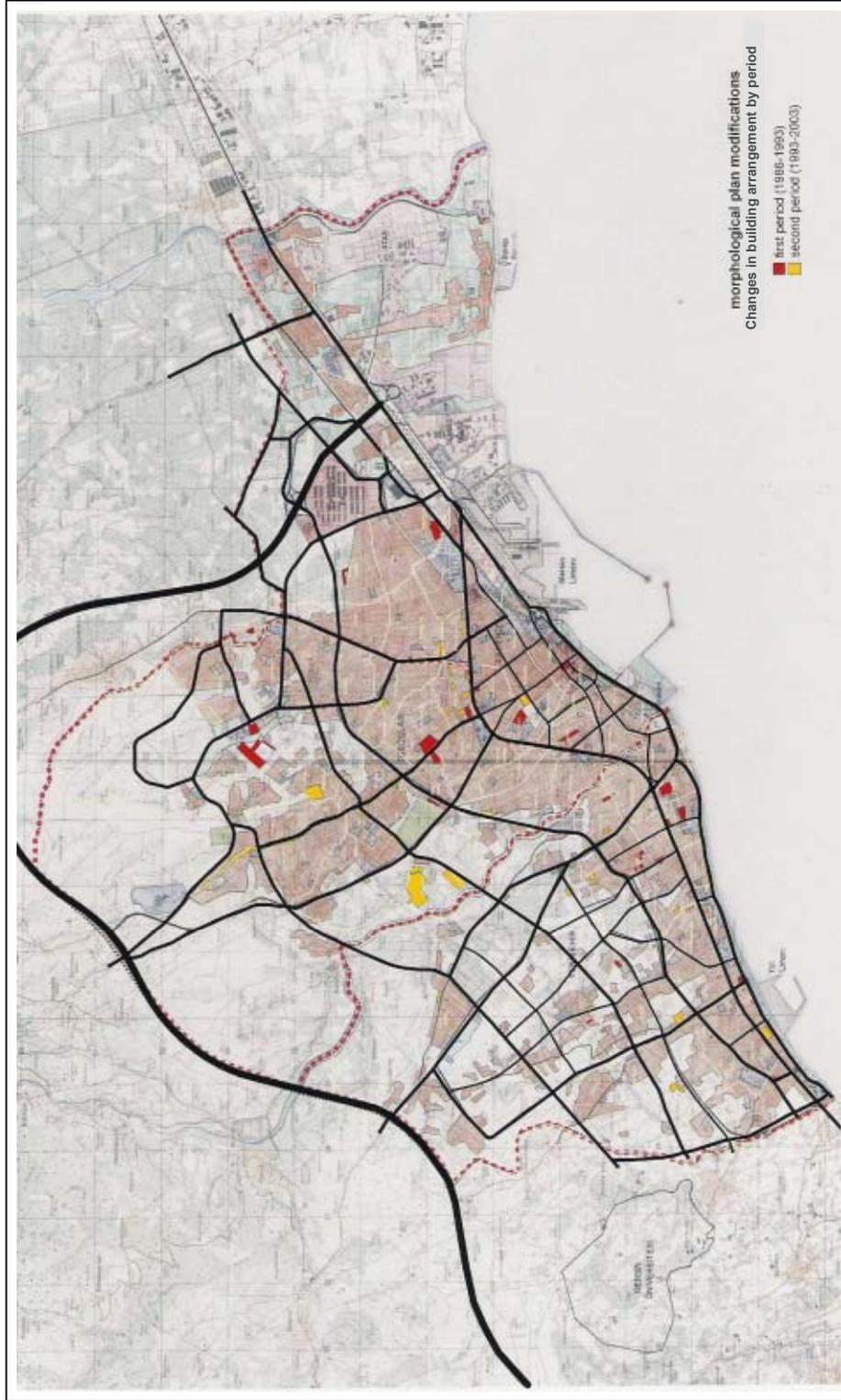


Figure 7.34: Morphological Plan Modifications in Mersin towards Changes in Building Arrangement by Period among Neighborhoods

In the second period, it is observed that the amount of plot-based modifications was increased when compared with the first period:

- 16 of totals came into being in boundaries of more than one building block.
- 7 of totals appeared on one building block
- 5 of totals emerged on more than one plot
- 15 of totals came into existence on individual plots

Table 7.8: Morphological Plan Modifications towards Causing Changes in Building Arrangement

MORPHOLOGICAL PLAN MODIFICATIONS THAT CAUSE CHANGES IN BUILDING ARRANGEMENT		FIRST PERIOD (1986-1993)		SECOND PERIOD (1993-2003)		ALL PERIODS (1993-2003)	
		amount (number)	percent. (%)	amount (number)	percent. (%)	amount (number)	percent. (%)
the amount and percentage in all morphological modifications		27 of 156	16%	43 of 239	18%	70 of 395	17%
MUNICIPALITY (authority to approve)	MERSİN	27	100%	0	0	27	38%
	AKDENİZ	0	0	5	12%	5	8%
	YENİŞEHİR	0	0	19	44%	19	27%
	TOROSLAR	0	0	13	30%	13	18%
	GREATER MERSİN	0	0	6	14%	6	9%
	TOTAL	27	100%	43	100%	70	100%
DISTRICTS (location)	AKDENİZ	8	30%	5	12%	13	19%
	YENİŞEHİR	12	44%	25	58%	37	53%
	TOROSLAR	7	26%	13	30%	20	28%
	TOTAL	27	100%	43	100%	70	100%
N.HOODS (location)	AKDENİZ	built-up areas (transition zone)		built-up areas (transition zone)		built-up areas (transition zone)	
	YENİŞEHİR	built-up & dev. areas (residential)		built-up & dev. areas (residential)		built-up & dev. areas (residential)	
	TOROSLAR	built-up & dev. areas (unauthorised-res.)		built-up & dev. areas (unauthorised-res.)		built-up & dev. areas (unauthorised-res.)	
REASON	harmonizing dev.	7	26%	4	32%	11	16%
	additional dev. rights	11	41%	27	40%	38	54%
	problems in implement.	3	11%	1	9%	4	6%
	inconven. with plans	2	8,00%	0	9%	2	3%
	legal. of infringments	1	4,00%	3	2%	4	6%
BOUNDARY	individual plot	2	7%	15	35%	17	24%
	more than one plot	6	23%	5	12%	11	16%
	individual bldg block	8	30%	7	16%	15	21%
	more than one bldg block	11	40%	16	37%	27	39%
	neighborhood	0	0	0	0%	0	0%
	more than one n.hood	0	0	0	0%	0	0%

-changing control approach while changing building arrangement

Plan modifications that caused ‘changes in building arrangement’ also signify the changes in control approaches among the three basic regulation types in development: *standard regulation*, *ratio regulation* and *bylaw regulation*. The basic changes highlight the ‘changes from ratio regulation to standard regulation’ or ‘from standard regulation to ratio regulation’. Furthermore, in standard regulation sites, the building arrangement might be changed from and to attached, detached or semi-detached. This is called ‘changes within standard regulation sites’. On the other hand, modifications in ratio regulation sites are expressed as ‘changes within ratio regulation sites’. In these sites, FAR is changed, which might add additional development rights. The distribution of four types of building arrangement change among districts can be seen in figure 7.35 and 7.37.

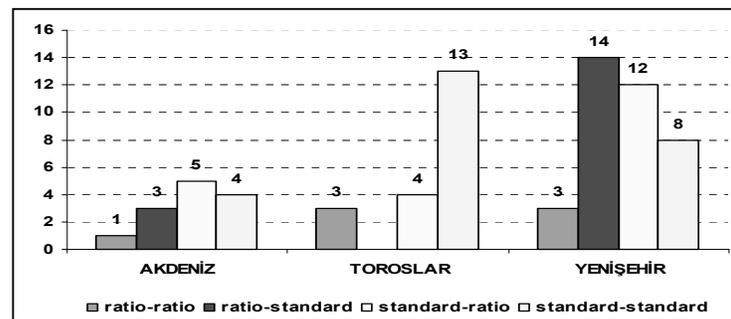


Figure 7.35: Distribution of Types of ‘Change in Building Arrangement’ Among Districts

In fact it is expected that most of ‘changes in building arrangement’ would have been resulted with ‘changes from standard regulation to ratio regulation’ since ratio regulation provides opportunities for flexibility during planning control and for the use of graded ratio regulation.

Enforcement of ratio regulation is highlighted in the chapter 5. It makes it available for plot owners to gain additional development rights. It would be available to construct a building with 10-storey according to FAR=2.00, where the development rights permit to construct a 5-storey building according to FAR=1.50 (Table 5.1). Therefore, it is conceived that the graded ratio regulation encouraged ‘changes from standard regulation to ratio regulation’ which **contribute to formation of a spoiled spatial context** (fig. 7.36).



Figure 7.36: Use of “Graded Ratio Regulation” in Yenisehir District. Its use within planning control mechanisms usually resulted with examples that contribute to the formation of spoiled spatial context.

The general views from Yenışehir District (fig. 7.36) reveal that standard regulation sites created a spatial context, of which the morphological characteristics are available to define. However, the areas developed through graded ratio regulation do not reveal any common properties. Many developments of different building heights, different FAR and different coverage area emerged in the spatial context, which resulted with spoiled spatial context.

Although the use of graded ratio seemed to be attractive for plot owners, it is observed that most of ‘changes in building arrangement’ resulted with ‘*changes within standard regulation sites*’ (25 of 70 totals-36%). ‘*Changes from standard regulation to ratio regulation*’ took place in all modifications with a rate of 30% (21 of 70 totals). And 17 of 70 plan modifications resulted with ‘*changes from ratio regulation to standard regulation*’.

Parallel to this general trend, **in Yenışehir District**, most of the changes in building arrangement resulted with ‘*changes from ratio regulation to standard regulation*’ (fig. 7.37). However, ‘*changes from standard regulation to ratio regulation*’ also took an important place in plan modifications in Yenışehir. It is seen that there was no difference between these two types in terms of their distribution among neighborhoods. They might come into existence in both formerly developed neighborhoods such as Bahçelievler, Aydınlikevler, Cumhuriyet, and Güvenevler or in newly developing neighborhoods such as Menteş, 50. Yıl, Limonluk, Fuat Morel. It is seen that ‘*changes from ratio regulation to standard regulation*’ arose due to the problems in built-up sites whereas ‘*changes from standard regulation to ratio regulation*’ appeared in newly developing sites to find possible flexible solutions of ratio regulation.

In Toroslar District, 13 of 20 plan modifications towards ‘changes in building arrangement’ arose in standard regulation sites. As far as improvement plans could not cope with the problems of shared title developments emerged dominantly in Toroslar District, plan modifications appeared as a means to improve physical conditions. Plan modifications **in Akdeniz District** usually resulted with ‘*changes from standard regulation to ratio regulation*’ (5 of 12). One of them came into being in the core of the city, in Çankaya neighborhood and three of them appeared in transition zone of city center (fig. 7.37). In the following sections four types of building arrangement change are taken into consideration through cases.

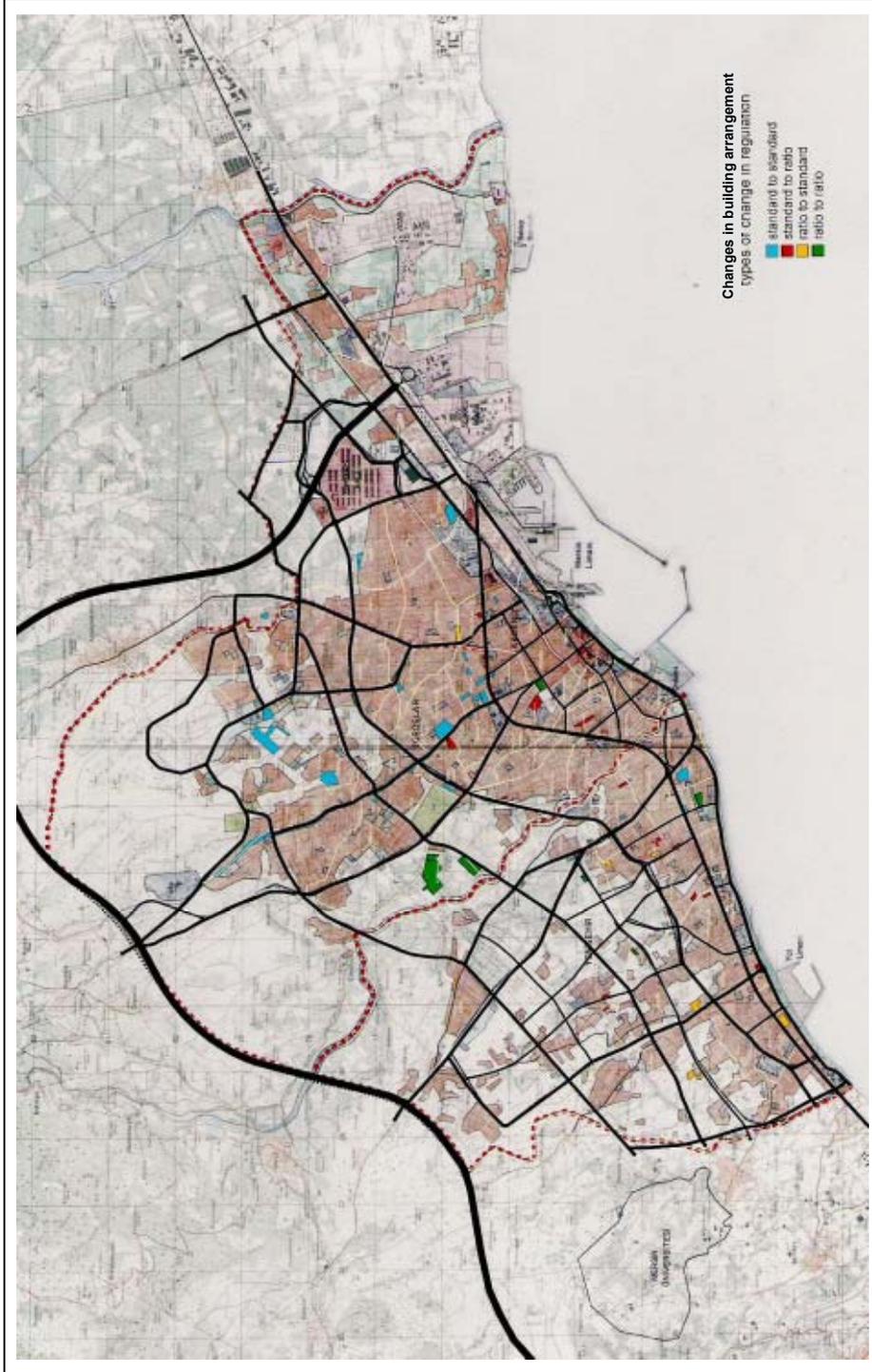


Figure 7.37: Morphological Plan Modifications in Mersin towards Changes in Building Arrangement by Regulation Types among Neighborhoods

-case(s) 1: Changes within standard regulation sites

As stated before in Chapter 5, standard regulation is a plot-based one where building arrangement might be determined as attached, detached or semidetached. However, in some cases it is observed that one of these building arrangements might be altered to another. The change of building arrangement usually seemed to be the result of existing developments in the surrounding context.

25 of 70 total plan modifications resulted with ‘changes within standard regulation sites’. Most of these came into existence in Toroslar District (13 of 25). Furthermore, 8 of 25 totals emerged in Yenişehir and 4 plan modifications in Akdeniz Districts. Although standard regulation depends on plot-based understanding, almost half of plan modifications were building block based (13 of 25).

-Case (s) 1.1: ‘change in building arrangement’ to harmonize the developments with surrounding context -the gradual changes in building arrangement

It is stated in Mersin Municipal Council Decision, approved in 1987 with number 364, that the *detached* housing on the plot according to development plan was changed to *semi-detached* housing as a result of the proposal of the plot owner. It is assumed to come into existence as a result of previous developments in the surrounding context (fig 7.38).

As soon as surrounding context is analyzed deeply, some certain features in morphological characteristics could be distinguished. The plot was located in a built-up area, although some of the plots were still vacant then. It had a frontage on the west side of a road, of which the width was 25 meters. Throughout plan conditions, which came into force in 1986, the plots that have frontage on the road had a development right for maximum 7-storey height according to detached building arrangement. Adjacent plots at the back had a development right for maximum 5-storey according to semi-detached housing.

The plan conditions signify a detached housing on the plots along the road, where a side setback should be left with neighboring plots. However, it is observed that the development was formed as attached and semidetached housing on some of the neighboring plots. They became precedent developments for ‘changes in building arrangement’ along the road. Accordingly, the development conditions on the plot were

changed by Mersin Municipal Council Decision in 1987 with number 364. It pointed out a semi-detached housing on the plot which would not leave side setback. Therefore, the plot owners would gain additional development rights through opening the side setback to development. It seems to be a result of gradual changes along the street.

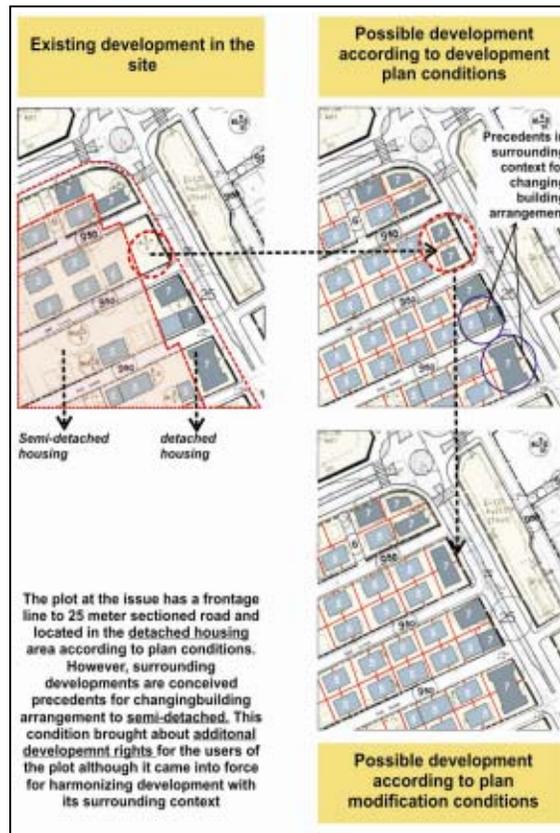


Figure 7.38: Change in Building Arrangement within standard regulation sites in order to harmonize development

Another plan modification that resulted with change in building arrangement in standard regulation sites was approved by Akdeniz Municipality Council in 2000 with number 92. This was a block based modification that changed the building arrangement *from detached housing to attached housing* with maximum 4-storey height. It was again the result of a gradual change that was justified with the existing developments in building block. It is stated in council records that “the developments in building block came into existence in

attached way. Therefore, any detached development in building block does not seem to be available”. As a result, the building arrangement was changed to ‘attached order’.

It is seen that the previous developments in building block appeared in attached way, although plan conditions signify detached housing. Development plan was not sufficient to control the developments in the surrounding context and those developments might be conceived as unauthorized. Consequently, they each became precedent for further plan modifications. Hence, it is conceived that the plan modification legalized them.

-case(s) 2: Changes from ratio regulation to standard regulation

Within all plan modifications that caused change in building arrangement, 17 of 70 totals resulted with ‘*changes from ratio regulation to standard regulation*’. They usually arose in built-up areas, where it did not seem possible to enforce ratio regulation. As a result of these modifications, plan conditions were changed ***from floor area ratio (FAR) to detached, semi-detached or attached development***. These alterations usually came into being due to the purpose of harmonizing development with the surrounding context, which was the result of a gradual change. However, it is observed that some of them appeared in order to get additional construction area.

In Toroslar District, this type of plan modifications did not come into existence and only three plan modifications occurred ***in Akdeniz District***. They appeared in transition zone of the city center. Most of ‘*changes from ratio regulation to standard regulation*’ emerged ***in Yenişehir District***. 14 of 17 modifications appeared in both built-up areas and newly developing sites of Yenişehir.

-case(s) 2.1: ‘change in building arrangement’ to harmonize the developments with surrounding context –the gradual changes in building arrangement

In Mersin Municipal Council Decision approved in 1987 with number 403 it is stated that the building arrangement of building block was changed due to developments and plan conditions in the surrounding context. The plot at the issue had frontage on 25 meter width road along which plan conditions signified detached housing with maximum height of 7-storey. It is seen that the developments on the neighboring plots arose according to these

conditions. Accordingly, the building arrangement of the plots was changed from FAR=1.25 to detached housing with maximum 7-storey height (fig 7-39).

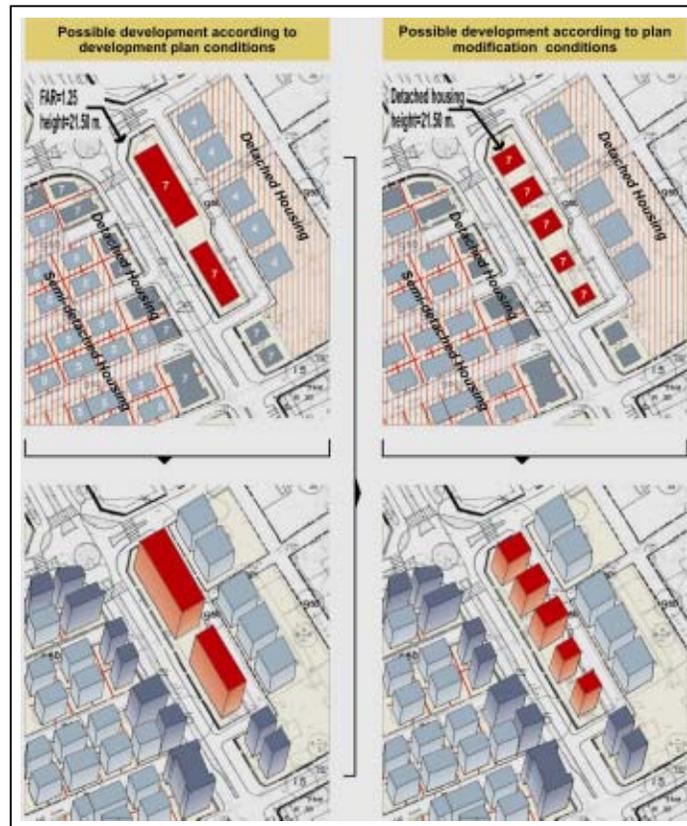


Figure 7.39: Change in Building Arrangement -Changing building arrangement from ratio regulation to standard regulation in order to harmonize development. The figure above shows the possible development according to plan conditions and modification conditions. Since the use of FAR can be changed according to the design of buildings, one of the possible outcomes is shown on left-hand side of the figure.

Likewise, by Mersin Municipal Council Decision approved in 1988 with number 62, the building arrangement was changed *from ratio regulation to standard regulation* since surrounding developments arose according to attached housing with 4-storey. Consequently, the plan conditions for the block were changed from FAR=1.25 with maximum height of 7 storey to semi-detached housing with maximum height of 4-storey. It is seen that this kind of plan modifications came into force in *order to harmonize the*

developments with its surrounding context. They are parts of a gradual change in the morphological characteristics of the urban built environment.

-case(s) 2.2: ‘change in building arrangement’ without any reference to the surrounding context

On the other hand, ‘changes from ratio regulation to standard regulation’ might appear *without any reference to their surrounding context.* They emerged usually with the purpose of gaining additional development rights. Greater Mersin Municipal Council Decision, approved in 1993 with number 352, changed the building arrangement from ratio regulation to standard regulation in a newly developing site: *from FAR=1.25 with maximum 7-storey to detached housing with maximum 12-storey* (fig 7-40).

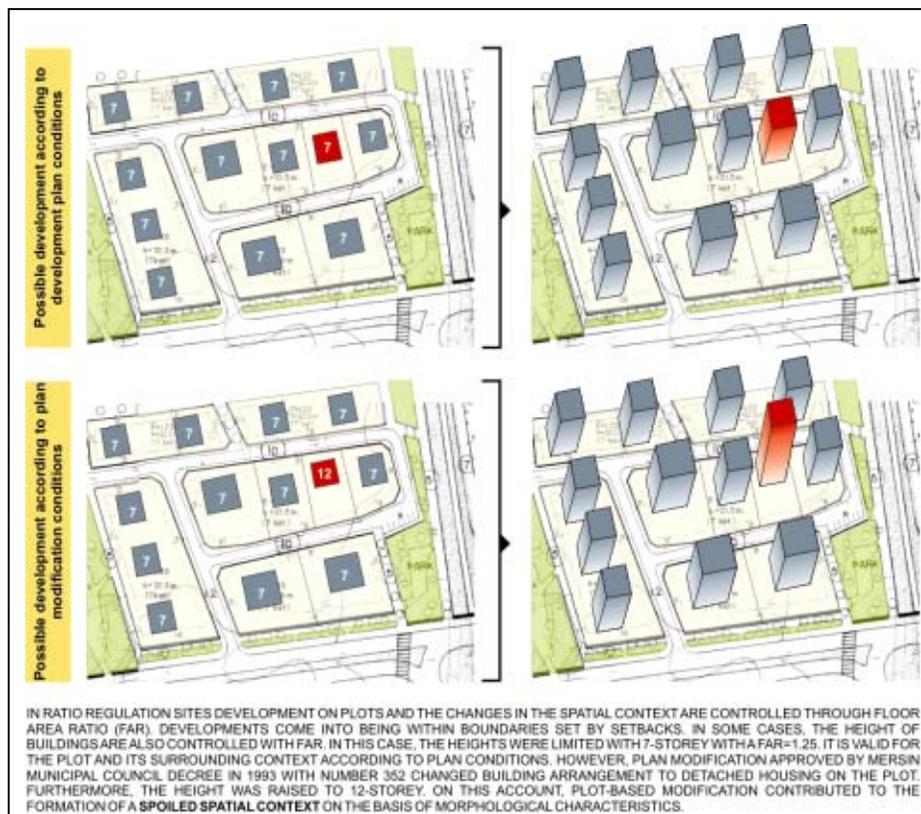


Figure 7.40: Change in Building Arrangement -Changing building arrangement from ratio regulation to standard regulation without any reference to surrounding context

As far as there was no development in the surrounding context the modification came into being without any reference to anticipated context of development plan. The plot owners would gain additional development right from on the plot via plan modification. Furthermore, it might be a precedent and a triggering force for same kind of developments in the surrounding context and gradual changes.

Similarly, Greater Mersin Municipal Council Decision approved in 1993 with number 354 changed ratio regulation to standard regulation. It is observed that plan conditions before plan modification indicated a FAR=1.25 with maximum 7-storey. In municipal council records, it is stated that as a result of problems in implementation process, it would have not been available to use the rights for graded ratio regulation. Therefore, the building arrangement was changed to standard regulation that indicated detached housing with 10-storey.

It was a plot-based modification without any reference to the surrounding context since the plan conditions highlighted a FAR=1.25 with maximum 7-storey. On the other hand, in state of its existence it might be conceived as a precedent for same kind of developments, which would result with gradual change in the urban built environment formation of a new spatial context.

-case(s) 3: Changes from standard regulation to ratio regulation

21 of 70 plan modifications that caused change in building arrangement resulted with '*changes from standard regulation to ratio regulation*'. They might come into being in either built-up areas or newly developing areas.

Most of these modifications (12 of 21) came into existence *in Yenişehir District*. Since Yenişehir was a newly developing district and open to innovative solutions in planning control through use of ratio regulation, it is expected that most of this type plan modifications would come into existence in newly developing neighborhoods of Yenişehir. However, they usually appeared in built-up areas in Cumhuriyet, Aydınlikevler, Bahçelievler, Güvenevler and Barbaros neighborhoods. Only 3 of 12 plan modifications came into effect in newly developing neighborhoods like Menteş and 50.Yıl. Although *Akdeniz District* consists of mainly built-up areas, 5 plan modifications came into being in

the city center and its transition zone. Likewise, 4 plan modifications appeared in built-up areas of Toroslar District in Z.Ayan and Demirtaş neighborhoods.

These findings reveal that ‘*changes from standard regulation to ratio regulation*’ usually came into being in built-up areas although they were expected to appear in newly developing sites. When the cases are analyzed deeply it is seen that ratio regulation is used by binding development plans in newly developing areas and therefore plan modifications that changed building arrangement from standard regulation to ratio regulation dominantly appeared in built-up areas. As a consequence of these modifications, *plan conditions were changed from detached, semi-detached or attached orders to floor area ratio (FAR)*. They are analyzed deeply through cases below.

-Case(s) 3.1: ‘change in building arrangement’ to harmonize the developments with surrounding context

These cases of plan modifications that caused changes from standard regulation to ratio regulation are supposed to come into existence for *harmonizing development with the surrounding context*.

Mersin Municipality Council Decision approved in 1993 with number 145 specified the *change from standard regulation to ratio regulation* for two building blocks. In municipal council record, it is stated that in binding development plan, conditions of standard regulation were developed for built-up areas, whereas those of ratio regulation were developed for newly developing or vacant areas. Since the building blocks at the issue were located in newly developing sites, it was changed from semi-detached housing with maximum 4-storey to FAR=1.25 without any consideration of building heights.

Although this plan modification came into force in order to harmonize the development with surrounding development, the result seemed to make contributions to the creation of a *spoiled spatial context*. The building blocks at the issue were vacant areas; however they were located in-between built-up areas, where plan conditions signified semi-detached housing with maximum 4-storey. As a result of the change in building arrangement to ratio regulation, the height of the possible development would not be controlled and the designers were set free to bring about any outcome (fig. 7-41). Furthermore, the height of

the buildings during the development might be increased according to the conditions of graded ratio regulation since it is valid for all ratio regulations.

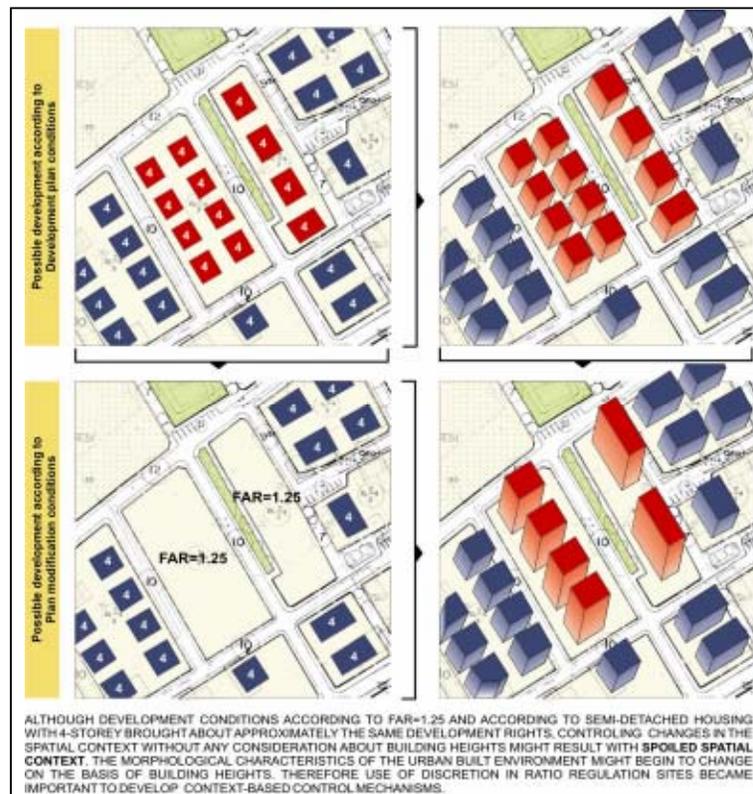


Figure 7.41: Change in Building Arrangement -Changing building arrangement from standard regulation to ratio regulation in order to harmonize development, case1.

In this case, alteration of building arrangement from standard regulation to ratio regulation seemed to be useful to create more flexible solutions during architectural design processes. In fact, development conditions according to FAR=1.25 and according to semidetached housing with 4-storey brought about approximately the same development rights. However, use of ratio regulation without any limitation on building heights might result with spoiled spatial context. Therefore, limitations on building heights could be figured out with use of discretion in planning control mechanisms to reach a harmony with the developments in the surrounding context. A similar example for this attitude was followed in Case 2.2 of morphological plan modifications that caused changes in building heights.

In another example, the plot owner demanded a building of 5-storey with dimensions of ground floor area=20x22 meters on the plot. It is stated in municipal council records that the morphological characteristics of surrounding context were analyzed and this kind of a development would spoil the spatial context and emergence of a building of those dimensions did not seem possible because of setbacks on the plot. Since the buildings in the same building block were 8-storey with detached housing with a FAR=2, the proposal of the plot owner signify a development right that correspond to FAR=2.88, which would spoil the spatial context. Therefore, the building arrangement for the plot at the issue was changed from standard regulation, which specified semi-detached housing with maximum 5-storey height, to ratio regulation, which indicated a development right of FAR=2.00 with maximum 8-storey (fig 7.42). The plan modification was approved by Yenişehir Municipal Council in 1997 with number 32.



Figure 7.42: 'Change in Building Arrangement' from standard regulation to ratio regulation in order to harmonize development, case 2.

It is seen that the morphological continuity in surrounding context was taken into consideration by both planning officers in Yenişehir Municipality and councilors. The proposal of the plot owner was analyzed to be adapted to the morphological characteristics of surrounding context. Although the proposal brought about a development that have less storey than the existing ones, the outcome would not comply with surrounding context in terms of development rights and lot coverage. Therefore, the proposal was evaluated to acquire a *harmony in spatial context* on the basis of *morphology of the site*.

-case(s) 3.2: ‘change in building arrangement’ as a result of problems during implementation process

It is stated in the records that the plan modification approved by Mersin Municipal Council Decision in 1988 with number 6, occurred as a result of *problems during implementation process of development plan*. The roads surrounding the building block at the issue were not able to be acquired by public during Land Readjustment Process. As a result of the application of owners of two plots, of which location was remained in roads according to development plan, the building arrangement was changed *from standard regulation to ratio regulation* in order to facilitate the implementation process.

The building arrangement was previously specifying a development of 5-storey detached housing. It was assumed by councilors that the total construction area in building block would not be adequate for the total the development rights on the site. Consequently, the construction area was increased for a sufficient distribution of development rights. On this account, the building arrangement was changed to ratio regulation that indicated a development according to FAR=2.00. However, the height of buildings in possible development was not controlled.

In this case, it could be assumed that plan modification came into existence as a result of problems confronted in implementation process. However, its possible outcome might signify a development that contributes to formation of a spoiled spatial context, since its morphological characteristics would not be in conformity with surrounding context in terms of development rights. Thus, the use of discretion during implementation process (especially during building permit procedures) seemed to be inevitable.

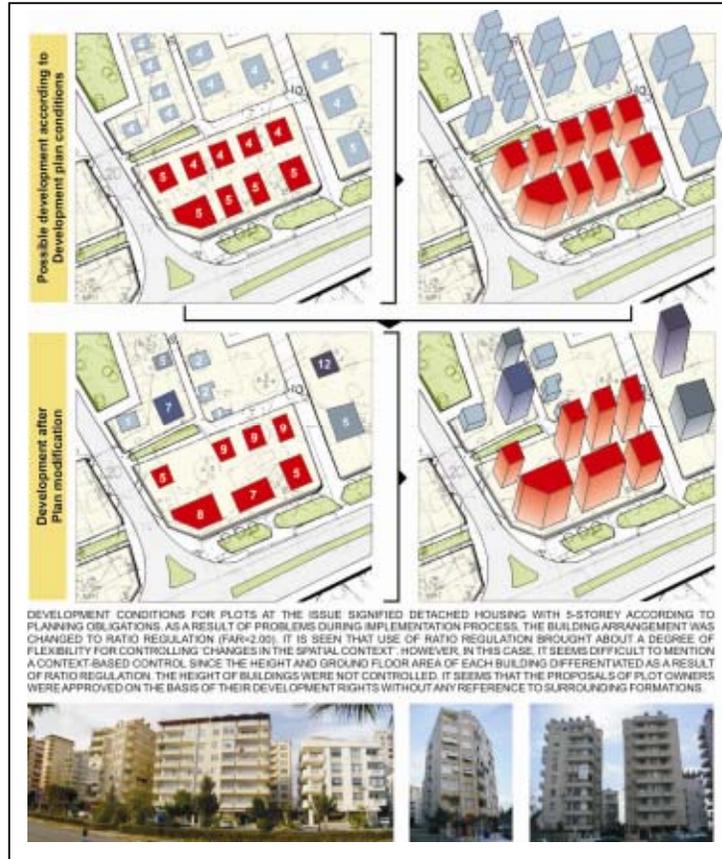


Figure 7.43: ‘Change in Building Arrangement’ from standard regulation as a result of problems during implementation process

-case(s) 4: Changes within ratio regulation sites

Some examples of plan modifications (7 of 70 totals) revealed that building arrangement changes might also arise in ratio regulation sites. They resulted with changing building arrangement through changing FAR. In almost all cases, it is seen that FAR was increased as a result of demands of plot owners. Consequently, these alterations usually **resulted with increasing development rights**. Therefore, they usually came into being in order to **gain additional construction area without any reference to their surrounding context**. Furthermore, most of them resulted with increasing building heights.

They usually emerged in newly developing sites. For instance, **in Toroslar District** there occurred 3 plan modifications resulted with increase of FAR in ratio regulation sites and they were all in newly developing sites of Portakal Neighborhood. Likewise, **in Yenişehir**

District, 2 of 3 plan modifications emerged in Limonluk and Menteş neighborhoods. Only one plan modification in Yenişehir appeared in built-up areas in Gazi neighborhood. ***In Akdeniz District***, only one plan modification caused changes of FAR in transition zone of the city center, in İhsaniye neighborhood.

Changing FAR in newly developing sites via plan modifications is conceived to be a consequence of *development pressures* and demands of plot owners to increase their development right. Plan modifications, which were approved by Toroslar Municipal Council, reveal more apparent examples for creating ***spoiled spatial context*** and gaining additional construction area through changing building arrangement within ratio regulation areas. *Development pressures* could be followed in these examples more clearly.

It is seen that building arrangement in ratio regulation sites was changed from FAR=1.25 to FAR=2.00 by Toroslar Municipal Council Decision approved in 1995 with number 58. In municipal council records, it is stated that the building arrangement was changed in order to facilitate the building sector in boundaries of Toroslar Municipality. When it is analyzed, it is seen that it came into force ***without any consideration to the morphological characteristics of surrounding development and planning conditions***. It seemed apparent that the morphological characteristics of the area were changed ***to gain additional construction area***. The reason was to support the building sector and to make Toroslar district an attractive region for building investments and to produce better urban environments in Toroslar District, most of which was developed via ‘shared title developments’ with poor living conditions.

However, as pointed out above, this type of plan modifications would come into existence without any consideration to plan conditions and morphological characteristics of the surrounding context. As a result, they would contribute to ***formation of a spoiled spatial context***. Moreover, being precedents for the same kind of plan modifications they became triggering force of changing existing conditions and creating a new spatial context though gradual changes. Same attitudes could be followed in some other municipal council records of Toroslar Municipality- that was approved in 1996 with number 20 or in 1994 with number 111.

7.2.3.3. Plan Modifications towards Causing ‘Changes in Road Sections’

Besides changes in building heights and building arrangement, a considerable amount (59 of 395-15%) of plan modifications resulted with ‘changes in road sections’. They usually came into existence *as a result of problems in built-up environments*. Therefore, most of them emerged in neighborhoods, located in Akdeniz District. Throughout temporal and spatial frames of the study, it is observed that 31 of 59 plan modifications appeared in those neighborhoods. On the other hand 15 of 59 plan modifications came into existence in Yenişehir District and 12 of 59 plan modifications were emerged in Toroslar District.

-First period (1986-1993)

Among all morphological plan modifications in the first period, 25 of 156 totals (16%) resulted with ‘change in road sections’:

- 15 of 25 ‘changes in road sections’ came into being in *Akdeniz District*. 9 of them arose in the city center, in neighborhoods like Mahmudiye, Mesudiye, Kültür, Çankaya and Turgut Reis. The others appeared in transition zone of the city center.
- 6 of 25 plan modifications occurred in *Toroslar District*. Like in Akdeniz District, most of ‘changes in road sections’ emerged in built-up areas in Osmaniye, Sağlık and Selçuklar neighborhoods.
- And 4 of 25 plan modifications came into being in *Yenişehir District*. Parallel with the general trend, the road widths were changed in built-up areas.

In the first period, it is observed that most of ‘changes in road sections’ came into being as a result of problems in implementation process. 17 of 25 plan modifications (68%) emerged in this way. Furthermore, 5 of 25 plan modifications (20%) were approved as a result of changing needs of people. In its essence, changing road widths is related with also changing the forms of building blocks alongside the road. Therefore, 24 of 25 plan modifications were building block based modifications in the first period.

-Second period (1993-2003)

An increase in the amount of ‘changes in road sections’ is observed **in the second period**. 34 plan modifications of this type came into existence in this period. However, its

proportion in all morphological plan modifications was decreased to 14% from 16%. In the second period, it is seen that,

- As it was observed in the first period, most of plan modifications in *Akdeniz District* (11 of 18) emerged in the city center in neighborhoods like Çankaya, Kültür, Mahmudiye, Mesudiye, Nusratiye and Turgut Reis. The amount of ‘changes in road sections’ was increased in transition zone of the city center and periphery neighborhoods of Akdeniz District. It revealed that those areas began to be built-up in the course of time.
- The proportion of ‘changes in road sections’ in *Yenişehir District* was increased in the second period (11 of 34 totals). In the first period, 4 modifications emerged in built-up neighborhoods such as Aydınlikevler and Bahçelievler. However, besides those built-up environments, ‘changes in road sections’ began to be seen in neighborhoods like 50.Yıl and Batıkent, which were vacant in the first period.
- On the other hand, a sharp decrease occurred in the amount of ‘changes in road sections’ in *Toroslar District* in the second period. 4 of total modifications arose in Toroslar District and only two of them were approved by Toroslar Municipal Council. The others were approved by Greater Mersin Municipal Council from an upper-tier.

As it is observed in the first period, in second period, most of plan modifications (25 of 34 totals-74%) towards changing road sections emerged as a result of problems during implementation processes. On the other hand, 6 of 34 plan modifications came into being as a result of changing needs of people. And one plan modification appeared in order to rule out inconvenience with upper-tier plans. In the second period, most of changes in road sections came into effect again via building block based plan modifications (30 of 34-88%). It is distinguishing that one plan modification came into order in boundaries of more than one neighborhood. This reveals a large scale designation of roads.

-whole frame of the study (1986-2003)

It is observed that in both periods plan modifications towards changing road sections expose similar characteristics. Most of ‘changes in road sections’ (*42 of 59-72%*) came into existence in order *to solve the problems confronted during implementation process*. These problems might vary in their context. For instance, in some plan modifications, it is

observed that the section of the street would be narrowed as a result of existing developments on the site. In those cases, the existing buildings would remain on streets if the section of street would not be narrowed. Existence of such a problem may depend on two formations. First, during plan preparation process, existence of those buildings might not be realized by planner, who was charged with duty of preparing development plan. Second, the buildings might be constructed despite plan conditions. Therefore, they would have each been unauthorized developments in the urban built environment. For the latter, changing road sections according to those formations would result with legalization of unauthorized development. In none of the municipal council records, the latter formation was encountered within the framework of analysis. It seemed that plan modifications approved as a result of problems encountered during implementation process reveal the existence of former situation.

Another reason for solving problems during implementation process is *to provide frontage line to plots* that were placed in building blocks. In the Turkish planning system each urban plot should have a frontage line in order to construct a building on the plot. It is stated in regulatory context that the width of this road must be at least 7.00 meters. From this viewpoint, it is seen that some roads remained narrower than 7.00 meters in the urban built environment. In order to provide frontage line to the plots alongside the road, it was enlarged in many cases. One of the examples for this case is the plan modification approved by Akdeniz Municipal Council in 1994 with number 81. It is stated in municipal council records that there was a road, of which the width is 3.00 meters, and it should be enlarged to 7.00 meters in order to provide frontage line to the plots alongside the road.

On the other hand, 11 of 59 plan modifications (19%) were assumed to be approved by related municipal councils in order *to give response to the changing needs of society and newly emerged conditions*. In these cases, the roads were usually enlarged because of increasing traffic volume, or because of bringing about new designs for streets. From another perspective, they might come into force as a result of newly emerged pattern alongside the street. For instance, in Akdeniz Municipal Council Decision approved in 1994 with number 127, it is stated that the formations on the opposite sides of the street came into existence with a distance of 18.00 meters to each other. However, the width of the street was determined to be 14.50 meters in development plans. On this account, it is pointed out that it would be available to enlarge that street.

On the other hand, some of these plan modifications might come into existence *as a result of rearrangements in intersection of roads*. It is stated in Yenişehir Municipal Council Decision approved in 1999 with number 15 that a new arrangement for the intersection was designed. Therefore, the plan conditions should be modified in order to be compatible with new design.

Table 7.9: Morphological Plan Modifications towards Causing Changes in Road Widths

MORPHOLOGICAL PLAN MODIFICATIONS THAT CAUSE CHANGES IN ROAD SECTIONS		FIRST PERIOD (1986-1993)		SECOND PERIOD (1993-2003)		ALL PERIODS (1993-2003)	
		amount (number)	percent. (%)	amount (number)	percent. (%)	amount (number)	percent. (%)
the amount and percentage in all morphological modifications		25 of 156	16%	34 of 239	14%	59 of 395	15%
MUNICIPALITY (authority to approve)	MERSİN	25	100%	0	0	25	43%
	AKDENİZ	0	0	18	53%	18	30%
	YENİŞEHİR	0	0	11	32%	11	19%
	TOROSLAR	0	0	2	6%	2	3%
	GREATER MERSİN	0	0	3	9%	3	5%
	TOTAL	25	100%	34	100%	59	100%
DISTRICTS (location)	AKDENİZ	15	60%	18	53%	33	56%
	YENİŞEHİR	4	16%	11	32%	15	25%
	TOROSLAR	6	24%	5	15%	11	19%
	TOTAL	25	100%	34	100%	59	100%
N.HOODS (location)	AKDENİZ	built-up areas (city center-transition zone)		built-up areas (city center-transition zone)		built-up areas (city center-transition zone)	
	YENİŞEHİR	built-up areas (residential)		built-up&developing areas (residential-developing)		built-up&developing areas (residential-developing)	
	TOROSLAR	built-up areas (unauthorised-residential)		built-up areas (unauthorised-residential)		built-up areas (unauthorised-residential)	
REASON	harmonizing development	0	0%	0	0%	0	0%
	additional dev. rights	0	0%	0	0%	0	0%
	problems in implementation	17	68%	25	74%	42	71%
	inconvenience with plans	0	0,00%	1	9%	1	2%
	changing needs	5	20,00%	3	6%	8	14%
BOUNDARY	individual plot	0	0%	1	3%	1	2%
	more than one plot	1	4%	2	6%	3	5%
	individual bldg block	7	28%	2	6%	9	15%
	more than one bldg block	17	68%	28	82%	45	76%
	neighborhood	0	0	0	0%	0	0%
	more than one n.hood	0	0	1	3%	1	2%

Like parks, roads are also public uses. They are expected to be acquired during land readjustment process after approval of development plans. In other words, appropriation of roads comes into existence through land readjustment shares (LRS) taken from cadastral plot owners. Hence, roads and streets are public spaces to be used for public purposes.

The role of streets in creation of a public realm is conceived to be outstanding within planning control mechanisms. However, it is seen that most of them are used for only vehicle passes. By this way, they became separators of parts of the urban built environment from each other. Along this path, it is considered that they are taken into consideration for only technical concerns. Consequently, their impact on creation of a public realm seemed to be neglected by actors in socio-political context. Although the focus on technical implementation problems did not seem to contribute to the formation of a spoiled spatial context, the roads were not considered as basic aspects of the public realm. It gives the impressions of a *quantitative understanding* within the planning control mechanisms.

However, some of them are assumed to improve the living conditions and to improve the qualitative aspects of urban built environment. In those examples, a *qualitative approach* within planning control mechanisms was seemed to be developed. Plan modification approved by Akdeniz Municipal Council Decision approved in 1994 with number 127 is conceived as an example for this attitude. As a result of this modification, a part of Atatürk Street was designed in order to improve its quality. By this way, the street would not only be used as a space for vehicle space, but also as a public space for its users.

7.2.3.4. Plan Modifications towards Causing ‘Changes in Building Block Forms’

Besides previous types of morphological plan modifications, some others resulted with ‘changes in building block forms’ in Mersin. It is related with rearrangement of building blocks without changing land use decisions. Hence, the amount of any use during these modifications was not changed. The critical issue for these modifications is to pay attention not to change the amount of public uses, such as streets and parks, and not to change the amount of land use of building blocks. Another critical issue is not to change the continuity of streets between building blocks during modification process. It is strongly emphasized via prescriptions of ‘Plan Preparation Bylaw’ in Turkish planning legislation.

This type of plan modifications is expected to come into being in newly emerging and vacant areas. Therefore, it is observed that most of them appeared in Yenişehir and Toroslar districts. Moreover, the ones in Akdeniz District emerged mostly in periphery neighborhoods. Throughout all plan modifications, 21 of 52 plan modifications emerged in Toroslar District. 18 of 52 plan modifications came into existence in Yenişehir District, and 12 of 52 plan modifications emerged in Akdeniz District.

-First period (1986-1993)

In the first period, 13 plan modifications within 156 totals (8%) resulted with ‘changes in building block forms’. Most of them (8 of 13) came into being *in Toroslar District*. It is seen that 3 of them emerged in built-up neighborhoods like Tozkoparan, T.Türkali and Demirtaş. The other ones appeared in newly developing sites and mass housing areas like Güneykent. Within the others, 2 plan modifications emerged *in Yenişehir District*. One of them came into being in Akkent neighborhood, which was a built-up area, and the other in 50.Yıl, a newly developing neighborhood. 3 plan modifications emerged *in Akdeniz District*. They came into being in vacant and newly developing sites of Çilek and Şevket Sümer neighborhoods (fig. 7.42 and Table 7.10).

It is conceived that most of plan modifications towards causing ‘changes in building block forms’ did not appear in order to gain additional construction area; rather they seemed to emerge due to the problems of static development plans or changing needs in socio-political context. Hence, in the first period, it is observed that most of plan modifications (7 of 13-54%) came out as a result of problems in implementation processes. Else, 2 of 13 plan modifications appeared as a consequence of changing needs of people. Since rearrangement of building blocks is essentially a block based issue, all of plan modifications in the first period were building block based.

-Second period (1993-2003)

In the second period, a sharp increase came into being in the amount of ‘changes in building block forms’. 39 of 239 (16%) morphological plan modifications caused ‘changes in building block forms’. Reason for this trend seemed to be a rise in the *development pressures*. Another reason is supposed to be the *inadequate solutions of development plans for providing sufficient building blocks* for development.

Opposed to the developments in the first period, most of ‘changes in building block forms’ came into being *in Yenişehir District* in the second period. 16 of 39 (41%) plan modifications appeared in Yenişehir, mostly in newly developing neighborhoods like 50.Yıl, Menteş, Fuat Morel and Batkent (fig. 7.44 and Table 7.10), which were not planned in the first period and where development activities were directed mostly via partial plans. *It is seen that existence of a development plan in those areas gave rise to the emergence of problems in controlling the formation of a spatial context.*

In Toroslar District, 12 plan modifications towards changing building block forms occurred in the second period. When compared with first period, their amount in newly developing sites and in mass housing sites was increased in the second period. *In Akdeniz district*, 10 plan modifications emerged in the second period. Two of them were approved by Greater Mersin Municipal Council from an upper tier. Most of plan modifications in Akdeniz District came into effect in vacant and newly developing sites of Çilek, Gündoğdu and Karaduvar neighborhoods (fig. 7.44 and Table 7.10).

As it was observed in the first period, most of plan modifications (27 of 39-68%) in the second period emerged as a result of problems during implementation processes. Moreover, 10 of total 39 plan modifications appeared as a result of changing needs of people. And none of them arose for gaining additional development rights. Furthermore, they were all building block based modifications (Table 7.10).

Within the whole temporal framework of the study, it is seen that 34 of 52 total ‘changes in building block forms’ came into being *as a result of problems confronted during implementation process*. On the other hand, 12 of totals seemed to come into existence as a result of *inadequacies of conditions in development plans*. As a matter of fact, these two reasons appeared together in many municipal council records in order to justify the modifications for rearrangement of building blocks. Furthermore, it is observed that plan modifications might cause rearrangement of building blocks *as a result of problems confronted during land readjustment process*.

It is seen that, there were mainly two ways to change building block forms. The first is conceived as *“replacement of building blocks”*, whereas the second is *“unification of building blocks”*. The cases for this differentiation are taken into account below.

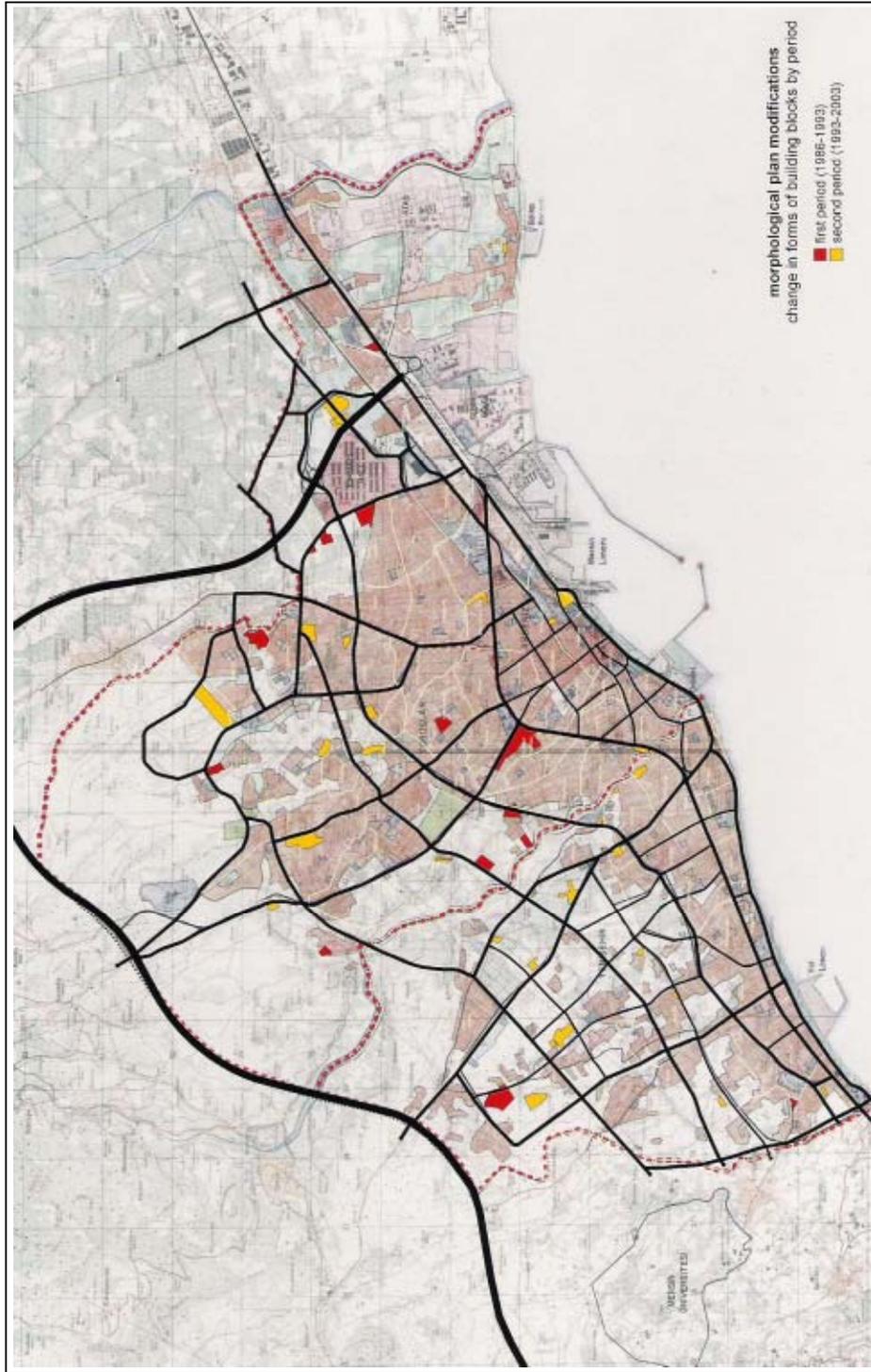


Figure 7.44: Morphological Plan Modifications in Mersin towards Changes in Building Block Forms among Neighborhoods

Table 7.10: Morphological Plan Modifications towards Causing Changes in Building Block Forms

MORPHOLOGICAL PLAN MODIFICATIONS THAT CAUSE CHANGES IN FORMS OF BUILDING BLOCKS		FIRST PERIOD (1986-1993)		SECOND PERIOD (1993-2003)		ALL PERIODS (1993-2003)	
		<i>amount (number)</i>	<i>percent. (%)</i>	<i>amount (number)</i>	<i>percent. (%)</i>	<i>amount (number)</i>	<i>percent. (%)</i>
		the amount and percentage in all morphological modifications		13 of 156	8%	39 of 239	16%
MUNICIPALITY (authority to approve)	MERSİN	13	100%	0	0	13	25%
	AKDENİZ	0	0	8	20%	8	15%
	YENİŞEHİR	0	0	16	41%	16	30%
	TOROSLAR	0	0	11	29%	11	22%
	GREATER MERSİN	0	0	4	10%	4	8%
	TOTAL	13	100%	39	100%	52	100%
DISTRICTS (location)	AKDENİZ	3	23%	10	28%	13	25%
	YENİŞEHİR	2	15%	16	41%	18	36%
	TOROSLAR	8	62%	12	31%	20	39%
	TOTAL	13	100%	39	100%	52	100%
N.HOODS (location)	AKDENİZ	developing areas (residential)		built-up areas (residential)		built-up areas (residential)	
	YENİŞEHİR	built-up & dev. areas (residential)		developing areas (residential)		built-up & dev. areas (residential)	
	TOROSLAR	built-up&mass housing (unauthorised-res.)		mass housing areas (residential)		built-up&mass housing (unauthorised-res.)	
REASON	harmonizing development	1	8%	0	0%	1	0%
	additional dev. rights	0	0%	0	0%	0	0%
	prob.s in implementation	7	54%	27	69%	34	65%
	inconvenience with plans	0	0,00%	1	2%	1	19%
	changing needs	2	15,00%	10	26%	12	23%
BOUNDARY	individual plot	0	0%	0	0%	0	0%
	more than one plot	0	0%	0	0%	0	0%
	individual bldg block	0	0%	8	20%	8	15%
	more than one bldg block	12	94%	31	80%	43	83%
	neighborhood	1	6%	0	0%	1	2%
	more than one n.hood	0	0	0	0%	0	0%

- Replacement of building blocks

In these cases, the location of building blocks of different functional uses was replaced within boundaries of plan modification without changing their amount of land. This type of modifications was mostly seen in residential areas. Replacement of building blocks might inevitably also result with changing street pattern. Within regulatory context of the Turkish planning system negative effects of this situation are prevented via “Plan Preparation Bylaw”. According to this bylaw, the street pattern could be changed as soon as the result would not spoil the spatial context in terms of breaking the continuity of streets. Thus,

these modifications were supposed to come into existence without changing the main anticipations of development plans.

For instance, in Yenişehir Municipal Council Decision approved in 1997 with number 30, it is stated that the location of building blocks of residential area and municipal service area were replaced since it did not change the continuity in development plan and did not give effect to the formation of a spoiled spatial context (fig 7.45).

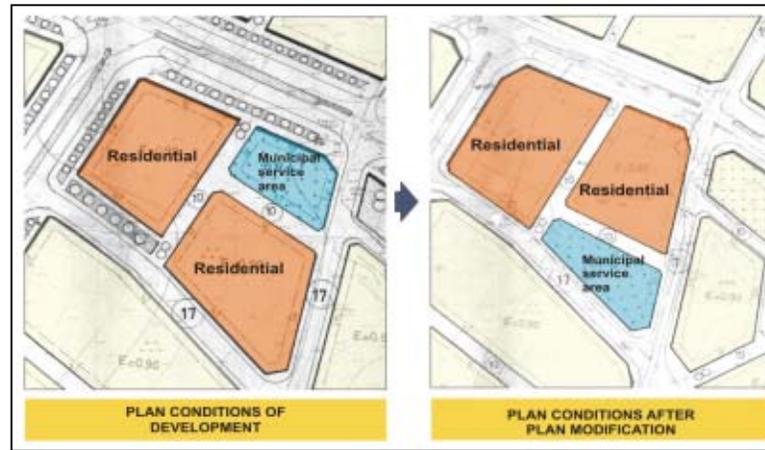


Figure 7.45: Changes in Building Block Forms-replacement of building blocks

Likewise, same kind of rearrangements of building blocks came into force through many municipal council decisions approved by each municipality in Mersin. They are conceived as the ones that did not contribute to the formation of spoiled spatial context since they do not bring negative effect on the continuity of urban built environment.

- Unification of building blocks

‘Unification of building blocks’ indicated the problems of static nature of development plans in the Turkish planning system. As the building blocks are shaped through plot-based understanding, *size and forms of building block might not give response to changing needs*. Consequently, more than one building block might be unified in order to obtain new building blocks. They appeared usually in cooperative housing development sites. Within this framework, plan modifications causing ‘changes in building block forms’ through

unification of building blocks did not usually come into existence in existing built-up areas. New building blocks were supposed to be created for new developments since the previous ones were not suitable for producing the desired development. As a result of unification of building blocks, the amount of land for any use did not change. The amount of land for any use was preserved as it was determined in development plans.

For instance, building blocks were unified through Yenişehir Municipal Council Decision, approved in 1999 with number 17, to create new building blocks. It is seen that there were six residential blocks, one block of park and the streets between them. The modification aimed at unification of these six blocks and to create three building blocks. In municipal council records, it is stated that the amount of residential use was not changed via plan modification. Furthermore, it is pointed out that the continuity of streets was preserved. It is observed that the location of park was changed and the other blocks were unified. The amount of public uses, originating from the streets between building blocks was preserved in the form of municipal service area (fig. 7.46). This apparently resulted with change in the size and form of building blocks. However *it did not bring a negative effect on continuity of spatial context*. Therefore, they are not conceived as the ones to contribute the formation of spoiled spatial context. Rather, it is assumed that, this kind of plan modifications came into being as a result of static nature of development plans in terms of size and form of building blocks and their inadequacies against changing nature of socio-political context.

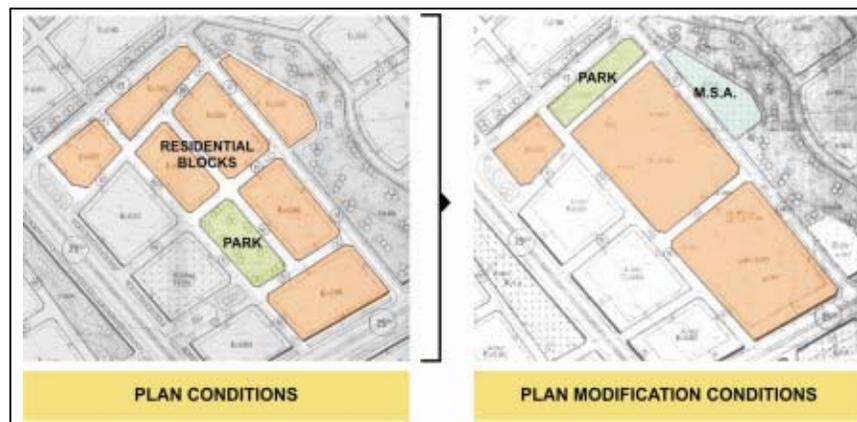


Figure 7.46: Changes in Building Block Forms-unification of building blocks

-‘changes in building block forms’ due to problems during land readjustment process

These cases generally arose as a result of inappropriateness between existing development, property pattern and buildings block forms determined in development plans. For instance, it is stated in Yenişehir Municipal Council Decision, approved in 2001 with number 80, that the building block form was not the same as the one produced after “land readjustment” process. Therefore the building block form was changed in order to make it to conform to the one produced after “land readjustment” process.

Although land readjustment process should be executed in convenience with the physical considerations of development plans, it is seen that land readjustment process caused to change plan conditions. However, they *did not bring negative effect on the morphological continuity of urban built environment* (fig. 7-47).



Figure 7.47: Changes in Building Block Forms-as a result of problems during land readjustment process

In general, it is assumed that rearrangement of building blocks does not make contributions to the formation of a spoiled spatial context. In order to prevent this situation “*Plan Preparation Bylaw*” in regulatory context brings about definite limitations. According to sentences of bylaw, it is possible to make any arrangement in development plans if the result would not spoil the continuity of roads and streets. In the cases observed, it is seen

that rearrangement of building blocks came into order as a result of problems either during implementation process or inadequacies of static development plans. Their results are not conceived to contribute to the formation of a spoiled spatial context. In these cases, contrary to the others, development plans and bylaws are assumed to be effective in controlling the formation of urban built environment.

The critical point in these modifications seems to be the change in the amount of land uses determined in development plans. As soon as they are preserved as they were determined in development plans, these modifications are morphological ones. However, any change in land use decisions would bring another dimension to these modifications. They are taken into consideration in the following sections since they cause changes in both morphological and functional characteristics of urban built environment.

7.2.3.5. Plan Modifications towards Causing ‘Changes in Setbacks’

Besides those types discussed above, ‘changes in setbacks’ are conceived as one of the main morphological plan modifications. These plan modifications might result with *change in lot coverage*. Therefore, in their essence *they have a potential to bring about additional development rights* on individual plots. Depending on setbacks they are expected to be plot-based modifications and come into being as a result of problems confronted during implementation process.

They might come into being in either built-up areas or newly developing sites. Throughout all morphological plan modifications, 54 of 395 (14%) totals caused ‘changes in setbacks. Within these modifications, 30 of them came into existence in Yenişehir District, 12 of them in Akdeniz District and again 12 of them in Toroslar District.

-First period (1986-1993)

In the first period, it is seen that only 8 plan modifications resulted with ‘changes in setbacks’. It is observed that they mostly came into force in built-up areas, such as in Çankaya and Nusratiye neighborhoods of Akdeniz District (4 of 8), in Bahçelievler and Eğriçam neighborhoods of Yenişehir District (2 of 8), and in Sağlık and Türkali neighborhoods in Toroslar district (2 of 8). It is seen that 6 of totals came into being in

order to gain additional development rights whereas 2 plan modifications emerged as a result of problems during implementation process. And it is observed that 5 of them were plot-based modifications.

-Second period (1993-2003)

In the second period, it is observed that a sharp increase came into being in ‘changes in setbacks’. Totally 46 plan modifications resulted with ‘changes in setbacks’. It is distinguishing that 28 of 46 modifications emerged in Yenişehir District. Besides, 10 of 46 modifications came into force in Akdeniz District. One of these modifications was approved by Greater Mersin Municipal Council from an upper tier. Furthermore, 8 plan modifications appeared in Toroslar District in the second period.

In Yenişehir District, these plan modifications came into existence in both built-up areas (in Barbaros, Piri Reis, Hürriyet, Güvenevler and Eğriçam neighborhoods), and newly-developing sites (in Batıkent, Limonluk, Menteş, and Fuat Morel neighborhood). *In Akdeniz District*, they came into being in built-up areas as it was the case in the first period. They emerged in Barış, Turgut Reis, Mahmudiye, Nusratiye, Güneş, and Şevket Sümer neighborhoods which were consisting of built-up areas. Especially, the former four neighborhoods are located in city center. *In Toroslar district*, they emerged in both built-up neighborhoods such as Demirtaş and Türkali and newly developing sites in neighborhoods such as Çağdaşkent and Akbelen.

It is observed that a different reason caused to increase the amount of ‘changes in setbacks’ in the second period. It was *the result of a change in regulatory context from an upper-tier*. Therefore, some plan modifications came into being in order to rule out the inconvenience between upper-tier and lower-tier development plans- namely master plans and implementation plans. In 2003, it became compulsory to place a “health preservation belt” in each filling station plot via a change in bylaws. Therefore, the owners of filling stations, whom health preservation setback was not placed before 2003, faced with plan modifications to place setbacks on their plots. Compulsory plan modifications were enacted in 14 filling stations in 2003. Apart from these, 28 of 54 totals came into being in residential areas, whereas 5 of 54 emerged in schools and 4 of 54 in commercial areas.

Besides, it is observed that 12 plan modifications emerged in order *to legalize infringements* in urban built environment. Furthermore, 9 plan modifications came into effect in order *to gain additional development rights* and 8 plan modifications appeared *as a result of problems during implementation process*. Only 2 plan modifications came into being for *harmonization of development* with the surrounding context. On the other hand, it is seen that 19 of 46 plan modifications were plot-based while 27 modifications were building block based.

Table 7.11: Morphological Plan Modifications towards Causing Changes in Setbacks

MORPHOLOGICAL PLAN MODIFICATIONS THAT CAUSE CHANGES IN SETBACKS AND PLOT DIMENSIONS		FIRST PERIOD (1986-1993)		SECOND PERIOD (1993-2003)		ALL PERIODS (1986-2003)	
		amount (number)	percent. (%)	amount (number)	percent. (%)	amount (number)	percent. (%)
the amount and percentage in all morphological modifications		8 of 156	5%	46 of 239	19%	54 of 395	14%
MUNICIPALITY (authority to approve)	MERSİN	8	100%	0	0	8	15%
	AKDENİZ	0	0	9	20%	9	16%
	YENİŞEHİR	0	0	28	61%	28	52%
	TOROSLAR	0	0	8	17%	8	15%
	GREATER MERSİN	0	0	1	2%	1	2%
	TOTAL	8	100%	39	100%	54	100%
DISTRICTS (location)	AKDENİZ	4	50%	10	22%	14	26%
	YENİŞEHİR	2	25%	28	61%	30	56%
	TOROSLAR	2	25%	8	17%	10	18%
	TOTAL	8	100%	39	100%	54	100%
N. HOODS (location)	AKDENİZ	built-up areas (city center)		built-up areas (city center&residential)		built-up areas (city center&residential)	
	YENİŞEHİR	built-up areas (residential)		built-up areas (residential)		built-up&developing areas (residential)	
	TOROSLAR	built-up areas (unauthorised-residential)		built-up &developing areas (unauthorised-residential)		built-up &developing areas (unauthorised-residential)	
REASON	harmonizing development	2	25%	2	4%	4	8%
	additional dev. rights	6	75%	9	20%	15	28%
	prob.s in implementation	0	0%	8	17%	8	15%
	inconvenience with plans	0	0,00%	14	30%	14	26%
	legalization of infringements	0	0,00%	12	26%	12	24%
BOUNDARY	individual plot	1	13%	17	37%	18	33%
	more than one plot	4	50%	2	4%	6	11%
	individual bldg block	2	25%	18	39%	20	37%
	more than one bldg block	1	13%	9	20%	10	19%
	neighborhood	0	0%	0	0%	0	2%
	more than one n.hood	0	0	0	0%	0	0%

-case(s) 1: demands for additional development rights

Below cases are taken into consideration in order to reveal the aim of gaining development rights through ‘changes in setbacks’. In Mersin Municipal Council Decision, approved in 1987 with number 259, it is stated that the plot owners at the issue applied to the planning department of the municipality in order to decrease the setback from 15 meters to 5 meters alongside GMK Road. Demand of plot owners deemed proper and the proposal was approved by members of municipal council.

At that time and still at present, GMK Road was the primary road of Mersin that sustains the relation between east and west sides of the city. Moreover, it was maintaining relations in a regional scale as an intra-city road. Therefore, a large setback was determined alongside this road during plan preparation process. Decreasing setback to smaller values through this modification is supposed to be contrary to the anticipations of development plan. Furthermore, as a result of this modification the plots owners gained additional rights. This attitude resulted with precedent for further developments and gradual change in the spatial context. In that manner, it is observed that same kind of plan modifications along the GMK Road was approved by Mersin Municipal Council Decisions, in 1987 with number 285 and in 1988 with number 45. Setback values determined in development plans were decreased to 5 meters from 15 meters along GMK Road. As a result, the morphological characteristics of urban built environment began to be spoiled gradually.

-case(s) 2: modifications as a result of implementation problems

In some other these cases, ‘the changes in setbacks’ resulted with additional development rights, but mostly came into being *as a result implementation problems*. For instance, in Yenişehir Municipal Council Decision approved in 1996 with number 50 it was stated that setback dimensions did not allow to construct a building on the plot, which was the result of a separation process. It is seen that, the building block was itself defined as an individual plot on development plans. However, the plot was separated into two parts, one of which was the plot at the issue. The plot had frontage line on GMK Road and setback was 15 meters along the road. Side setbacks of the plot were 5 meters. Nonetheless, after separation process ambiguity occurred about rear setback, the one between two plots.

Hence, rear setback was determined via development bylaw. According to its prescriptions, it is stated that the rear setback of a plot would be half length of building height. However, where it is not possible to acquire this length, the rear setback could be decreased to 3 meters. In this case, the rear setback became 3.5 meters to construct a proper building on the plot since the front and side setbacks were preserved as it was determined in development plan (fig. 7-48).

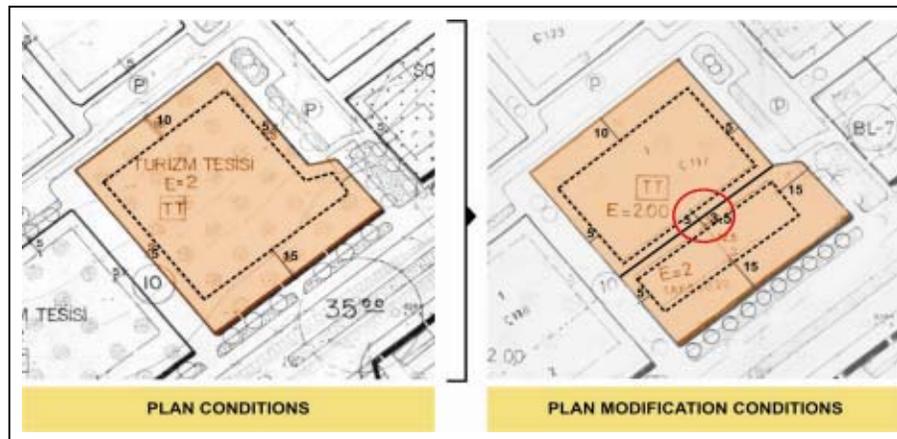


Figure 7.48: Change in Setbacks as a result of implementation problems

These modifications inevitably resulted with additional development rights. Nonetheless, they did not seem to come into being solely for this reason. Rather, implementation problems were tried to be solved. Implementation problems might appear as a result of either inadequacies of existing development plan or inadequacies of land readjustment process. In the former situation, building blocks might not be designed in order to produce proper urban plots. In the latter situation, urban plots might not be produced in order to provide enough space for constructing buildings on them. The case mentioned above highlights the latter situation.

-case(s) 3: modifications for harmonizing development: gradual change in the spatial context

In some other cases, it is seen that setbacks were changed as a result of the previous developments in surrounding context. They usually resulted with gradual changes in the

spatial context as it was the case in most of other morphological changes. For instance, in Yenişehir Municipal Council Decision approved in 1999 with number 90, it is stated that for the plot at the issue the side setback was determined as 4.50 meters in existing development plan. However, the plot owner applied to planning department to decrease it to 3 meters because of developments in surrounding context. As a result of this application, the side setback was decreased to 3 meters (fig 7-49).



Figure 7.49: Change in Setbacks-in order to harmonize development

This kind of plan modifications are assumed to be the results of inadequacies of development plans or inadequacies of related municipalities in controlling previous developments in surrounding context. In the former situation, existing developments on the site might not be taken into consideration during plan preparation process. In this case, the changes in setbacks would not result with spoiled spatial context. In the latter situation, previous development in the site would have not been controlled. On this account, approval of these plan modifications would mean *to legalize the developments emerged inconsistent with plan conditions*. This inevitably resulted with spoiling morphological characteristics of anticipated urban built environment.

A further situation might be considered. The developments in the surrounding context might be appeared as a result of previous plan modifications. In this case, the previous

ones would have been precedents for the plots at the issue, which would demand same kind of modifications. This would be an example for *gradual changes in morphological characteristics of urban built environment* as it was discussed before. In these cases, it is observed that any same kind of modifications did not emerge in the surrounding context. Therefore, the other two alternatives seem to be valid for these cases.

-case(s) 4: modifications for legalizing development

In these cases, plan modifications came into existence after occurrence of developments in the spatial context. However, their occurrence would have happened inconsistent to plan conditions. For instance in Yenişehir Municipal Council Decision approved in 1997 with number 65, it is stated that three buildings with 12-storey was built on the plot. However, two of them were not built within their lot coverage and a part of them was built in setback limitations. As a result of discussion in council meeting dimension of setback was decreased to 3 meters since it was 5 meters in binding development plan.

In these cases, it is considered that the problem is purely a technical control problem. After granting building permits, the plot owners began to construct their building. However, the resultant product would have not complied with plan conditions and resulted with *infringements in urban built environment*. Therefore, they inevitably contributed to the *formation of spoiled spatial context*. Within regulatory context of the Turkish planning system, parts of developments those cause infringement in urban built environment should be demolished, but as seen in these cases, them might be legalized by municipalities.

7.2.3.6. Other Morphological Plan Modifications

The examples discussed above are analyzed as the main types of morphological plan modifications within the Turkish planning system. However, some other plan modifications revealed that ‘morphological changes in spatial context’ did not solely come into existence via these plan modifications.

The other types of morphological plan modifications came into existence through togetherness of main types mentioned above. These might result with ‘changes in both building heights and building block forms’ (type 12); change in building arrangement and forms of building blocks (type 9); change in building arrangement(or building height),

building block forms and setbacks (type 16); change in building height and setbacks (type 18). They together constitute 7.35% of all morphological plan modifications in Mersin between 1986 and 2003 (Table 7.12). Of these types, most significant one seemed to be type 16, which is expected to result with considerable changes in characteristics of urban built environment. Therefore, these plan modifications are conceived to be unique examples of morphological plan modifications.

Table 7.12: Other Morphological Plan Modifications

Type of plan modification	'change in spatial context'	Amount of plan modification (number)
Type 12	building heights and building block forms	9
Type 9	building arrangement and building blocks forms	9
Type 16	building arrangement(building heights), setbacks and building blocks forms	6
Type 18	building heights and setbacks	5

They embrace all kinds of 'morphological changes in the spatial context'. On the one hand, they caused changes in 3-dimensional pattern of the urban built environment via altering building heights and building arrangement; on the other hand they brought about changes in 2-dimensional pattern of urban built environment via changing building arrangement, building block forms and setbacks.

This kind of plan modifications are expected to create a *totally different spatial context* which is assumed be *a new spatial context*. It is observed that most of them were approved by Mersin Municipal Council. 5 of 6 totals came into order in the first period. Only one of them appeared in second period. This was approved by Akdeniz Municipal Council.

Since planning authority was shared by and divided into district municipalities and Greater Mersin Municipality in the second period, it is conceived that emergence of these plan modifications became more difficult in the second period. Formation of these plan modifications is assumed to need a wide compromise among municipalities since they require approval of Greater Mersin Municipality from an upper tier and of district municipalities in the lower tiers.

In contrast to the expectations, 5 of 6 plan modifications did not give effect to the formation of new spatial context. Certainly, they changed morphological characteristics of the urban built environment in certain locations. Nonetheless, they were not as troublesome as the ‘changes in building heights’. However, a one plan modification of this kind was distinguishing in terms of ‘changes in the spatial context’. The result of this modification was Mertim Trade Center.

-Mertim Trade Center and Mertim Tower

Plan modification that caused the construction of Mertim Trade Center (MTC)¹⁸ was one of the earliest modifications approved by Mersin Municipal Council. It was approved in 1986; only several months after new Urban Development Law no. 3194 had become operative, which left the planning authorities to related municipalities.

However, the plan modification process went back to years before new Urban Development Law. It is distinguished that in 1985, when plan modifications were approved by central planning authorities, the proposal for MTC was refused by Mersin Municipality. In planning commission report, it was stated that the high-rise building on the plots at the issue would have cause an immense increase in development rights, construction density, and population density in the area. And furthermore, it is pointed out that since the existing transportation network did not able to cope with existing volumes, the additional density that MTC would bring about was not appraised to be acceptable.

Nonetheless, one year after this report, planning commission prepared another one that affirmed the plan modification about MTC. It is observed that the members of planning commission remained almost the same. Only two of seven members were changed. It is seen that approval of plan modification was a conditional one. A conference hall, a school would be built by contractor and the ownership of closed-parking area in MTC would be

¹⁸ Mertim Trade Centre consists of two main buildings. First is the commercial complex, which covers all ground area on the plot. It is consisting of several blocks. Its height is 16.50 meters with 4-storey. The second building is Mertim Tower. It was not only the tallest building in Turkey when it had been constructed, but also in the region between Frankfurt and Singapore. Its height is 175 meters with 52-storey. This title had been left to İş Tower, built in Istanbul in 2000. At present, Mertim Tower is the second tallest building in Turkey and in the region mentioned above. It had been used by offices and many five-star international hotels. In the first year of its foundation, Mersin University had stayed in several floors of Mertim Tower.

left to Mersin Municipality. The latter commission report was accepted by councilors of Mersin Municipality and plan modification was approved in 1986 with number 134.

The plots at the issue were located in the northern part of city center, on one of the main roads (Hastane Caddesi) that runs in north-south direction, which is one of the oldest streets in Mersin. It is seen that it was existing in the years when Jansen Plan was prepared. Furthermore, it is one of the densest roads in terms of traffic volume in city center. The plots at the issue were not controlled via planning decisions; they are controlled via by-law. Therefore, the plots were located in a by-law control site.

It is seen that the functional characteristics of urban built environment were not changed via plan modification. There occurred distinctive morphological changes on the site. First was the 'changes in building block forms' due to the *unification of two building blocks*. Second, *changes in lot coverage* occurred due to the 'changes in setbacks'. Third and the most significant alteration was the 'change in building arrangement', from bylaw regulation to ratio regulation. Before plan modification, the buildings on plots were conceived to be developed with maximum 4-storey with reference to the width of streets, and their setbacks would be determined according to the prescriptions of Mersin Development Bylaw. FAR of such a development might oscillate between 1.50 and 2.00 according to plot dimensions. After plan modification, FAR was increased to 9, of which 4 would be used in commercial complex and 5 would be used in Mertim Tower. Therefore, it was a piecemeal ratio regulation. The use of FAR in commercial complex was controlled and limited through height limitations, with maximum 16.50 meters (5-storey), while the height of tower was not controlled or limited. Therefore, the use of FAR was set free in Mertim Tower.

This plan modification increased development rights four or five times when compared with the previous conditions. Use of FAR without limitations on building height resulted with a skyscraper of 52-storey. On this account, the height of building was increased almost thirteen times (fig. 7-50). It was the tallest building in Turkey was built in that time. As stated above, this title had been protected until 2000.



Figure 7.50: Change in All Morphological Characteristics -Mersin Trade Center

The architect of MTC points out that he aimed at introducing a landmark for Mersin, which could be seen even from outer villages in Çukurova Region (Bektaş, 2004). Furthermore, he states that Mertim Tower was an objection to the lack of distinctiveness and identity in Mersin. On the other hand, the commercial complex mass is defined by its architecture as a building that was built with reference to the morphological characteristics of the surrounding context.

The plan modification that permitted construction of Mertim Tower cannot be analyzed solely as the ones that contributed to the formation of spoiled spatial context. As a result of this modification, it is assumed that *a new spatial context* was tried to be formed in Mersin. As its architect denotes (Bektaş, 2004), the efforts on the background of this plan modification was towards *defining a new city center* in Mersin. It involved definition of its morphological characteristics and definition of borders of the new city center. MTC was assumed to be the center of the core. Construction of the building came into being in a period when Mersin was a dynamic trade city with its port. However, this dynamism was reversed after 1st Gulf War. After then, economic and commercial developments in Mersin slowed down. At present MTC is not used with full capacity and the efforts of defining a new city center did not become true.

Background developments in construction of MTC are conceived to be one of the significant examples for *individualization of planning*. Considerable changes occurred in morphological characteristics of urban built environment via this plan modification. However, developments within socio-political context are conceived to be noteworthy. Urban Development Law no. 3194 is assumed to be a turning point for developments in the socio-political context. Mersin Municipality approved plan modification after obtaining planning authorities from central planning authorities, although it rejected modification before new Urban Development Law. This situation should be interrogated: did taking such decisions become easier for municipalities after new Urban Development Law became operative in 1985? In fact, not only this development, other developments in Mersin made it necessary to question the use of planning authority locally.

Plan modification for MTC came up via attempts of plot owners and construction company. And it was approved by Mersin Municipal Council. Although it is stated by its architect that the intentions and efforts were concentrated on definition of a new city

center, they were not planned actions, not directed by a plan or a coordinated strategy. Rather the attempts were located on a limited area as a result of individual actions. On this account, private interests were assumed to stand on the forefront of developments. MTC became a landmark for Mersin as it was intended by its architect, but also became *a landmark for individualization of planning* within the contexts of planning control mechanisms.

7.2.4. Plan Modifications towards Changing both Functional and Morphological Characteristics: Functional+Morphological Plan Modifications

Previous sections reveal the influence of the morphological and functional plan modification on formation of ‘changes in spatial context’ in Mersin between 1986 and 2003. In some cases it is observed that they might come into being together, where both functional and morphological characteristics of the urban built environment are changed. They on the one hand might cause *changes in land use decisions*, and on the other hand *changes in building block forms, building heights, building arrangement*. ‘Changes in both land use decisions and forms of building blocks’ are the most commonly seen cases. Furthermore, some cases reveal that ‘change in both land use decisions and building heights’, and ‘change in both land use decisions and building arrangement’ could have emerged. They are analyzed in the following sections.

Within all plan modifications including plan revisions, partial plans, improvement plans and modifications in development bylaws and plan notes, 374 of 1614 totals resulted with ‘changes in both functional and morphological characteristics of the urban built environment’ in Mersin between 1986 and 2003. 147 of them arose in the first period while 227 plan modifications emerged in the second period.

-First period (1986-1993)

In the first period, besides changing land use decisions, most of plan modifications (136 of 147-92%) were related with ‘changes in building block forms’. The others were related with changing building arrangement (9 of 147-6%) and building heights (2 of 147-2%):

- *61 plan modifications (41%) came into being in Akdeniz District*, mostly (32 of 61) in outer neighborhoods of Akdeniz. Only 19 of 61 plan modifications emerged in the city center and 10 plan modifications in transition zone of the city center.

- **44 plan modifications (30%) appeared in Yenişehir District**, in built-up neighborhoods like Cumhuriyet, Güvenevler, Gazi, Piri Reis and Palmiye. Only 3 plan modifications occurred in newly developing sites like Limonluk and Menteş.
- **42 plan modifications (29%) emerged in Toroslar District**. As it is seen in other districts, most of them came into being in built-up neighborhoods, which were usually consisting of unauthorized housing.

Within total 147 plan modifications:

- 69 of them (47%) emerged as a result of problems during implementation process.
- 47 of them (32%) came into order in order to gain additional construction area.
- 10 of them (7%) appeared as a consequence of error in fact (*maddi hata*) in development plans.
- 9 of them (6%) emerged as a result of inadequacies of development plans.

On the other hand, most of them (85%) in the first period were building block based:

- 14 plan modifications (10%) came into being on individual plots.
- 8 plan modifications (5%) emerged on more than one plot.
- 37 plan modifications (25%) appeared on individual building blocks.
- 88 plan modifications (60%) came into existence on more than one building block.

-Second period (1993-2003)

227 of 374 plan modifications caused ‘changes in both functional and morphological characteristics of the urban built environment’ in the second period. ‘Changes in building block forms’ still took the major proportion (213 of 227- 94%). 7 of 227 plan modifications (3%) caused ‘changes in building arrangement and land use decisions’. And 3 plan modifications (1%) caused ‘changes in building heights and land use decisions’.

- **Most of plan modifications (100 of 227-44%) came into being in Yenişehir District**, mostly (55 of 100) in newly developing neighborhoods such as 50.Yıl, Limonluk, Fuat Morel and Batıkent.
- **71 of 227 (31%) plan modifications appeared in Akdeniz District**, usually in outer neighborhoods such as Çay, Çilek and Gündoğdu, which consisted of mostly unauthorized developments. Only 8 of them were in the city center.

- ***In Toroslar District, 52 plan modifications (25%)*** caused ‘changes in both functional and morphological characteristics of the urban built environment’. Most of them appeared in built-up neighborhoods such as Sağlık, Tozkoparan, Kurdali and Okan Merzeci. On the other hand, plan modifications in newly developing sites and in mass housing areas increased in second period.

Within 227 plan modifications:

- 99 of them (44%) emerged as a result of problems during implementation process.
- 50 of them (22%) appeared in order to gain additional construction area.
- 46 of them (20%) existed as a consequence of inadequacies of development plans.
- 13 of them (6%) came into being as a result of modifications in upper tier plans.
- 12 plan modifications (5%) arose in order to legalize the infringements.

In the second period, it is observed that most of plan modifications were building block based as it was the case in first period:

- 18 plan modifications (8%) came into being on individual plots.
- Again 18 plan modifications (8%) appeared on more than one plot.
- 40 plan modifications (18%) came into existence on individual building blocks.
- 147 plan modifications (65%) occurred on more than one building block.

-Whole frame of the study (1986-2003)

When the general evolution of plan modifications that caused changes in both functional and morphological characteristics of urban built environment is analyzed, it is seen that they move towards outer neighborhoods of Mersin. They might be unauthorized developments as seen in Akdeniz District, or newly developing neighborhoods as observed in Yenişehir and Toroslar districts (fig 7.51).

On the other hand, 349 of 374 plan modifications (93%) were building block based and caused ‘changes in land use decisions and building block forms’. 16 of 374 plan modifications (4%) caused ‘changes in building arrangement and land use decisions’ while 5 plan modifications (1.5%) caused ‘changes in building heights and land use decisions’. And, 4 plan modifications (1.5%) in development bylaws and plan notes caused changes in functional and morphological characteristics of urban built environment (fig. 7.52).

It is observed that a large amount of plan modifications were approved as a result of problems during implementation process. Within the whole temporal frame of the study,

- 168 of totals (45%) emerged as a result of problems in implementation process.
- 55 of 374 plan modifications (15%) came into existence as a consequence of inadequacies of development plans.
- 14 of totals emerged as a result of error in fact (*maddi hata*) in development plans.
- 97 of 374 (28%) plan modifications occurred solely to gain additional development rights.

Table 7.13: Plan Modifications towards Causing Changes in both Morphological and Functional Characteristics of the Urban Built Environment

PLAN MODIFICATIONS THAT CAUSE BOTH FUNCTIONAL AND MORPHOLOGICAL CHANGES		FIRST PERIOD (1986-1993)		SECOND PERIOD (1993-2003)		ALL PERIODS (1986-2003)	
		amount (number)	percent. (%)	amount (number)	percent. (%)	amount (number)	percent. (%)
MUNICIPALITY (authority to approve)	MERSİN	147	100%	0	0	147	39%
	AKDENİZ	0	0	65	28%	65	17%
	YENİŞEHİR	0	0	95	42%	95	25%
	TOROSLAR	0	0	40	18%	40	11%
	GREATER MERSİN	0	0	27	12%	27	8%
	TOTAL	147	100%	227	100%	374	100%
DISTRICTS (location)	AKDENİZ	61	41%	71	31%	132	35%
	YENİŞEHİR	44	30%	100	44%	144	40%
	TOROSLAR	42	29%	52	25%	94	25%
	TOTAL	147	100%	227	100%	374	100%
N.HOODS (location)	AKDENİZ	newly developing areas (outer nhoods)		newly developing areas (outer nhoods)		newly developing areas (outer nhoods)	
	YENİŞEHİR	built-up areas (residential)		newly developing areas (residential)		built-up and developing (residential)	
	TOROSLAR	built-up areas (unauthorised dev.)		built-up areas (residential)		built-up areas (unauthorised-res.)	
REASON	harmonizing development	1	1%	0	0%	1	0%
	additional dev. rights	47	32%	50	22%	97	28%
	problems in implementation	69	47%	99	44%	168	48%
	inconvenience with plans	1	1%	13	9%	14	4%
	inadequacies of plans	9	6%	46	20%	55	16%
	legalization of infringements	2	3%	12	5%	14	4%
	error in fact	10	7%	0	0%	10	2%
BOUNDARY	individual plot	14	10%	18	7%	32	8%
	more than one plot	8	5%	18	7%	26	6%
	individual bldg block	37	25%	40	18%	77	20%
	more than one bldg block	88	60%	147	65%	235	62%
	neighborhood	0	0	2	1%	2	2%
	more than one n.hood	0	0	2	1%	2	2%

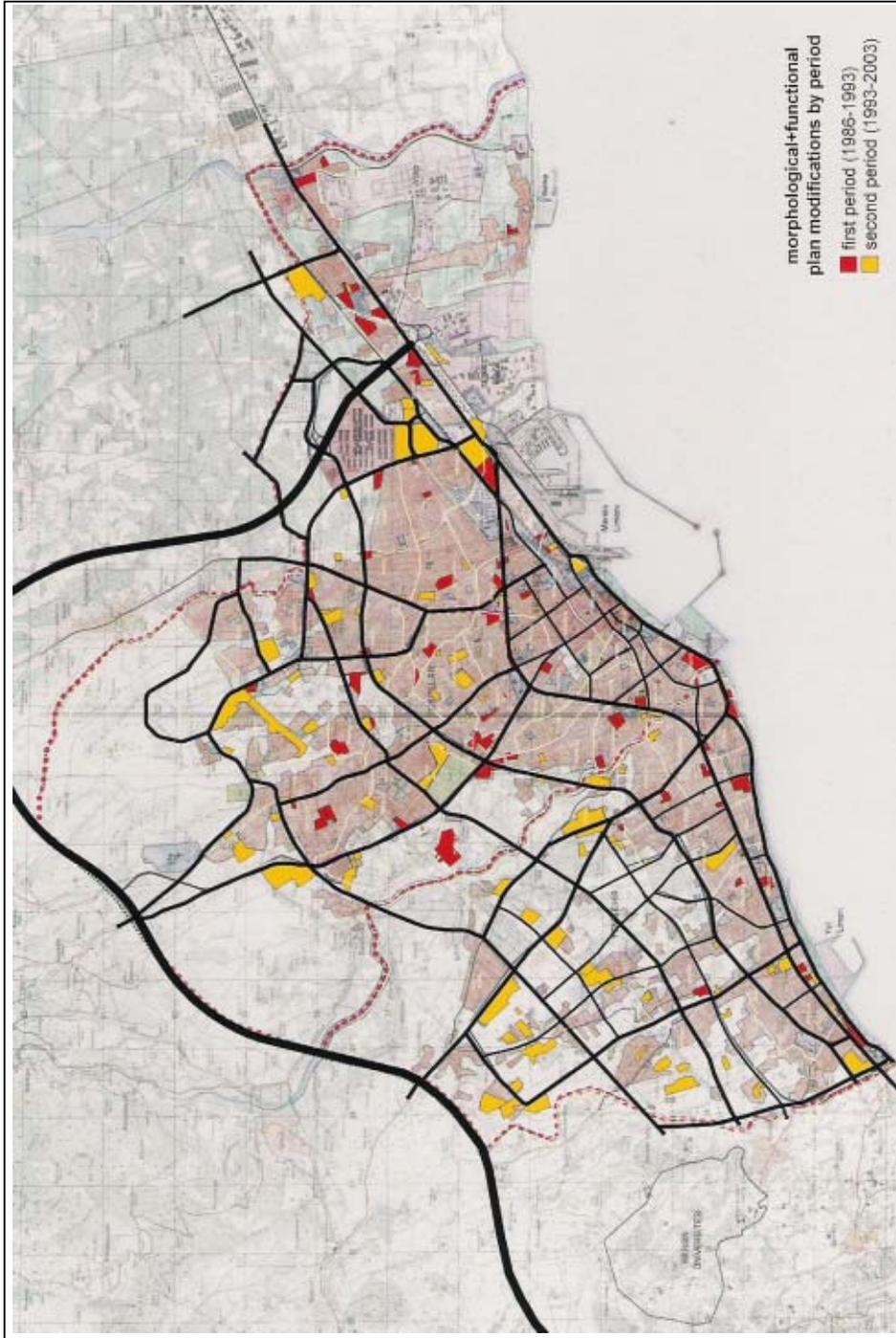


Figure 7.51: Morphological Plan Modifications in Mersin towards Causing Changes in both Functional and Morphological Characteristics among Neighborhoods

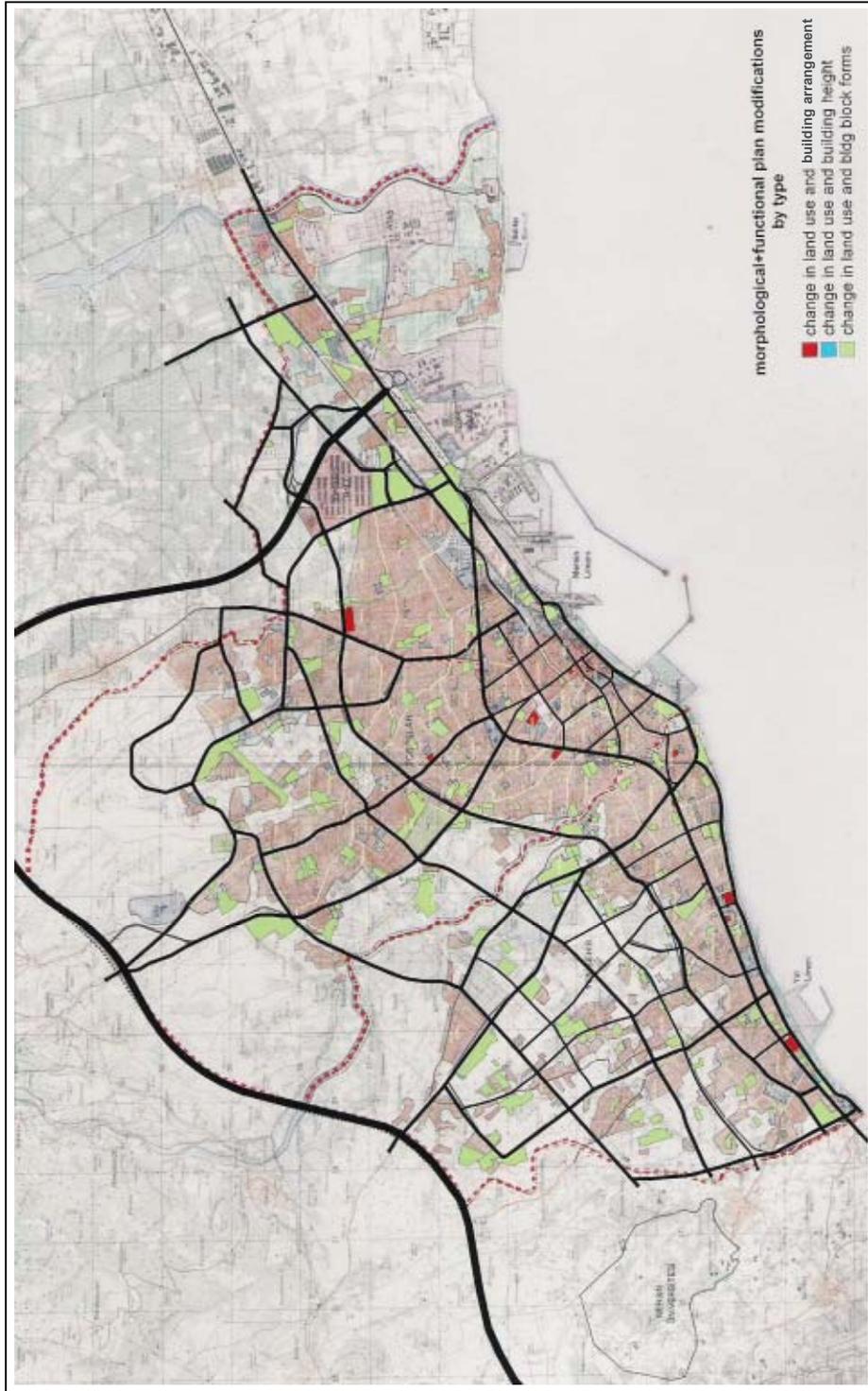


Figure 7.52: Morphological Plan Modifications in Mersin towards Causing Changes in both Functional and Morphological Characteristics by Types among Neighborhoods

7.2.4.1. Changes in Land Use Decisions and Building Block Forms

As pointed above, most of the *functional+ morphological* plan modifications (349 of 374 totals) were related with rearrangement of building blocks. This type of plan modifications might appear in several ways.

-case(s) 1: modifications about streets

First group of modifications emerged as a result of modifications about streets. These were mostly related with the problems occurred between existing situation and plan conditions. In these cases, it is widely seen that existence of a street on development plans overlap with developments in existing situation. Therefore, *the street on development plans shifted outwards existing building blocks via plan modification* in order to correspond to the actual situation (fig 7.53). It is the ‘change in morphological characteristics of the urban built environment’.

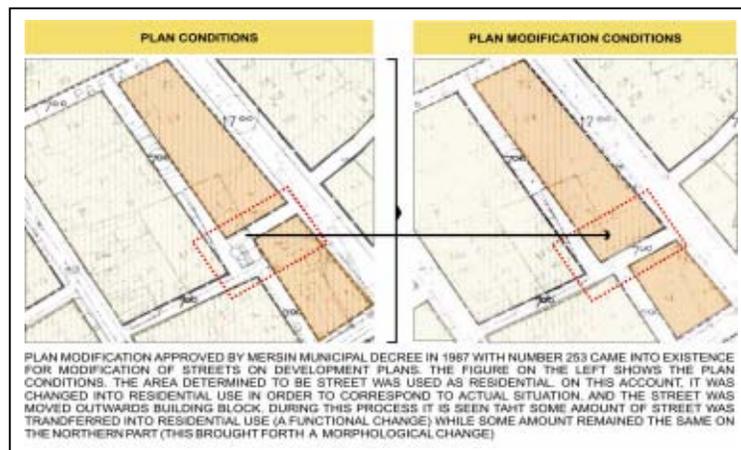


Figure 7.53: Change in Both Morphological and Functional Characteristics- modifications about streets as a result of inadequacies of plan

They usually occurred as a result of *inadequacies of development plans and problems during implementation process* and are not taken into consideration as the ones that contribute to the formation of a spoiled spatial context. However, during plan modification process, some amount of *streets might be transferred into other uses*. This is the ‘change in functional characteristics of the urban built environment’. As a result, a place which had

been anticipated to be a part of public interest would have been a matter of private interest. Although such kind of modifications emerged as a result of problems during implementation process, *this kind of plan modifications is conceived to spoil the spatial context on the grounds of functional change* (fig. 7.53).

On the other hand, in some cases, it is observed that existing streets were not recognized during plan preparation process. Consequently, those streets were allocated with other uses on development plans. In those cases, the users of urban built environment in the surrounding context made their application to related municipalities in order to mark streets on development plans. Municipalities usually conceived this kind of *problems as 'error in fact' (maddi hata) of plans*. Consequently, the land use was changed into street since they used the streets in their daily life. This kind of plan modifications is called *'marking streets on development plan'*. In its essence, it is a functional plan modification; however, as soon as streets were marked on plans, the building block forms were also changed. Therefore, they are at the same time morphological plan modifications. They are not taken into consideration as the ones to spoil spatial context since they came into being as a result of necessities in the socio-political context.

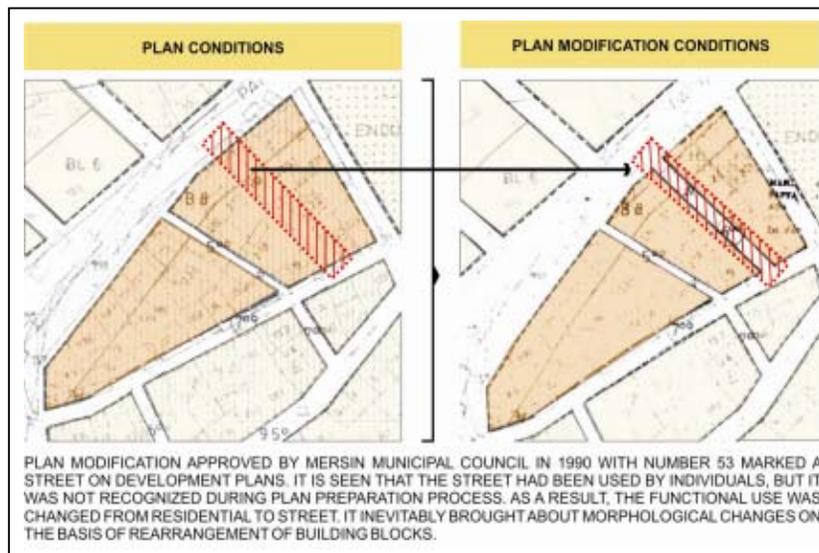


Figure 7.54: Change in both Morphological and Functional Characteristics-modifications about streets as a result of error in fact
-Case(s) 2: Rearrangement of building blocks

In the second group of cases, streets were transformed into other uses in order to reach new building block forms. Hence, they are morphologically the examples of ‘unification of building blocks’. However, the streets in between the building blocks were joined with those building blocks. Consequently, streets were altered into other uses. This kind of modifications could be seen especially in newly developing sites *in order to create sufficient building blocks for cooperative housing or other housing developments*. From this viewpoint, they emerged as a consequence of inadequacies of plan conditions since they indicated typical rectangular building blocks. Morphologically, they are not conceived to spoil spatial context. However, on the grounds of their functional alterations (from streets to other uses) they are conceived to spoil spatial context.

The plan modification approved by Municipal Council of Yenişehir in 1995 with number 115 is an example for this attitude. It was a block based modifications and building blocks were located in a newly developing site. According to conditions of binding development plan, there were six residential building blocks on the site. They were unified and two new blocks were produced via plan modification (fig. 7-55).

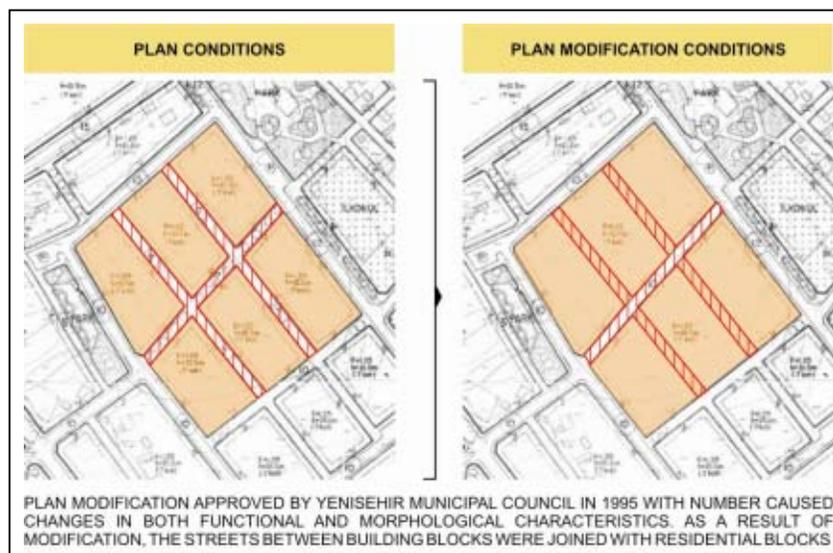


Figure 7.55: Change in both Functional and Morphological Characteristics-rearrangement of building blocks

In this process, total amount of residential area would have been larger than that of previous conditions since the streets between residential building blocks joined with them.

In municipal council records, it was stated that in newly emerging conditions, the development right of excess amount emerged as a result of transformation of streets to residential use could be added to the development rights of previous conditions. Therefore, development rights on the site were increased due to the functional changes: the values of public interest were transferred into private interest. Therefore, this type of plan modifications is conceived to spoil spatial context on the grounds of functional alterations.

Within temporal and spatial frame of the study, it is observed that many large scale investments in Mersin arose via plan modifications that changed both morphological and functional characteristics of the urban built environment. These investments might occur in residential, commercial or tourism areas.

-Ekenler Housing Development

Ekenler Housing Development (EHD) is one of the typical examples for those investments in residential areas. It is located in Yenişehir District, in Eğriçam neighborhood. The location is on the front of the sea and it is a neighboring place to Marina and Marina Park on the west side. The place was determined to develop as a “preferential tourism area” (PTA) in the binding development plan¹⁹.

First plan modification on the site, approved by Yenişehir Municipal Council Decision in 1997 with number 69, aimed to change the building block forms through ‘unification of building blocks’ without changing the amount of PTA use and that of parks and roads between building blocks. As a result, four building blocks were unified and a new building block was produced (fig 7.54). Five apartment blocks were permitted by Yenişehir Municipality to be developed. This was solely a morphological plan modification and was not conceived to spoil spatial context since it did not change the amount of public uses and that of under private property.

However, in a following Yenişehir Municipal Council Decision in 1997 with number 108, it is stated that the plan modification was not approved by Major of Greater Mersin. It was

¹⁹ PTA is one of the flexible utilizations in development plans of Turkish planning system. In those areas, residential blocks or tourism facilities might be developed in respect of the preferences of plot owners. In EHD case, it is seen that the plots were preferred to be developed as residential blocks. However, as it is understood from plan modifications, the forms of building blocks did not seem to respond to the needs of plot owners in order to develop housing.

pointed out that the plot owners granted building permit for six apartment blocks in 1993 before plan modification approved by Yenişehir Municipal Council. Since the plan modification allowed 5 apartments to be developed, a gap occurred between demands of plot owners and building permit conditions. On these grounds, the plan modification did not supply enough PTA for plot owners. Consequently, additional PTA was demanded by both plot owners and Major of Greater Mersin.

Along this path, a new plan modification was approved by Yenişehir Municipal Council Decision in 1997 with number 108 (fig 7-56). It resulted with both functional and morphological changes in characteristics of the urban built environment. Morphologically, two building blocks, one of which was PTA and the other was a park, were unified in order to produce a new one. Therefore, park was altered into PTA and the values of public interest were transferred into private interests. Therefore, *although it is not conceived to spoil spatial context on the grounds of morphological changes, functionally it contributed the formation of spoiled spatial context.*

In this case, the contradictions in the socio-political context concretized via relations between Yenişehir and Greater Mersin municipalities and the plot owners. It is seen that, the plot owners would like to maximize their own profit via gaining additional development rights for PTA. On the contrary, members of Yenişehir Municipal Council seemed to preserve the public interest and they were not inclined to provide additional development rights for plot owners. This is the basic contradiction between use value and exchange value of urban built environment. Within this position, Greater Mersin Municipality took place in the process to solve problems from an upper tier.

In fact, Greater Mersin Municipality itself created problems during production of EHD. Unless it interfered to the process and granted building permission for six apartments before plan modification, the contradictions between plot owners and Yenişehir Municipality might have not been emerged. Greater Mersin Municipality insisted on the permission and thus functional modification on the site. Consequently, the last modification came into effect. On this account, Greater Mersin Municipality became the main actor in the process that controlled the ‘changes in the spatial context’.



Figure 7.56: Change in both Functional and Morphological Characteristics-Ekenler Housing Development

-Commercial Developments: Gima and others

On the other hand, it is observed that many large scale commercial investments in Mersin were realized via plan modifications that changed both morphological and functional characteristics of urban built environment. In those cases, usually public uses were not transformed to other uses; rather the land allocation which was subject to development under private property was changed. Within this framework, usually residential areas were altered into commercial use. Besides this functional alteration, the building block forms were rearranged without changing the amount of land under public and private properties.

Gima case was one of the examples for this formation. Gima is a supermarket chain at the national. However, it is seen that the conditions of development plans did not allow large scale investments of such chains in Mersin due to the fact that most of vacant land in the city was supposed to develop as residential. Consequently, *large scale investments require functional modifications prior to morphological ones*. Since the building block forms does not allow locating sufficient buildings for such investments, inevitably morphological plan modifications based on rearrangement of building blocks came into being frequently.

As it can be followed from Gima case (fig 7.57), the building blocks at the issue were rearranged in order to cope with requirements of the commercial investment. On this account *morphological changes in characteristics of urban built environment did not spoil spatial context*. Within the process, the amount of public use and of private use did not change. The functional alterations from residential use to commercial use came into being in areas of private property. The *functional modifications became inevitable since there were no anticipations for such investments in the binding development plans*.

Besides Gima case, plan modifications that changed both morphological and functional characteristics of urban built environment were appeared as tools for commercial investments of other supermarket chains such as Carrefour, Çetinkaya and Beğendik. Moreover, during the period after 2003, it is observed that such plan modifications came into being for other large scale investments.

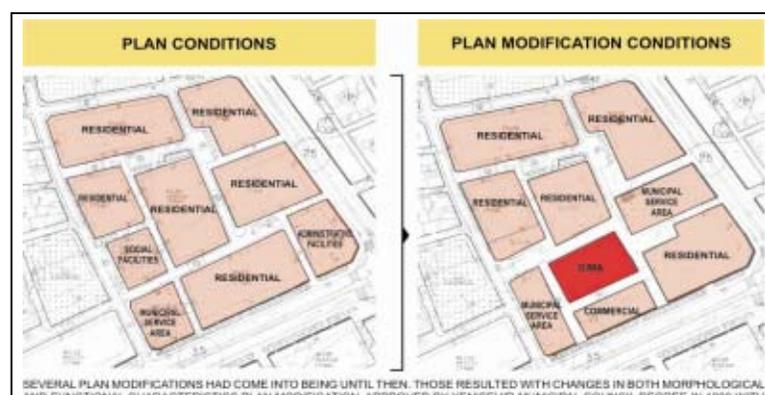


Figure 7.57: Change in both Functional and Morphological Characteristics-Gima Case

-Tourism Developments: Hilton case

Apart from large scale residential and commercial investments, also tourism investments might come into being via 'changes in both morphological and functional characteristics of the urban built environment'. They were in their essence functional; however morphological changes might also arise. Likewise, Hilton case also depends on these changes (fig 7.58). The plan modification was approved by Mersin Municipal Council Decision in 1987 with number 378. Even so, its background went back to 1960's.

In 1963 plan (Plan of Bank of Provinces), the site was determined to be a tourism area. However, in 1986 plan (Development Plan for Western Mersin) the site was envisaged to be a part of the recreational facilities on the seafront. Nonetheless, only one year after 1986 plan, Mersin Municipal Council decided to change the functional characteristics and to allow a hotel development on the site, which resulted with functional alteration from park to tourism use. On the other hand it created morphological changes based on transportation system. By this way, the plan conditions for the area were transformed into the previous one in 1963 plan. In the running years, Hilton built one of its hotels in Mersin (fig 7-58). In Hilton case, it is seen as opposed to Gima case, there was a transfer of public benefit to private interests in the background of modification. The plan modification on the site altered park use, which is publicly owned, to tourism use in order to develop a hotel, which would have been under private property.

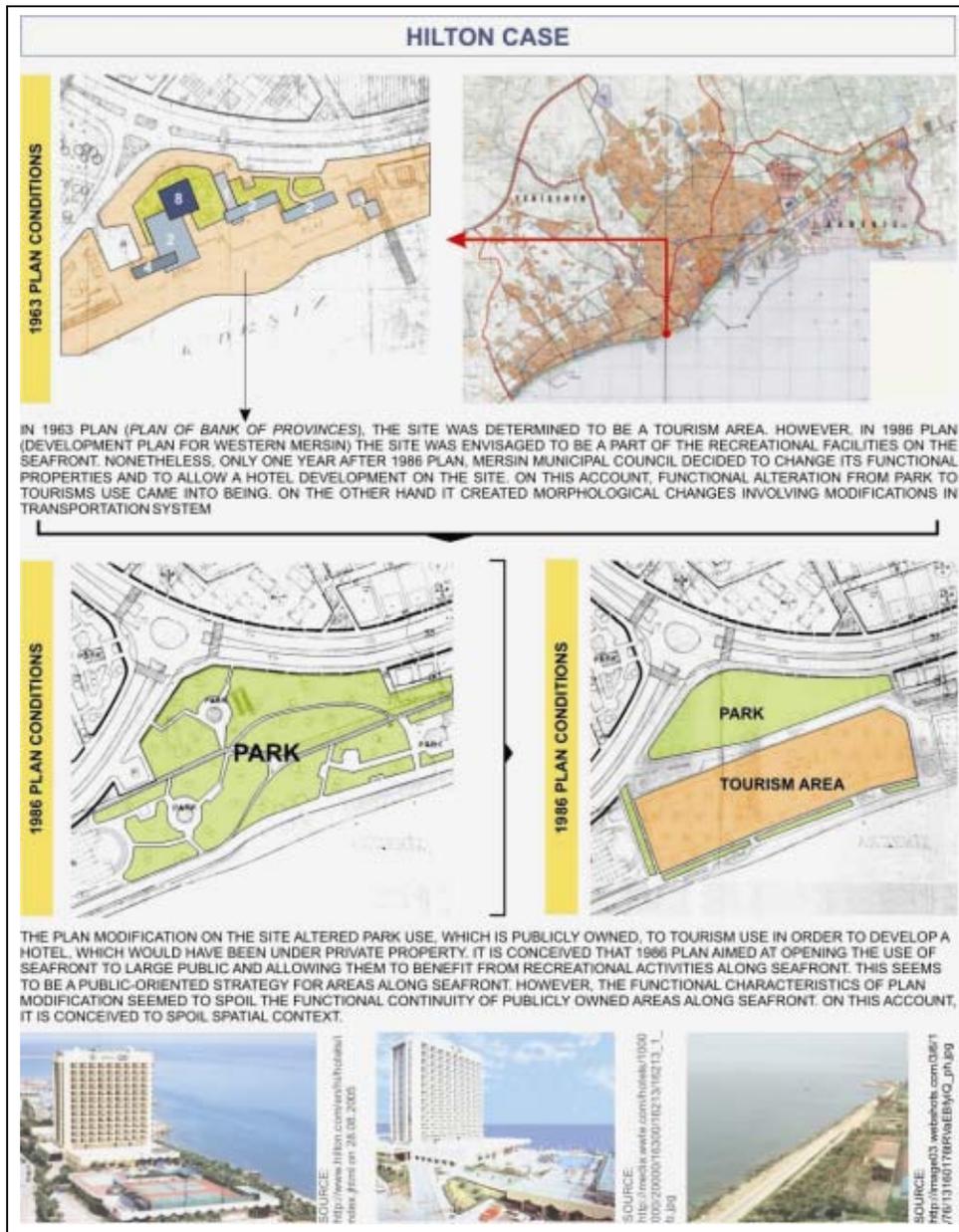


Figure 7.58: Change in both Functional and Morphological Characteristics-Hilton Case

The location of the site seemed to be important for the modification since it is on the sea front. It is conceived that 1986 plan aimed at opening the use of seafront to large public

and allowing them to benefit from recreational activities along seafront. This seems to be a public-oriented strategy for areas along seafront. However, the functional characteristics of plan modification seemed to spoil the functional continuity of publicly owned areas along seafront and give rise to spoiled spatial context.

Like Hilton case, some other tourism investments such as Sultaşa and Gondol hotels were realized by means of changes in both morphological and functional characteristics of urban built environment.

7.2.4.2. Changes in Land Use Decisions and Building Heights

Above cases reveal examples for morphological and functional plan modifications that were morphologically based on rearrangement of building blocks. Besides them, 5 plan modifications resulted with alterations in both land use decisions and building heights. 4 of 5 plan modifications emerged in Akdeniz District in the city center whereas one plan modification came into being in Yenişehir District. Within these 5 plan modifications, the most significant changes came into being via plan modification approved by Mersin Municipal Council Decision in 1993 with number 165. After then, Tax and Trade Administration Building (TTAB) had been constructed.

- Tax and Trade Administration Building (TTAB)

The plan modification arose in Mesudiye neighborhood, on a residential plot according to the binding plan conditions. The functional use of the plot was changed from residential to administrative, to develop local offices of Tax and Trade Administration. This seems to be an intervention of central authorities to plan conditions. The Turkish planning system allows central authorities to construct buildings on plots without any limitation about their heights on the grounds of administrative purposes. It is secured by the article 9 of the Urban Development Law. It is stated that in case of necessity, plan conditions can be changed for governmental uses. Central planning authorities have right to approve required plan modifications. In this case, the result of these interventions was the TTAB, the second tallest building in Mersin, seems to be an extension of *attempts to create a new spatial context* around Mertim Tower. It is 75 meters with 23-storey.

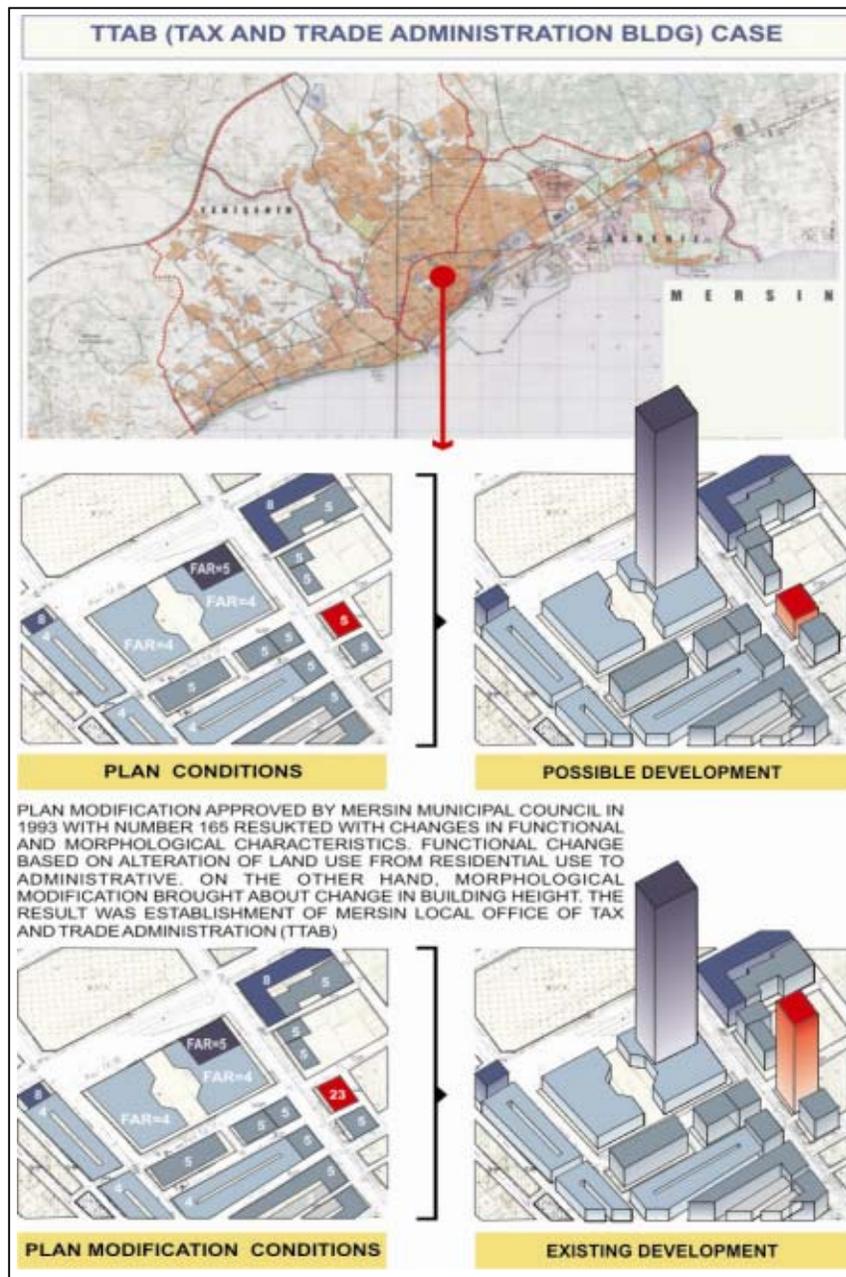


Figure 7.59: Change in both Functional and Morphological Characteristics-TTAB (Tax and Trade Administration Building) Case

Besides functional alterations on the plot, significant morphological changes occurred in the characteristics of the urban built environment. The height of the building on the plot

was increased from 5-storey to 23-storey with 75 meters. Development rights were increased almost five times when compared with that of the binding development plan. This signifies a profound rupture from settled characteristics of surrounding context.

The realization of Mertim Tower was conceived to be an indicator of attempts to define a new city center in Mersin. Developments in TTAB case are also conceived to be an extension of those attempts. However, it is noteworthy again that redefinition of the city center was not directed and controlled by planned actions and coordinated strategies. On the contrary, still individual actions dominated the developments through plan modifications. On these grounds, like in Mertim Tower case, the process of TTAB and TTAB itself are conceived to be *significant indicators of individualization of planning* via plan modification within contexts of planning control mechanisms.

7.2.4.3. Changes in Land Use Decisions and Building Arrangement

Concerning plan modifications that changed both functional and morphological characteristics of urban built environment, 16 of totals resulted with changes in land use decisions and building arrangement. They commonly came into being in Yenişehir District. 10 of 16 plan modifications emerged in Yenişehir, while 4 of 16 came into existence in Akdeniz and 2 plan modifications in Toroslar. It is an expected situation due to the fact that majority of changes in building arrangement appeared in Yenişehir District.

-case(s) 1: alteration of public uses to residential while changing building arrangement

In these cases, it is seen that the public uses such as parks, education, health and social facilities were changed towards residential use. Therefore, on the basis of functional alterations, public interest was transferred into private interest. Moreover, morphologically their building arrangement was changed either from standard regulation to ratio regulation or from ratio regulation to standard regulation.

One example for these modifications was approved by Toroslar Municipal Council Decision in 1996 with number 31. It is seen that plan modification covered an area consisting of two building blocks. Before plan modification, one of the blocks was anticipated to be used as park and the other as residential according to planning conditions.

The building arrangement in that block was determined to be controlled through standard regulation according to binding development plan. Plan conditions prescribed detached housing with maximum 5-storey. After plan modification, park was altered to residential use and building arrangement was changed to ratio regulation, of which FAR=2.80.

In this case, it is seen that public interest was transferred to private interest via functional essence of modification. Moreover, additional development rights were created as a result of morphological changes. When it is calculated in detail, a detached housing consisting of 5-storey buildings approximately corresponds to FAR=1.50. Nonetheless, development rights on plots were increased almost twice to FAR=2.80. As far as it changed morphological and functional characteristics without any reference to surrounding context, it contributed to the formation of a spoiled spatial context.

-case(s) 2: alteration of residential use to public uses while changing building arrangement

In these cases, it is observed that residential use was changed into education, health or social facilities. Although they are conceived to be public uses, plan modifications came into being as a result of private investments. In other words, proposed schools, hospitals and dormitories were not under public property, they were under private property.

The plan modification approved by Yenişehir Municipal Council in 1996 with number 212 realized such a private investment. It covered three plots in a building block which was anticipated to be developed as residential in the binding development plan. Plan modification functionally altered the use of plots from residential use to health use. A private hospital was aimed to be built on the plots (fig. 7.60).

These plan modifications might be the result of growing demand on public facilities. However, the problem lies in planning understanding. As soon as majority of newly developing areas were anticipated to be residential use in development plans, investments on education, commerce, health, tourism and social services could not find any specific place to be located. Thus, such *investments came into being via individual actions in planning control mechanism*. They are far away from developing coordinated strategies.

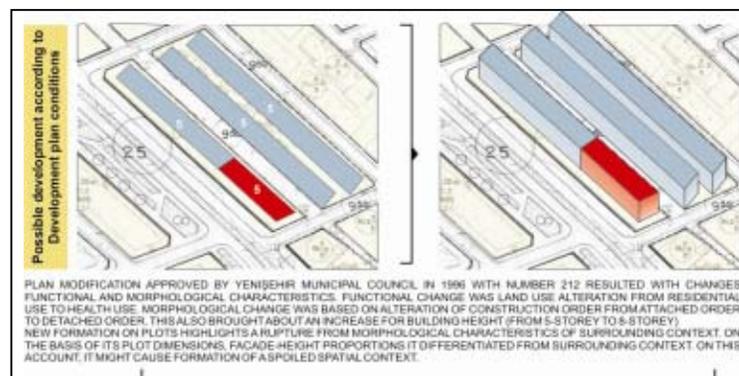


Figure 7.60: Change in Both Functional and Morphological Characteristics-change in building arrangement and land use

The plots were located in a standard regulation site. Morphologically, building arrangement was changed from semi-detached housing to detached housing. It is not conceived to spoil spatial context. However, newly produced plot, acquired as a result of unification of previous three plots, was larger than the plots in the surrounding context and the mass that would be built on new plot would not be harmonious with morphological characteristics of surrounding context with respect to façade-height ratios. On this account, newly emerged morphological characteristics might spoil spatial context.

Like this modification, in Yenişehir District, three more modifications occurred depending on private investments on social services. One of them was based on investments of private school, while the others based on private dormitories.

7.2.5. Other Types of Plan Modifications

In the previous sections, it is seen that plan modifications in Mersin between 1986 and 2003 usually changed spatial, functional and morphological characteristics of the urban built environment. Almost all plan modifications came into existence in these ways. However, there were some other plan modifications that caused changes towards visual and constructional characteristics of urban built environment. Total amount of them was 8 plan modifications.

7.2.5.1. Visual Modifications

Certainly, most of morphological plan modifications involve visual changes; however, this is a secondary concern in those modifications. In this part of the study, the modifications that solely changed visual characteristics are analyzed. It is distinguished that visual changes in characteristics of urban built environment came into being via modification in plan notes and development bylaws.

It is observed that Mersin Municipal Council Decision approved in 1993 with number 77 aimed at arrangements about appearance of buildings through mandatory specifications on roof design. Hence, an article was added to plan notes, and each building became subject to built a roof with 33% slope. Before this modification, almost none of the buildings had roof, instead they had terrace floors, which were usually used as storage for solar energy tanks. In municipal council records, it is stated that those tanks did not constitute a good scene among the city as a whole. In order to prevent the negative effect of tanks on visual characteristics they were aimed to be hidden under roofs. Mersin Municipal Council allowed each building a five year transition period for the construction of roofs.

This seemed to be an attempt to create a new spatial context among the city as a whole and to upgrade the qualitative characteristics of the urban built environment on the basis of visual characteristics. However, it did not become available to realize it as a result of another modification approved by Yenişehir Municipal Council in 1994 with number 53. In the records, it is stated that the construction of roofs would bring about additional burden on the constructional resistance of buildings. It was assumed that buildings could not hold this burden. Consequently, , the attempts of Mersin Municipality to create a new spatial context based on upgrading qualitative characteristics of urban built environment were cancelled.

Moreover, visual characteristics and also morphological characteristics were taken into consideration in another modification in plan notes. It was approved by Yenişehir Municipal Council in 1999 with number 64. Again the subject was solar energy tanks. Their owners were obliged to paint them in white color in order to prevent the negative effect on visual characteristics of urban built environment. It is a very limited intervention when compared with the previous one. Betterment of visual characteristics is reduced to changing colors of tanks.

7.2.5.2. Constructional Modifications

Some other plan modifications were concentrated on changing constructional characteristics of urban built environment. For instance, the modification approved by Mersin Municipal Council in 1988 with number 54 was about overhang (*çıkma*) of buildings. Another plan modification approved by Yenişehir Municipal Council in 2000 with number 41 was related with construction techniques on ground floor of buildings as a precaution against earthquake. Likewise, in other three modifications in plan notes and development bylaw, construction techniques were taken into consideration. These modifications are related with individual changes in buildings and ‘changes in spatial context’ at the fifth level. Therefore, they are not of primary consideration of urban planning.

As it can be followed, a detailed analysis was held upon the types of plan modifications on the grounds of their effect on characteristics of urban built environment. Typical cases are taken into consideration in order to reveal the basic attitudes of actors in socio-political context, the operation of control mechanisms in procedural context, and the role of plan modifications as a tool to control and manage ‘changes in spatial context’. In the following section, these basic attitudes and characteristics are examined.

7.3. EVALUATION: THE ‘CHANGES IN THE SPATIAL CONTEXT’ IN THE TURKISH PLANNING SYSTEM

The detailed study in the city of Mersin revealed that plan modifications become the basic tools to manage and control the ‘changes in the spatial context’ as a result of static nature of the Turkish planning system and the lack of a *justifiable basis* for development plans. Although they might be used to create a context-based control, to give response to changing conditions and local distinctiveness of places and to improve quality of space and public realm, plan modifications reproduce the problematic issues in the Turkish planning system (*‘plot-based understanding’* in regulatory context, *‘bureaucratization of control mechanisms’* in procedural context and *‘individual actions’*). Below, the findings of the study are evaluated with reference to the problematic issues of control mechanisms in the Turkish planning system on the basis of main categorization of plan modifications.

7.3.1. Spatial Plan Modifications: Urban Development Plans

Spatial plan modifications are of special kind. They involve all types of urban plans (*development plans, revision plans, improvement plans, and partial plans*) and on the other hand plan modifications towards changing road hierarchy. They are expected to control and direct the urban development. From this viewpoint, this study assesses *master plans* as planning control tools *to define the characteristics of context* (the city as a whole) and *to identify places of distinction* in the city (distinctive places-character areas) *in order to formulate a context-based control mechanism*.

However, in the Turkish planning system, development plans usually concentrate on how to locate a mix of land use among the city and provide a satisfying road network between them. They focus mainly on *‘distribution of development rights’*. In this framework, development plans are distant to define the particular contexts (*‘places of distinction’* and *‘character areas’* in the city) for the operation of planning control mechanisms, which also bring about a *justifiable basis* for planning decisions. Hence, development plans could not control and manage the ‘changes in the spatial context’ and plan modifications became the prominent tools in the process²⁰.

The physical production of the urban built environment is directed and controlled on the basis of quantitative measures such as building heights and floor area ratios. The context

²⁰ Local municipal councilors in municipalities of Mersin also conceive the inevitability of plan modifications. They asserted that as far as urban development plans cannot cope with changing conditions, plan modifications came into being in order to reply those changes (Appendix A, question 25).

for control is reduced to the individual plots in the lack of a justifiable basis for the evaluation of proposals. Spatial contexts cannot be differentiated from each other since they are similar to each other. Controlling ‘changes in the spatial context’ is mostly eased to the calculation of development rights on individual plots. In this sense, functional and morphological characteristics of the urban built environment of the anticipated future are determined in detail via land use considerations and typical building blocks.

Along this path, expectations of municipal council members from development plans also seem to be far away to develop a justifiable basis and distinctive contexts for control. For them, development plans are the basic tools to solve problems about infrastructure and unauthorized developments. Improvement of spatial quality and housing environments are collateral expectations. They usually pay attention to *distribution of development rights* and *development conditions on the plots*. Furthermore, *convenience to standards* is of primary importance for them²¹. Each proposal through plan modifications is approved as far as it conforms to the *routine procedures* and *standards*. Therefore, standard proposals appear on individual plots. As Beer (1983) asserts, the primary issue is to check applications in terms of detailed considerations in planning control documents.

Likewise, *planning officers* in municipalities of Mersin pointed out that ‘*convenience to standards*’ is one of the primary issues to be taken into consideration. In general, their expectations from development plans are to direct and control urban development; to produce healthy and secure urban spaces; and to control construction facilities²². In terms of Allmendinger and Thomas (1998), they are likely to show particular attachment to rules that protect the internal system of social relations and enhance their status by enabling them. This usually brings about ‘*bureaucratization of control mechanisms*’.

In this sense, both *planning documents*, which are assumed to produce a general framework for urban development in regulatory context, and *attitudes of actors* that underpin and implement planning control documents in socio-political context, seem to show the main characteristics of static control approach. According to councilors, the decisions of the current development plans, shown in figure 7.8, were insufficient to direct

²¹ Expectations of councilors from development plans are revealed in questions between 13 and 16 in Appendix A.

²² Expectations of planning officers from development plans are revealed in questions between 13 and 16 in Appendix B.

and control urban development in general. Moreover, they pointed out that the absence of development programs about implementation of plans is insufficient to control development (Appendix B, question 24). Likewise, planning officers also pointed out the absence of development programs as the reason for failure of development plans (Appendix C, question 20).

Especially, *improvement plans* and *partial plans* revealed that those plans could not cope with controlling the production of the urban built environment in general and the ‘changes in the spatial context’ in particular in some neighborhoods (fig. 7.8). Improvement plans appeared on sites, where ‘shared title developments’ emerged and *partial plans* were used as instruments to produce developments out of planning boundaries (fig. 7.8). They are *the most significant indicators of ‘individualism of urbanism’*. In this framework, it is observed that development plans in Mersin after 1980 (‘City Center Revision Plan’, ‘Development Plan for Western Mersin’, ‘Çavuşlu and Karaisalı Plan’, ‘Development Plan for Eastern Mersin’, ‘Karaduvar Plan’, ‘Plan Revision for Western Mersin’) were not successful for controlling urban development with their static nature and plan modifications became the primary tools to produce the urban built environment.

When the spatial plan modifications are not considered, the study revealed that, almost all plan modifications were towards changing functional and morphological characteristics of the urban built environment, although development plans exclusively focus on controlling them. Little concern is given to managing visual and contextual characteristics of urban built environment while they offer opportunities to develop a context-based control²³.

7.3.2. Changes in the Functional Characteristics of the Urban Built Environment: Functional Plan Modifications

The functional characteristics of urban built environment are related with allocation of land in the city. *Public private interaction* and *design of land use patterns* are the main issues concerning functional characteristics. Public spaces like streets and parks contribute to the creation of a public realm that is the common ground for interaction of individuals in the city.

²³ 33% of all types of plan modifications were functional and 24% were morphological plan modifications in Mersin between 1986 and 2003. And furthermore, 23% of total plan modifications changed both morphological and functional characteristics of the urban built environment.

The findings of the study on Mersin revealed that public parks are usually conceived as a category of land use that must be appropriated with reference to standards in planning legislation. Furthermore, it is observed that, *public parks are regarded as residual areas* to be opened to any development when required. Plan modifications towards changing land use from parks to residential use signified this attitude. Since the official limits for land readjustment share (LRS) are exceeded during implementation process public parks became subject to alterations to other uses²⁴. The inadequacy of development plans about creation of public realm is reduced to in compliance to “land readjustment share” sentenced in article 18 of Urban Development Law. In those cases, although land readjustment process is a tool for realization of planning decisions, it became efficient in planning control mechanisms rather than development plans. Especially the small-scale public parks in neighborhoods are inclined to encounter such plan modifications. *This kind of plan modifications disclose the inadequacy of regulatory context of Turkish planning system about producing innovative planning control tools for the implementation of development plans.*

It is observed that, *development pressures* usually came into effect via *individual action* in the socio-political context, not only directed by private bodies but also staged by public bodies. Some cases revealed clearly that municipalities, which are the local public authorities assumed to control ‘changes in spatial context’ in favor of public benefit and improvement of public domain, required land use alterations of public parks into residential use in order to facilitate housing development. Furthermore, it is observed that public authorities had a tendency to propose land use alterations in public parks for uses under public authorities such as education, health, municipal service area, and other public service uses. Alterations to education and health usually came into being with reference to enlargement of school and hospital areas.

On the other hand, it is observed that many functional plan modifications were towards changing residential use to public parks. They commonly came into existence as a result of increasing needs of people and their voluntarily involvement into control mechanisms, and problems during implementation process. Some examples like the former ones showed

²⁴ LRS (land readjustment share) acquired during implementation process is labeled as ‘wastage ratio’ (*zayiat oranı*) in many municipal council decisions.

particular examples of active participation. The case of Marina Park (fig. 7.15) and some others (fig. 7.13 and 7.14) revealed the worthwhile contributions and involvement of public to planning control mechanisms.

In those cases, it is observed that *social consciousness and degree of publicity in control mechanisms were raised* via *active participation* through confrontation, argumentation and negotiation processes or via *judicial control* through adjudication of Administrative Courts. The cases based on active participation are taken into account as examples of *context-based control* on the basis of responses to the needs of individuals in the socio-political context. When active participation channels were choked up and argumentation processes did not reach a common denominator, individuals brought the cases on to the administrative courts, which intervened to processes to solve objections. They are examples for uncovering bottlenecks during operation of planning control mechanisms via external forces. Along this path, *a context-based control* is tried to be developed *outside the context*. In both ways of participation, public parks as one of the physical assets of public realm began to be formed with contributions of large public awareness.

However, design of streets was not taken into consideration in the same way. The *street pattern* came into existence as a result of block patterns and gave little concern for public realm. The streets were conceived to be *passing spaces* for individuals. Again, there were limited examples for designing streets for public use. The pedestrianization projects for the city center and design of Atatürk Street are some of the few examples.

The other main issue for functional characteristics of the urban built environment is the *design of land use patterns*, which was determined in detail in development plans. It is seen that, there is a *segregation of land use pattern* on development plans, which is based on functional zoning and leads to *mono-functional development* which may have limited contributions to urban vitality. Carmona et al. (2003, 181) denote that mono-functional development may cause market segmentation, product differentiation and protection of property prices. Within the functional zones secondary uses have a symbiotic relation with the dominant one. Consequently, property owners and developers seek to utilize their property in the highest and best possible use. The findings of the study revealed that, although development plans provide certain kinds of land uses in certain locations, development pressures began to change the land use pattern in the course of time via plan

modifications. Especially land use alterations towards filling stations are important cases for this attitude. Instead of development plans, ‘filling stations bylaw’ became the basic instrument to control and manage the changes in the spatial context.

Else, the other functional plan modifications could come into being on individual plots without any difficulty. This leads to emergence of mix-used developments instead of mono-functional ones in few sites of Mersin. Nonetheless, these developments were not controlled or managed via development plan and the plan authorities; instead they came into being via individual actions and market forces.

On the other hand, functional plan modifications revealed that land readjustment process has a considerable effect on changing functional characteristics of urban built environment. Especially, the cases about public parks emphasize this effect. On the other hand, the effect of development bylaws and plan notes on management and control of ‘changes in spatial context’ are clarified in these cases. Although there were exceptional cases (especially the ones that experienced active participation), most of functional plan modifications exposed the penetration of plot-based understanding on the basis of distribution of development rights. The ‘right to property’ was usually protected for the benefit of plot owners and particularly public parks were altered into residential use.

7.3.3. Changes in the Morphological Characteristics of the Urban Built Environment: Morphological Plan Modifications

Morphological characteristics of the urban built environment are related with *physical settings of the context*. *Design of buildings, block patterns* and *street patterns* are the main issues related with morphological characteristics (Carmona et. al, 2003). As a result of their amalgamation on the spatial context, *urban form and urban layout* may gain distinctive characteristics. However, it requires producing a design-led development for a context-based control. The findings of the study on Mersin disclosed that plan-led Turkish planning system does not involve design considerations about production of the urban built environment and controlling the ‘changes in the spatial context’ on the basis of morphological characteristics.

-Urban Form

Consequently, *urban form* in Turkish cities in general and in Mersin in specific begins to be shaped via *collocation of individual plots*. In this sense, changes about building heights, building arrangement and setbacks indicated a *gradual change during development* in the name of harmonization of development. Once the precedent buildings emerged on individual plots without any reference to surrounding context (that contributed to the creation of a *spoiled spatial context*), the other plot owners along the street achieved the *justifiable basis* to increase building height, to change building arrangement or to decrease setbacks on the plots. Developments on the plots were tried to be harmonized with reference to each other (fig 7.61). The aims to reach a harmonious spatial context seem to be the outcome of a *context-based control*²⁵. However, it is seen in many cases that harmony was defined via plot-based understanding (pages 193-200) on the basis of a quantitative control.

The utmost level of gradual changes was the increase in building heights along a street as a whole (fig. 7.28). By this way, a *harmonious spatial context* is claimed to be realized. It is also a *new spatial context*, of which the morphological characteristics are totally changed in terms of building heights.

During this development, bylaws facilitate a *dimensional type of control*. It gives rise a detailed control on the basis of prescriptions of development bylaws²⁶. Accordingly, it is observed that the prescriptions of development bylaws determined the heights for those buildings. Their height was usually increased with reference to street width as development bylaws prescribe. Then, other plot owners along the same street brought about their proposals to planning departments in order to increase the building heights. The spatial context is usually defined as individual plots alongside a street, which leads to a *context-less control*. Developments on the plots were tried to be harmonized with reference to next ones. These formations are conceived to be the main indicators for *penetration of plot-based understanding in planning control mechanisms* and diffusion of *plotization of control* in a wider context. Within this plot-based understanding, the only concern

²⁵ Harmonization as a justification for plan modifications is also a primary concern for municipal council members. Furthermore, implementation problems and changing conditions of society are significant for them (Appendix B, question 26).

²⁶ In fact, both local councilors and planning officers prefer a detailed control in planning control mechanisms (question 16 in both Appendix B and C).

becomes to produce *freestanding buildings* (Carmona et al., 2003) in the spatial context on individual plots (fig. 7.61).

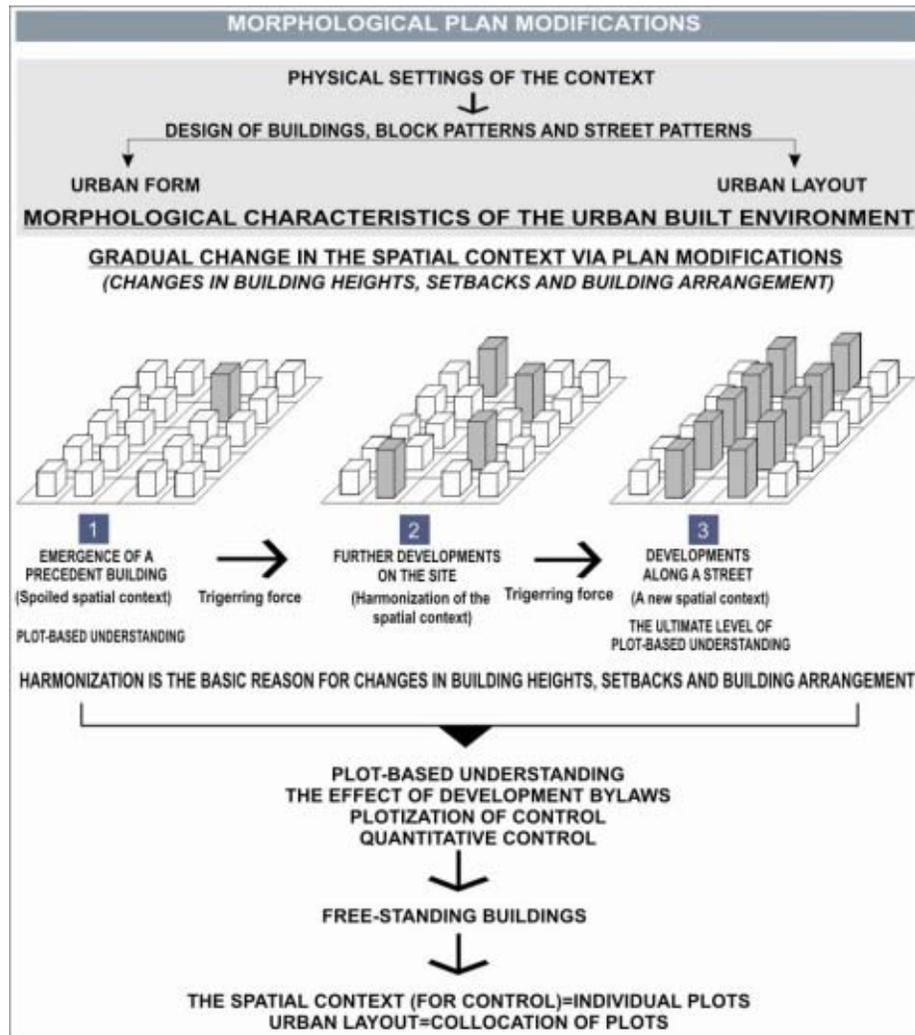


Figure 7.61: The Gradual Change in the Morphological Characteristics: Change in Urban Form

The distinctiveness is tried to be achieved via façade design on individual plots. As far as the facades are controlled through a coordinated strategy, they may give effect formation of a distinctive character in the spatial context, especially on the basis of building blocks

and streets. Nevertheless, the study on Mersin showed that local planning authorities did not put such kind of an effort through controlling visual and contextual characteristics. The visual characteristics were controlled via few modifications on plan notes, which were concentrated on quantitative measures. For instance, it was seen in some modifications on plan notes that quantitative control criteria were developed in order to control overhang (*çıkma*) of buildings. However, they covered all buildings in the city rather than being related with definition of a distinctive morphological continuity along a street.

Likewise, it is seen that *changes in building arrangement in standard regulation sites* (detached, attached or semi-detached housing with each other) uncovered ***the plot-based understanding*** and ***gradual changes in the urban built environment***. The building arrangement of plots was changed to harmonize developments on the site -especially along the streets. They appeared due to the formerly developed sites. *Changes from ratio regulation to standard regulation* showed a similar attitude within planning control mechanisms.

Similarly, setbacks were decreased as a result of the gradual changes in the spatial context. Some cases revealed that setbacks were decreased to smaller values in order to gain additional development rights. In these cases, gradual decrease in setbacks usually came into existence alongside the roads. Sooner, other 'changes in setbacks' came into being in order to harmonize development with surrounding context with reference to the previous plan modifications.

Nonetheless, some cases concerning building heights (fig. 7.30 and 7.32) revealed indications about ***active participation*** and ***use of discretion***. It is observed that use of discretion and improvement of a degree of flexibility were facilitated through plan notes. Use of discretion might come into effect in order to find innovative solutions to create character areas and places of distinction in the city. However, discretion was used in a quantitative way in Mersin case, based on calculation of development rights on individual plots. Consequently, any development could emerge on the site as if it did not exceed the development rights. It is observed that ***quantitative control understanding left the operation of planning control mechanisms to development pressures via individual actions***, originated by plot owners. However, these cases exposed that formulation of participation channels might give effect formation of ***qualitative control*** understanding. It

is especially seen in figure 7.32 that *social consciousness in the operation of control mechanisms was raised* through involvement of chambers of professions.

-Urban Layout

On the other hand, creation of *urban layout* –as the second outcome of the morphological characteristics- via *building block patterns*, thus *street pattern* may give effect to formation of distinctive places in the city.

It is seen during the study that *size and shape of building blocks* may vary according to different regulation types. For instance, the building blocks and streets are narrower in bylaw control sites. And, they also show similarities in standard regulation. Furthermore, it is observed that ratio regulation, which is preferred to be used in newly developing sites, did not bring forth distinctive outcomes, although it provides opportunity to develop context-based control and design-led developments in the city through use of discretion and a degree of flexibility. On the contrary, the operation of planning control mechanism was left to private sector via use of discretion –especially via use of graded ratio regulation (fig 7.37) that contributed to the creation of a spoiled spatial context. The developments on building blocks were controlled only via floor area ratios without any consideration about block structure.

Consequently, *urban layout* did not differentiate in the city in any location. It is based on *typical building block patterns*, commonly concretized in rectangular shape. Their formation depends on creation of similar urban plots on the basis of distribution of development rights. Building blocks began to appear in the spatial context in order to produce freestanding buildings on individual plots rather than being an important part of a design-led development.

The study revealed that a considerable amount of plan modifications in Mersin appeared in order to rearrange building blocks. They were the results of inadequate size and shape of building blocks for housing developments in Mersin, rather than as a consequence of a design consideration to contribute to formation of character areas. Consequently, they were unified in order to facilitate development on the site. These examples were the ones named as ‘*unification of blocks*’ (fig. 7.62). On the other hand, some others depend on ‘*replacement of blocks*’ in order to get a frontage line on the main roads.

Morphological plan modifications that resulted with ‘changes in building block forms’ were related with rearrangement of building blocks without changing land use decisions. Therefore, the critical issue for these modifications is to pay attention not to change the amount of public uses, such as streets and parks, and not to change land use of building blocks (usually residential blocks). Another critical issue is not to change the continuity of the main streets between building blocks during modification process. It is strongly emphasized via prescriptions of ‘Plan Preparation Bylaw’ in the Turkish planning legislation. In so far as it seems difficult to rearrange building blocks in built-up sites without changing the amount of public and private uses, this kind of developments came into being in new developing sites of Toroslar and Yenişehir District. Their results are not conceived to contribute to the formation of a spoiled spatial context.

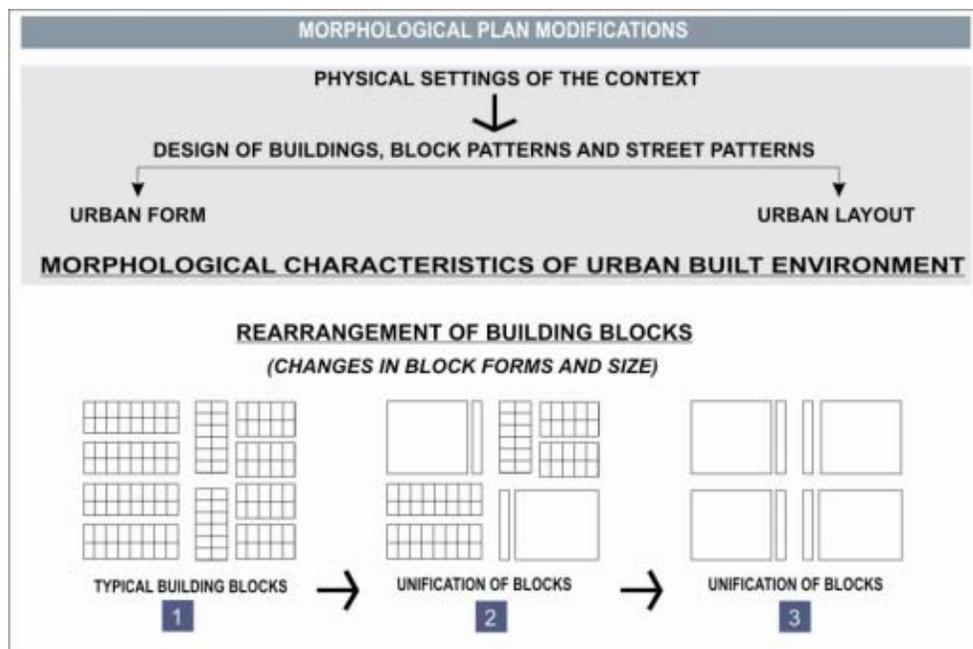


Figure 7.62: Rearrangement of Building Blocks in the Morphological Characteristics: Change in Urban Layout

Some morphological plan modifications resulted with ‘changes in all morphological characteristics’. These are conceived to be unique examples of morphological plan modifications. They caused changes in both urban form and urban layout. This kind of

plan modifications are expected to create a *totally different spatial context* from that was anticipated in development plans. Therefore, they are assumed *to create a new spatial context*. Nonetheless, only one of total six plan modifications of this kind is distinguishing in terms of interventions to binding development plans and of changing characteristics of urban built environment. The result of this modification was Mertim Trade Center (MTC).

As stated in the related section, its architect aimed at introducing a landmark for Mersin, and broke out the dull and monotonous urban development in Mersin. On this account, it is assumed that *a new spatial context* was tried to be formed. It is seen that this plan modification was concentrated on *definition of a new city center* in Mersin. It involved definition of its morphological characteristics and definition of borders of new city center. MTC was assumed to be the center of the core. However, it became *a landmark for individualization of planning* within contexts of planning control mechanisms (fig 7.50).

7.3.4. Changes in both the Morphological and the Functional Characteristics of the Urban Built Environment: Morphological+Functional Plan Modifications

These plan modifications might cause *changes in land use decisions* on the one hand, and *in building block forms, building heights, building arrangement* on the other hand. It is seen that most of these plan modifications were resulted with ‘changes in both land use decisions and building block forms’.

These changes were about rearrangement of building blocks. During this process, some amount of streets between building blocks might be joined with especially residential blocks. On this account, this kind of plan modifications is conceived *to spoil the spatial context on the grounds of functional change* (fig. 7.53, 7.54 and 7.55). They again emphasized the inadequate design considerations of development plans about building blocks. Nonetheless, the values of public interest were transferred into private interest through land use alterations from streets to especially residential use. In these cases, plan modifications via individual actions became tools to gain additional development rights.

However, some of these plan modifications were basically functional ones. Those cases again highlighted the inadequate design considerations of building blocks. However, these modifications did not come into existence in order to gain additional development rights.

In these cases, on the one hand, building blocks were rearranged; on the other hand, the basic land use decisions on the site was altered to another one (for instance from residential to commercial, tourism etc.). It is observed that many large scale investments in Mersin came into being in this way. These investments might occur in residential, commercial or tourism areas.

On the other hand, the ones that caused changes in both land use decisions and building heights and in both land use decisions and building arrangement were basically the functional ones (fig 7.59 and 7.60). These plan modifications, emphasized the inadequate land use decisions and the mono-functional development expressed via development plans. Since most of land use decisions on development plans were residential, many large scale developments could not find any particular place to conduct their investments in the city. On this account, these plan modifications changed both building block forms and land use decisions of those blocks.

-concluding remarks

The Turkish plan-led system basically focuses on distribution of development rights and granting building permit on individual plots. It is assumed in the system that urban built environment will be produced totally. Consequently, the only context to be controlled is the individual plots. The city itself becomes the *collocation of individual plots* and a *clutter of construction*. The overall production is a proto-type built environment, which led to *anonymity* in the spatial context without any distinctive quality of urban built environment.

Although plan modifications might be used as tools to overcome *plot-based understanding, bureaucratization, and individual actions* in planning control mechanisms, the study on Mersin showed that they reproduce and carry on these problematic issues. In fact, it is not possible for plan modifications to bring about a context-based control in the Turkish planning system. In the most cases, they are not likely to bring about opportunities for a qualitative control approach. Along this path, management and control of ‘changes in spatial context’ basically depend on *quantitative standards* that cover basically morphological and functional characteristics of urban built environment. It gave rise to the formation of a *quantitative control approach*. The contextual influences of varying development sites are not seemed to be taken into consideration. Operation of control

mechanisms is limited with reference to characteristics of individual plots. It is concretized via the effect of land readjustment process on functional plan modifications and that of development bylaws on morphological plan modifications.

Within the framework of the study, plan notes and development bylaws are conceived to be means for developing *discretion* and *flexibility* within planning control mechanisms and to achieve a context-based and qualitative control. However, the cases revealed that use of discretion through plan notes and development bylaws also depend on a quantitative control approach instead of developing a context-based control. During face-to-face interviews, planning officers in Mersin claimed that use of development bylaws in planning control mechanisms facilitate implementation of standards. However, they also asserted that bylaws do not give any possibility to develop a qualitative control approach. They seem to be obliged to use development bylaws during controlling 'changes in spatial context'. Nonetheless, some of planning officers pointed out that plan notes might provide opportunities to prepare a context-based control.

Likewise, with regard to the procedural and socio-political contexts, it is conceived that *active participation* to the control mechanisms might provide formation of a context-based control. According to Lang (1994), an active participatory process would bring the local and contextual characteristics of localities into discussion which gets lost in top-down linear process of static control approach. However, most of plan modifications in Mersin came into being via individual actions. The interactions are limited with relations between the plot owners and planning officers. Little attention is given to formulate coordinated strategies through participation. Operation of planning control mechanisms is reduced *to check the conformity of proposals to planning obligations*. In this framework, standard proposals come into order on the basis of development on individual plots.

However, some cases included in the study (figures 7.13, 7.14, and 7.32) revealed that active participation might provide alternatives for developing qualitative control approach. In those cases, it is observed that *social consciousness and degree of publicity in control mechanisms were raised*. Involvement of public might come into being either via *active participation* through confrontation, argumentation and negotiation processes or via *judicial control* through adjudication of Administrative Courts. The cases based on active participation are taken into account as examples of *context-based control* on the basis of

responses to needs of individuals in socio-political context to contribute the creation of public realm. When active participation channels were choked up and argumentation processes did not reach a common denominator, individuals brought the cases on to administrative courts and Supreme Court. In these cases, courts intervened to processes to solve disagreements. They are examples for uncovering bottlenecks in operation of planning control mechanisms via external forces. Along this path, *a context-based control* is tried to be developed *outside the context*. In both ways of participation, especially public parks as one of the physical assets of public realm began to be formed with contributions of large public.

In this framework, it seen that context-based control seems to be difficult to develop in static nature of Turkish planning system since development plans do not bring forth a *justifiable basis for planning decisions*. Development plans, which are expected to draw a framework for operation of planning control mechanisms, are concentrated on detailed and quantitative standards and distant to distinguish place of distinctions and character areas in the city. Therefore, operation of planning control mechanisms is limited with individual plots that are similar to each other and control and management of ‘changes in spatial context’ come into being via *individual actions* of private sector. The cases and the findings of questionnaires reveal that planning officers and local councilors are not inclined to bring about innovative and coordinated strategies into planning control mechanisms.

CHAPTER 8

CONCLUSION

This chapter emphasizes the conclusions of the study. In the first part of the study, a short synopsis about the study is pointed out. In the second part, suggestions towards formation of context-based control mechanisms in the Turkish planning system are put forward. Moreover, in the third part, the further studies to be generated from this study are clarified.

8.1. SYNOPSIS

The starting point for the study is the '*changes in the spatial context*', which is about shaping *the physical form of development rights*. They are conceived to be significant due to the fact that they might enhance the distinctiveness of a place or might erode the character and the morphology of the site and its relation with the surroundings. Therefore, the management and control of 'changes in the spatial context' is at the very center of the study. Since plan modifications become the basic means during the control processes in the Turkish planning system, they are analyzed with reference to the operation of planning control mechanisms in their contexts. It is aimed to examine the effects of plan modifications on characteristics of the urban built environment and their opportunities to bring about a context-based control instead of context-less control of the Turkish planning system.

As stated in Chapter 3, it is conceived that control and management of 'changes in spatial context' function within the contexts of planning control mechanisms which are regulatory, procedural and socio-political contexts. Among other contexts, *regulatory context* appears in a central position during management and control of 'changes in the spatial context'. It refers to the *planning legislation* that directs the production of urban built environment. The *procedural context* is related with the operation of planning control mechanisms in relation with other contexts while the *socio-political context* involves

actions of different actors and relations between them in planning control mechanisms. They are expected to act according to liabilities defined in regulatory context and due to processes in procedural context. The overall result of the operation of control mechanisms comes into being in the *spatial context*, which is defined with reference to the characteristics of the urban built environment, which are morphological, functional, spatial, contextual, visual and constructional. They are subject to interventions as a result of development pressures at each scale in the city.

Within the framework of the study, static and dynamic control approaches are conceived to be two ends of a continuum to control ‘changes in spatial context’. Conceptualization of control approaches into two main standpoints contributes to comprehension of the basic dichotomies within planning control mechanisms (Chapter 2).

The findings of the study revealed that operation of planning control mechanisms in the Turkish planning system basically depend on static approach. It seems far-away to create a *justifiable basis for planning decisions* and *distinctive contexts for control*. The context of control is defined as the individual plots which are similar to each other. Hence, standard development plans and bylaws become the reference for an effective control and the local characteristics of a place are abolished via *plot-based understanding* of development plans. The control activity in planning system, which is conceived to be ‘*plotization of control*’, is delimited in boundaries of individual plots. The basic aim seems to produce *freestanding buildings* on the plots and to grant building permission for them where the city becomes *a clutter of buildings*. Therefore, the static nature of development plans in the Turkish planning system leads to a *context-less control*²⁷.

In this framework, the static nature of development plans within the regulatory context of the Turkish planning system cannot provide strategies to cope with the dynamic nature of socio-political context. The contradictory structure between the static regulatory context and the dynamic socio-political context involves *tensions in planning control mechanisms* that create *cleavages within the spatial context*. ‘Changes in the spatial context’ are deemed to be the indicators of such cleavages. Therefore, the individual actions begin to produce their own pattern of urbanism in urban built environment. The outcome in the spatial context may result with either *a spoiled spatial context*, which is

²⁷ The detailed evaluation of the Turkish planning system is revealed in Chapter 5.

defined as the context that has no reference to the characteristics of surrounding context, or a *harmonized spatial context*, where the ‘changes in the spatial context’ give reference to the characteristics of the surrounding context. Spoiled spatial context signifies the rupture from character and setting of an area. In Turkish planning system, *plan modifications* became the primary tools for this formation.

In the study, plan modifications are regarded as the means to overcome the problems of static nature of the Turkish regulatory context. Although they might be used to create a context-based control, to give response to changing conditions and local distinctiveness of places and to improve quality of space and public realm, the detailed study held in Mersin revealed that plan modifications reproduce the problematic issues in the Turkish planning system (*‘plot-based understanding’* in regulatory context, *‘bureaucratization of control mechanisms’* in procedural context and *‘individual actions’*)²⁸.

It is conceived in the study that dynamic approaches brought forth innovative contributions to formulate the level and form of control to cope with ‘changes in the spatial context’ in the Turkish planning system through a *context-based control*²⁹. Since the future is apprehended as uncertain and unpredictable, adaptive responses to changes are supposed to be developed in changing conditions (Allen, 1999). In this sense, *a flexible structure* through “*law of requisite variety*” (Ashby, 1961), in which a controller needs to have a variety to control a complex process than it needs to control a simple process, is required to be defined in planning control mechanisms. It is assumed that this requires creating *coordinated strategies* in the socio-political context. The problem is to move the operation of planning control mechanisms from the situation in which urbanism eventuate as a result of individual actions to that where individuals act according to coordinated strategies (Olstrom, 1990). In this sense, the propositions for a context-based control are put forward below.

²⁸ The findings of the study are evaluated briefly through an evaluation in the end of the chapter 7.

²⁹ The basic characteristics of context-based control are pointed out in the end of the Chapter 3 through a brief evaluation.

8.2. TOWARDS DESIGN-LED DEVELOPMENT AND CONTEXT-BASED CONTROL: SUGGESTIONS FOR A MODEL

Within the framework of the study, it is claimed that plan-led development embedded in the Turkish planning system must be evolved into *design-led development* to develop a *context-based control*, which implies to define and to give response to the characteristics of contexts of planning control mechanisms. It certainly signifies a rupture from plot-based understanding, routine procedures and individual actions and a move towards area-based understanding, review processes and coordinated actions (Fig. 8.1). Therefore, design-led development requires *redefinition of contexts of planning control mechanisms*.

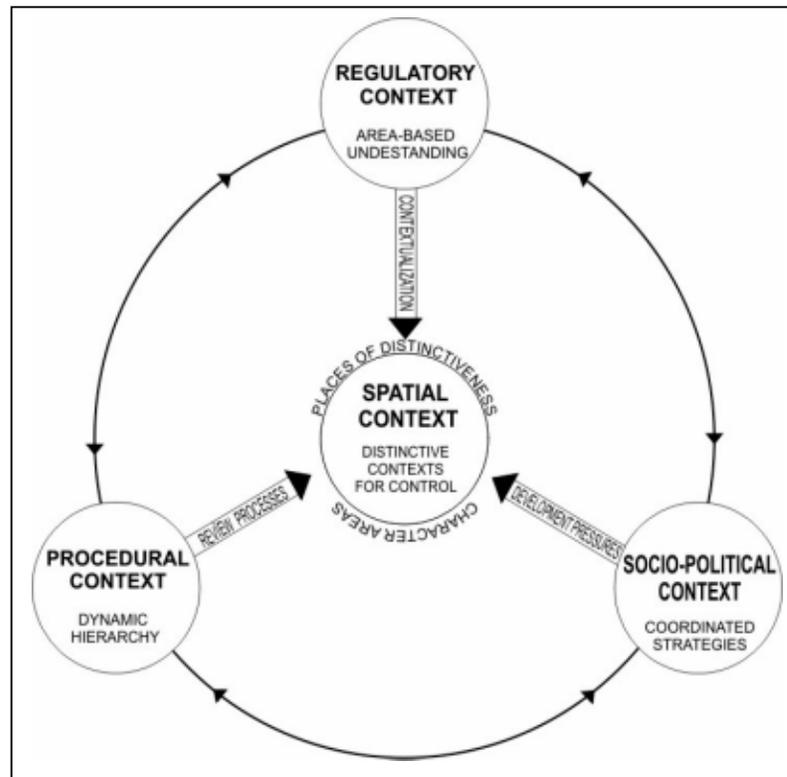


Figure 8.1: General Framework for Design-Led Development and Context-Based Control

8.2.1. The spatial Context: Defining the Distinctive Contexts for Control

The spatial context signifies the characteristics of an area, where any development would emerge in its surroundings. In the study, it is conceived that formulation and operation of planning control mechanisms primarily must depend on comprehension of the spatial context on the grounds of characteristics of the urban built environment. It is '*understanding the uniqueness of a spatial context*' in terms of distinctions from other spatial contexts. They are the *distinctive contexts for control* and *character areas* within the whole spatial context of the city. The operation of control mechanisms can be evaluated to emphasize the distinctiveness of the place and may result with context-based control. In this sense, to create *places of distinction* is related with *morphology of the site*, its *relation with the surrounding context* and *the character of site*.

Morphology of the site can be determined on the basis of *morphological continuity*. It is defined through morphological and visual characteristics of urban built environment such as *building block patterns, building heights, building arrangement and massing*. Relation with surrounding context depends on both morphological and spatial characteristics such as *street pattern, settlement pattern and public space system* that signify the *continuities in the spatial contexts*. Character of the site is based on creation of '*sense of place*' and responsiveness to distinctive patterns of development. It is related with morphological, visual and contextual characteristics of urban built environment such as *building forms, styles and materials, rhythm and harmony, landscaping, environmental quality*. A harmonious integration of these characteristics yield *uniqueness and distinctiveness of the spatial context*. Certainly, it requires efforts to define basic constituents to control with reference to characteristics of urban built environment.

-characteristics of urban built environment

The *spatial characteristics of the urban built environment* are related with settlement pattern, public space system, road hierarchy and borders of development at the city-wide scale. Therefore, they are the main concerns to be taken into consideration during preparation of master plans, which must provide a general framework for them. These are emphasized in the following section below.

Main concern for the *morphological characteristics* must be held upon *urban form and urban layout* in the character areas. *Design of buildings, block patterns and street patterns* are the main issues related with morphological characteristics. Especially block patterns are at the very center of the discussion to develop a context-based control. *Block patterns* directly influences the character of the site. *The size and shape of building blocks are defined together with street pattern, the plot sizes and the building types*. In fact, it does not seem proper to define a typical building block size. Rather, the building block sizes in character areas of the city must contain a range of block sizes to give response to changing necessities of development. They must provide variety for users of the urban built environment and flexibility to be rearranged. The study on Mersin revealed that the standard building block sizes were changed via unification as far as they could not provide a satisfying variety for cooperative housing developments.

However, development within building blocks must be controlled for *improving the quality of urban space and public realm*. The main concern must be *designing buildings with urban space* rather than ‘freestanding buildings’ in the spatial context. For that, the *distinction between the private backyards and public fronts of building blocks* must be put forward during development. An *active street frontage* must be sustained throughout building blocks for the *street vitality*. It ensures the integration of development with the street, which are regarded as the distinguishable parts of public realm, rather than passive spaces to pass over. Direct frontage to streets is the public face of buildings. On this account, the *façade of buildings* must be controlled totally alongside the streets. They are indispensable parts of the *visual characteristics of urban built environment* and directly influence the character of the site. The *rhythm and harmony* are of primary importance in controlling the façade design. *Rhythm* is the influence of similar elements on a repetition while *harmony* signifies the relationship between different parts of façade design. Verticality, color, width, windows and entries of buildings are the elements to sustain harmony and rhythm for an active frontage (Carmona et al., 2003). Hence, building heights are of vital importance on ensuring the continuity, rhythm and harmony along a street and in building blocks. And the setbacks may be designed in order to define a *continuity of frontage and enclosure* alongside the street.

On the other hand, the inner side of building blocks might vary according to the building structure. When a perimeter block is situated on building block the interior will be used as

a quasi-public place in which parking areas and playgrounds are provided. However, buildings with detached order will support a plot-based development as seen in the cases analyzed in Mersin.

Functional characteristics of the urban built environment emphasize the *public private interaction* and *land use patterns* in the city. Public parks are important components of the public realm. They, like streets, must be taken into consideration as the essential elements to strengthen the interactions of individuals. Therefore, they cannot be designed as distinct land uses from other ones.

In the Turkish planning system, since the land readjustment shares (LRS) are taken from individuals to get public parks and streets are at the local level, acquisition of public parks at urban scale became subject to expropriation during plan implementation process as the cases in Mersin revealed. On this account, it is claimed that the boundaries of land readjustment must be redefined and a part of LRS might be taken from individuals at urban scale in order to produce urban parks and large roads and streets. For that, the proportion of these uses (urban parks and wide roads) to all uses in development plans might be taken from all individuals in the city through a land readjustment process after approval of master plans. A part of LRS might be used in this way. The rest of LRS on the other hand might be used to acquire the local parks at lower scales, after approval of implementation plans. By this way, it would be able to define and produce the public networks and systems in the city. Otherwise local parks seem to be produced without any connection between each other. They will stay isolated in neighborhoods. And they become subject to modifications to other uses with an ease.

Furthermore, land readjustment process must be redefined at the local level in order to acquire character areas in the city and the building blocks as the basic unit in character areas to be controlled during urban development. In this framework, the inner side of building blocks might become an essential part of the public space system. However, it requires redefinition of the property ownership pattern for both public parks and the inner side of building blocks. It is suggested that a new property ownership, which is collective, must be configured for these areas. The *collective property ownership* would signify the collectively shared entities such as inner side of building blocks or local parks in neighborhoods. The individuals in the building block would share the inner side of

building blocks with reference to the size of their allotment. Furthermore, they might be shareholders in local parks. In this framework, the properties which are subject to collective ownership cannot be changed to another use without consent and allowance of the shared persons and permit of local planning authorities.

On the other hand, instead of mono-functional development, *flexible land use patterns* might provide *urban vitality, improve public realm* and *interaction of individuals* and afford efficient use of urban space. On this account, mixed use developments might enhance the quality of urban space through *intertwining of uses*. However, it does not require to get rid of zoning as a planning control tool. Zoning might be evolved to achieve a multi-purpose content. Mix-use development will be encouraged via proposing residential use in non-residential areas or non-residential uses in residential.

The *contextual characteristics of urban built environment* are related with the character of the site. *Landscaping, the local style and materials of buildings, and environmental quality* are the main constituents of contextual characteristics. As far as landscaping can be also evaluated as a part of visual characteristics, it must not be the subject of a further design consideration to be handled after development plans during plan implementation process. A well-designed landscape might improve the *sense of place* and reveal the *intrinsic qualities of the place*. Furthermore, it would improve quality of the urban space, the morphological continuity and the quality of public realm. Like landscaping, local styles and materials in design process will ensure the distinctiveness of places and improve the *identity of character areas*.

The basic principles to be taken into consideration during design-led development and context-based control are touched upon above with reference to characteristics of urban built environment. The basic aim is to improve the quality of space and public realm and to provide distinctive contexts for operation of planning control mechanisms. These suggestions are clarified in Table 8.1. However, the regulatory, procedural and socio-political contexts as a part of context-based control must be redefined in the Turkish planning system to acquire these qualities. In other words, the quality must also be defined in these contexts.

Table 8.1: Suggestions for a Design-Led Development and Context-Based Control with reference to characteristics of the Turkish planning system

CHARACTERISTICS OF URBAN BUILT ENVIROMENT	TURKISH PLANNING SYSTEM <i>PLAN-LED DEVELOPMENT & CONTEXT-LESS CONTROL</i>	SUGGESTIONS FOR DESIGN-LED DEVELOPMENT & CONTEXT-BASED CONTROL
MORPHOLOGICAL physical settings of the context -design of buildings -block patterns -street patterns	URBAN FORM	
	-collocation of individual plots -gradual change during urban development -plotization of control -freestanding buildings	-building block as the basic unit -distinction between private backyards and private fronts -designing buildings with urban space -active street frontage -continuity of frontage -interior of blocks as urban space
FUNCTIONAL allocation of land -land use patterns -public private interaction	PUBLIC-PRIVATE INTERACTION (public realm)	
	-parks as residual areas -effect of LRS (plot-based) -streets as passing spaces	-public parks and streets as essential elements for quality of public realm -redefinition of land readjustment boundaries -no parking on front setbacks
	LAND USE PATTERNS	
	-segregation of land use pattern -mono-functional development	flexibility: mixed use development -intertwining of uses -urban vitality -improvement of public realm -interaction of individuals
VISUAL	RHYTHM AND HARMONY	
CONTEXTUAL	SENSE OF PLACE (INTRINSIC QUALITIES OF THE PLACE)	
	?	-identity of character areas -landscaping -local styles and materials -environmental quality

8.2.2. The Regulatory Context: Defining Area-Based Control

Within the regulatory context, the main issue is the *redefinition of planning control tools and hierarchy* in order to provide a *design-led development and context-based control*. *Master plans* are at the very center during this process due to the fact that they are city-wide tools, expected to provide a general framework for development.

In this framework, the content of master plans must provide distinctive contexts for a context-based control. Along this path, master plans must be available to bring about *character areas (places of distinction)* in the city, where unique developments will come into being. Operation of control mechanisms would be formulated with reference to the qualitative characteristics of these areas. Therefore, master plans on the one hand must provide a general framework for the whole development of the city; on the other hand they must provide frameworks for site-specific development in the character areas. These are basic policies about development, not the detailed prescriptions.

Master plans at a city-wide scale must firstly involve documents pointing out general statements on development. This is called the *development framework*. They are basically *guidance notes*, for a *strategic thinking*, consisting of basic policies and vision of municipalities. It is consisting of the policies about distinctiveness of character areas, their relations with the surrounding context, the settlement pattern, the urban pattern and urban layout, the quality of public realm (the relationship between urban pattern and public space), land use patterns, the network of movement patterns. It is a framework for clarification of characteristics of urban built environment at a city-wide scale.

Furthermore, the policies pointed out via development framework must be visualized through a *key diagram* rather than a detailed and strict document. It consists of definition of the general settlement pattern throughout the city, the character areas and relations between them, sites of particular importance such as construction areas and special project areas, the land pattern, and the network of movement patterns.

In this sense, the content of master plans is aimed to gain *flexibility* and *adaptability* to give response the context-based necessities and changing conditions. It provides aspects for the quality of urban space and the management and control of ‘changes in spatial context’, for creation of places of distinction for a context-based control, for involvement of people to define the operation of control mechanisms, for strengthening the position of local authorities during the control and management of ‘changes in spatial context’.

Within the framework of the study, it is claimed that an intermediary scale must be defined between master plan and implementation plans. It is called *urban design framework*, which describes how *to formulate and implement the basic policies of master plans*. It

must be a compulsory stage before preparation of implementation plans. At this stage, the site-specific policies of development on character areas are formulated through a variety of documents. They might be based on general *site-specific design policies, planning requirements and expectations (development briefs)*, or on *detailed site-specific design considerations on urban patterns and urban layout (design briefs)*. They are used to inform individuals about the characteristics of development on a specific site and involve them to the production of urban space and controlling the ‘changes in spatial context’. Furthermore, the detailed documents such as *design codes, urban design guidelines* might come into being to point out the *design standards through statements and illustrations*. These are area-wide planning control tools and their examples can be followed from experiences of other countries like Britain and the United States (chapter 4).

The implementation plans will be the last stage, which concretize the planning and design policies for planning control in general. They will be still the basic documents for building permit procedures; however, the urban design framework is a more active means for the context-based control (fig. 8.2).

Table 8.2: Suggestions for the Regulatory Context of Design-Led Development and Context-Based Control

THE REGULATORY CONTEXT OF THE DESIGN-LED DEVELOPMENT AND CONTEXT-BASED CONTROL: REDEFINITION OF PLANNING CONTROL TOOLS		
MASTER PLANNING (CITY-WIDE CONTROL TOOLS)	DEVELOPMENT FRAMEWORK (guidance notes)	-basic policies about development -vision of municipalities -strategic thinking
	KEY DIAGRAM	-settlement pattern throughout the city -character areas -public space system -sites of particular importance
URBAN DESIGN FRAMEWORK (AREA-WIDE CONTROL TOOLS)	DEVELOPMENT BRIEFS	-site-specific policies -planning requirements and expectations
	DESIGN BRIEFS	-detailed site-specific guidance -considerations on urban form and layout
	DESIGN CODES AND GUIDELINES	-design statements through statements and illustrations
BUILDING PERMIT PROCEDURES	IMPLEMENTATION PLANS	-concretize the planning and design policies -basis for building permit procedures

The basic characteristics of *design-led development and context-based control* are their flexible and adaptable content to changing conditions. In this framework, planning control mechanisms will operate within distinctiveness of spatial context through area-based control in order to develop site-specific and context-based control mechanisms. The proposals will be evaluated on their merits with reference to urban design framework. Management and control of ‘changes in spatial context’ will be evaluated through review processes rather than plan modifications.

8.2.3. The Procedural Context: Defining Review Processes

The procedural context is related with the operation of design-led development model, where the plan preparation and plan implementation processes are not separated from each other. Rather there is *dynamic relation* between them depending on review processes. In its essence, urban design framework is at the very center of review processes. Since they guide the context-based control and emphasize the characteristics of distinctive contexts, they put the framework for the review processes. They are the basis to evaluate the development proposals.

Therefore, urban design framework facilitates the *active participation of individuals* to control mechanisms. On the other hand, they sustain a *dynamic hierarchy* between master plans and implementation plans. The hierarchy on the one hand functions with a top-down perspective with reference to general planning and design policies highlighted on master plans; on the other hand, those policies are subject to change according to *feedbacks taken from site-specific appraisals* with a bottom-up approach.

In this sense, the context-based control for a design-led development operates on a step-by-step process, however, the review processes embedded within the process made the linear process to be revised in each step. Therefore, the review processes in procedural context provide opportunities for the *use of discretion and interpretation* during operation of planning control mechanisms. Along this path, *review processes keep continuously alive the functioning of operation of planning control mechanisms* through reinterpretation of development proposals (fig. 8.2).

8.2.4. The Socio-Political Context: Defining Coordinated Strategies

The problem in the Turkish planning system is *to surmount the isolated pattern of relations* in the socio-political context. Another problem is the alienation of individuals to their context. On this account, active participation strategies seem to be effective to overcome these difficulties. Although the urban design framework involves possibilities of medium for active participation, they must be supported with a number of illustrations in order to clarify the control process for all individuals. Within this framework, *the role of local planning authorities is central*. The active participation of individuals to planning control mechanisms with a central role of local planning authorities will unfold the mystified and blurred issues during development process. As far as the planning officers will be enthusiastic to take into consideration the attitudes of other individuals towards the proposals they will form the medium for active participation. The study on Mersin revealed that participation on the basis of proposals was very limited in the socio-political context. The planning officers were not inclined to produce such circumstances. Therefore, the proposals of property owners, who were the powerful, were approved and granted permissions.

Within the framework of active participation, when proposal for ‘changes in the spatial context’ come into being, the *representation of reality* and the *representation of the proposed change* will be supplied to the individuals that take place in planning control mechanisms (Carmona et al., 2003). The representations may depend on *a series of detailed illustrations* (models, sketches, computer-aided design) in order to make the influence of proposals on characteristics of urban built environment clear. The visual representation of proposals must be clear and simplified for a full comprehension of ‘changes in the spatial context’ by each individual, even by lay persons (fig. 8.2).

8.3. RECOMMENDATIONS FOR FURTHER STUDIES

In the study, the ‘changes in the spatial context’ were at the very center of the investigation. It is seen that the static nature of Turkish planning system cannot develop a qualitative approach to control and manage them. Although, plan modifications can be regarded as the tools to overcome the problems in the Turkish planning system, it is observed that they reproduce those problematic issues.

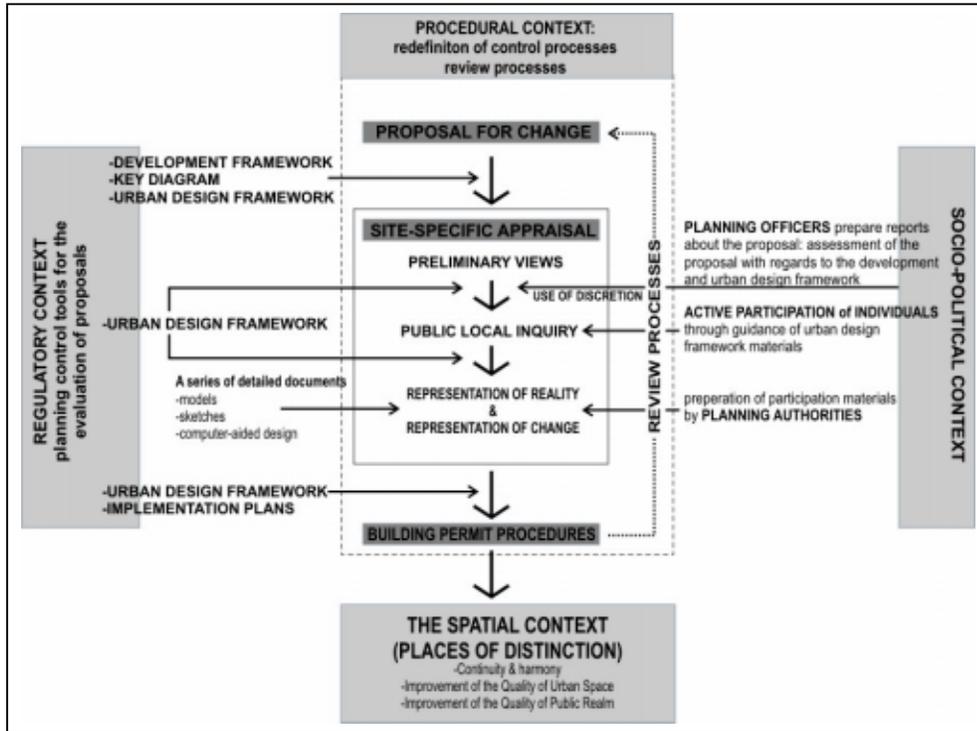


Figure 8.2: Suggestions for the Operation of Design-Led Development and Context-Based Control

It is claimed in the study that the *plan-led development and context-less control* directed by Turkish planning system cannot cope with changes in the spatial context in a qualitative way and the operation of planning control mechanisms are left primarily to private sector influences and preferences. Therefore, the suggestions for improving the quality of urban space and public realm focused on a *context-based control and design-led development*. In this sense, it is conceived that further studies may be focused on the main constituents of this model. Since the context-based control and design-led development give attention to improving the quality of urban space and public realm, quality as a problematic issue will be an important part of these studies. They will focus on placing the quality in the Turkish planning system and control mechanisms. The studies are grouped in two main categories.

First group of studies may be concentrated on improving quality with reference to characteristics of the urban built environment. In the study, main principles to be handled about these characteristics during control processes are touched upon (table 8.1). Further

studies may investigate the details of these principles. For instance, studies about morphological characteristics may focus on the urban form and urban layout. For that, building block patterns and block structures will be appreciated as one of the essential elements of a design-led development. The studies about functional characteristics may take into account the details of mixed-use development to sustain the urban vitality. And on the other hand, they may focus on the public private interaction to improve the quality of public realm. Moreover, some studies about visual and contextual characteristics may be organized in collaboration with architectural studies on the grounds of designing active street frontage.

The second group of studies is related with the contexts of planning control mechanisms. This study mainly focused on the characteristics of regulatory context on the basis of plan modifications. Further studies may deal with improving the qualities characteristics of procedural and socio-political contexts via concentrating on development of strategies about active participation and review processes. Furthermore, concerning regulatory context, some studies may focus on the qualitative improvement of proposed planning control tools in the study.

Expectations from further studies are the contributions to the production of design-led development and context-based control in the Turkish planning system instead of plan-led development and context-less control. The study revealed that the Turkish planning system basically focuses on production of individual plots and individual buildings on plots rather than production of urban space. Therefore, the intention for the further studies is to concentrate on production and improving the quality of urban space.

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APPENDIX A

GLOSSARY

As far as the study focuses on plan modifications in Turkish planning system, confusion about the use of terms may occur throughout the reading. Therefore, a glossary is prepared in order to make clear the use of terms during the study. Below, the equivalent of the terms used in English is revealed in Turkish.

ENGLISH	TURKISH
Administrative Court	: İdare Mahkemesi
attached order	: bitişik yapılanma düzeni
building block	: yapı adası
building permit	: Yapı izni
Bylaw Control (Sites)	: İmar planlarında yönetmelik hükümlerinin geçerli olduğu alanlar
Compulsory purchase	: kamulaştırma
councilor	: Belediye Meclis Üyesi
development order	: yapı düzeni
development right	: yapı (inşaat) hakkı
deposit	: plan askı süresi
detached order	: ayırık yapılanma düzeni
Development Law	: İmar Kanunu
Development Bylaw	: İmar Yönetmeliği
development condition	: yapılanma koşulu
Development Plan	: İmar Planı
error in fact	: maddi hata
Floor Area Ratio (FAR)	: Kat Alanı Katsayısı (KAKS) – Emsal (E)
Frontage line	: Cephe hattı
‘Greater City’	: Büyükşehir
Graded Ratio Regulation	: Kademeli Emsal Uygulaması
health preservation belt	: sağlık koruma bandı
Implementation Plan	: 1/1000 ölçekli Uygulama İmar Planı
Improvement Plan	: imar ıslah planı
Land Readjustment Area (Boundary)	: Arazi Düzenleme Alanı (Sınırı)
Land Readjustment Plan	: Arazi Düzenleme Planı – Parselasyon Planı
Land Readjustment Process	: Arazi Düzenleme Süreci
Land Readjustment Share (LRS)	: Düzenleme Ortaklık Payı (DOP)
Lot coverage ratio (LCR)	: Taban Alanı Katsayısı (TAKS)
Master Plan	: 1/5000 ölçekli Nazım İmar Planı
Model Development Bylaw	: Tip İmar Yönetmeliği
Monitoring	: izleme

Municipal Council	: Belediye Meclisi
Municipal Council Decision	: Belediye Meclis Kararı
occupancy permit	: yapı kullanma izni
Partial Plan	: Mevzi İmar Planı
Petroleum Market Regulation Law	:
Plan Modification	: Plan Değişikliği
preferential tourism area (PTA)	: tercihli turizm alanı (TTA)
Plan Preparation Bylaw	: Plan Yapım Yönetmeliği
Planning decision	: Plan kararı
Public Share (PS)	: Kamu Ortaklık Payı (KOP)
Ratio Regulation (Sites)	: Emsal Uygulama Alanları
Revision Plan	: Revizyon İmar Planı
semi-detached order	: blok yapılanma düzeni
shared title developments	: hisseli parselasyon gelişmeleri
Standard Regulation (Sites)	: İmar planlarında yapı düzeni, yükseklikleri ve çekme mesafelerinin belirlendiği alanlar
Supreme Court	: Danıştay
Tax and Trade Administration	: Defterdarlık
Urban Development Law	: İmar Kanunu
Regional territorial plans	: çevre düzeni planı

APPENDIX B

QUESTIONNAIRE WITH LOCAL MUNICIPAL COUNCILLORS AND THE RESULTS

Within the framework of the study, questionnaires are with actors taking place in planning process and control mechanisms. Priority is given to *municipal council members*, by whom all planning actions and also plan modifications are approved. In the final analysis, they take decision about the realization of planning proposals. In Mersin, municipal council of each district municipality consisted of 31 members within the temporal framework of the study. It was aimed to conduct questionnaires with all councilors. However, it would not be possible to reach all members. On this account, councilors of Yenişehir Municipality seemed to be the most enthusiastic ones among others. 29 of 31 councilors replied to questionnaires. On the other hand, only 9 of 31 councilors of Akdeniz Municipality and 14 of 31 councilors of Toroslar Municipality gave response to questionnaires. In questionnaires, their attitude towards the characteristics of urban built environment, preferences in and expectations from planning system, development plans and plan modifications are investigated. Below the questions and the responses of councilors are revealed.

1-daha önceki dönemlerde de belediye meclis üyeliği yaptınız mı? Bu görevi üstlendiyseniz hangi dönemlerde üyelik yaptınız?

- evet hayır
- 1984-1989
- 1989-1994
- 1994-1999
- 1999-2004

	evet	hayır	
yenisehir	5	24	29
akdeniz	3	6	9
toroslar	3	11	14
	11	41	52
percent:	21	79	

2-Belediye meclis üyeliğiniz süresince komisyonlarda üyelik yaptınız mı?

- evet, Büyükşehir belediye meclisinde komisyonlarda görev aldım
- evet, alt belediyelerin belediye meclisinde komisyonlarda görev aldım
- hayır, hiçbir şekilde komisyonlarda görev almadım

	evet	hayir	total
yenisehir	16	12	28
akdeniz	9		9
toroslar	15		15
total	40	12	52
percent	77	23	

3-Evet ise hangi komisyonlarda görev aldınız?

- imar komisyonu
 çevre komisyonu
 altyapı komisyonu
 bütçe komisyonu
 kültür sanat komisyonu
 diğer:.....

	imar kom.	çevre kom.	bütçe kom.	kültür kom.	diğer
yenisehir	10	4	5	0	4
akdeniz	4	5	5	0	1
toroslar	6	5	3	1	4
total	20	14	13	1	9

4-Mesleğiniz nedir?

-

	bilgi. müh.	infaat müh.	muha sbeci	kimya hüh.	hukuk.	topog.	elektri k müh.	ziraat müh.	mak. teknik	harita müh.	öğretm en	
YENISEHIR	1	4	1	1	3	1	1					12
AKDENİZ			1									1
TOROSLAR								1	1	1	2	5
	1	4	2	1	3	1	1	1	1	1	2	18

5-Şu anda yaptığımız iş nedir?

-

	serbest	müteahhit	emekli-işçi	emekli-memur	işçi	muhasebaci	ev hanım	
YENISEHIR	13	7	2	2	3	1		28
AKDENİZ	4		2			1	1	8
TOROSLAR	10				2	1	1	14
	27	7	4		4	4	2	50

6-Mersin'de hangi mahallede oturuyorsunuz?

- mahallesinde

	YENISEHIR	AKDENİZ	TOROSLAR	
pirreis	4			4
egricam	3			3
gazi	2			2
akkent	3			3
cummuriyet	1		1	2
aydinlik evler	4		1	5
barboros	1		1	2
güvenevler	5			5
inönü	2	1		3
bahçelievler	1			1
fatih	1	1	1	3
cankaya	1			1
hürriyet	1		1	2
mezitli			1	1

osmaniye			3	3
turunçlu			1	1
demirtas			1	1
mithat toroglu			1	1
halkkent			1	1
cagdaskent			1	1
güneykent		1		1
karaduvar		1		1
fuat morel		1		1
kiremithane		1		1
kültür		1		1
yeni		1		1
günes		1		1
	29	9	14	52

7-Nasıl bir konutta oturaktasınız?

- apartman dairesi
 müstakil konut
 bir sitede
 diğeri:

	apartman dairesi	müstakil konut	bir sitede	
yenisehir	21	1	7	29
akdeniz	4	4	1	9
toroslar	7	4	3	14
	32	9	11	52

8-Yaşadığınız konutu nasıl edindiniz?

- satın aldım
 kiraladım
 kooperatif yoluyla
 diğeri:

	satın aldım	kiraladım	kooperatif yoluyla	diğeri	
yenisehir	17	7	3	2	29
akdeniz	5	1	1	1	8
toroslar	4	5	3	3	15
	26	13	7	6	52

9-Yaşadığınız konut dışında başka konutunuz var mı?

- hayır, başka konutum yok
 evet, yazlığım var
 evet, Mersin'de başka konutum var
 diğeri:

	yenisehir	akdeniz	toroslar	
hayir	11	6	9	26
evet, yazligim var	8	2	2	12
evet, mersinde baska bir konut var	4	1	3	8
diğeri	1		1	2
konut+yazlik	4			4
	28	9	15	52

10-Oturduğunuz konutu seçerken neye dikkat ettiniz? Bir sıralama yapar mısınız? Önceliğinize göre seçeneklerin yanına rakamları yazınız. (1-2-3-4-5-6)

- ___ güvenli olmasına
___ işyerime yakın olmasına
___ altyapı sorunlarının olmamasına
___ mimarisine
___ yaşam çevresinin kalitesine

___ konutta kullanılan malzemenin kalitesine
___ diğer:

	bir.	iki.	üç.	dört.	beş.	altı.
güvenli	25	13	9	3	0	3
işyerine yakınlık	6	4	0	4	12	27
altyapı	4	12	27	6	4	0
mimari	0	8	4	8	23	8
çevre kalitesi	21	14	9	4	4	0
malzeme	9	11	4	20	2	7

11-şu anda kullandığınız konuttan ve çevresinden memnun musunuz? Memnun değilseniz çevrenizle ilgili sorunlar konusunda bir sıralama yapar mısınız? Önceliğinize göre seçeneklerin yanına rakamları yazınız. (1-2-3-4-5-6-7)

- evet, çevremden memnunum
 hayır, çevremden memnun değilim, çeşitli sorunlar bulunmakta:
___ altyapı sorunları bulunmakta
___ mimarisini beğenmiyorum
___ çevre çok gürültülü
___ konutun içi kullanışlı değil
___ konutta kullanılan malzeme iyi değil
___ çevre güvenilir değil
___ çevredeki binalar yüksek katlı
___ diğer:

	bir.	iki.	üç.	dört.	beş.	altı.	yedi.
altyapı	4	0	1	0	3	1	1
mimari	1	3	2	3	0	1	0
gürültülü	4	0	3	1	1	1	0
konutun içi	1	2	0	1	1	1	0
malzeme	1	0	2	1	0	2	0
güvenlik	0	4	0	3	2	0	1
çevre	0	1	2	1	0	0	4

12-kaliteli bir çevreyi tanımlamak için nasıl bir sıralama yaparsınız? Önceliğinize göre seçeneklerin yanına rakamları yazınız. (1-2-3-4-5-6-7-8)

- ___ yaşadığım çevrede günlük ihtiyaçlarımı karşılayabileceğim dükkanlar olmalı
___ evim çocuk bahçesine yakın olmalı
___ kaldırımların ve yolların düzgün olması gerekli
___ mimari olarak binaların güzel olması lazım
___ apartmanın/sitenin yönetiminde herhangi bir sorunla karşılaşılmamalı
___ evim ilköğretim okuluna yakın olmalı
___ yaşadığım çevrenin gürültülü olmaması gerekir
___ diğer:

	dükkan.	çocuk bah.	çevre kal.	mimari	yönetim	okul	gürültü
bir	14	1	8	7	7	1	15
iki	9	7	5	9	3	1	10
üç	4	5	18	6	3	2	4
dört	7	5	5	7	8	0	6
beş	3	6	2	9	6	8	2
altı	1	8	2	1	5	11	7
yedi	7	4	2	1	3	10	2
sekiz	1	1	0	0	0	0	0
toplam	46	37	42	40	35	33	46

13-imar planlarında aşağıdaki konular dile getirilirse, bu konuları nasıl bir sıralamaya koyarsınız? *Önceliğinize göre seçeneklerin yanına rakamları yazınız. (1-2-3-4-5-6-7)*

- ___ yapı alanlarında yapılaşma koşulları
 ___ yollarla ilgili standartlar
 ___ imar haklarının eşit şekilde dağıtılması
 ___ açık alanların, parkların konumlanması
 ___ imar parsellerinin oluşturulması
 ___ yeni sanayi ve çalışma alanlarının açılmış olması
 ___ diğer:.....

	bir.	iki.	üç.	dört.	beş.	altı.
yapılaşma koşulları	5	13	8	7	11	4
yollar	4	8	9	11	9	5
imar hakları	17	9	5	8	4	4
parklar ve açık alanlar	15	7	11	8	4	3
parseller	7	7	7	9	13	2
çalışma alanları	3	5	7	1	2	23

14-imar planlarının çözmesini beklediğiniz sorunlar hakkında bir sıralama yapar mısınız? *Önceliğinize göre seçeneklerin yanına rakamları yazınız. (1-2-3-4)*

- ___ yeterli miktarda konut alanı sağlanması
 ___ altyapı sorunlarının çözülmesi
 ___ kaçak yapılaşmayla ilgili sorunların çözülmesi
 ___ çevre kalitesinin yükseltilmesi
 ___ diğer:.....

	konut	altyapı	kaçak yapı.	çevre kalitesi
bir.	4	19	18	9
iki.	2	14	16	14
üç.	5	13	11	16
dört.	26	1	3	8

15-Uygulama imar planlarının onanmasında hangi konulara dikkat edersiniz? Bir sıralama yapar mısınız? *Önceliğinize göre seçeneklerin yanına rakamları yazınız. (1-2-3-4-5)*

- ___ nazım plan kararlarına uygun bir şekilde hazırlanmış olmasına
 ___ imar mevzuatında belirtilen standartlara uygun olmasına
 ___ kentteki çevre kalitesini artıracak olmasına
 ___ arazi kullanım kararlarının dağılımına
 ___ imar haklarının nasıl dağıtıldığına

	bir.	iki.	üç.	dört.	beş.
nazım plana uygunluk	25	13	4	2	2
standartlara uygunluk	14	23	7	1	3
çevre kalitesinin artması	9	5	24	3	5
arazi kullanım	1	2	4	20	14
imar haklarının dağıtımı	1	3	5	15	15

16-İmar planlarının uygulanması aşamasında, imar planlarındaki hükümlerin nasıl ifade edilmesini tercih edersiniz?

- imar planlarında tüm hükümlerin çok detaylı bir şekilde tarif edilmiş olmasını
 imar planlarında detaylı hükümler olmasından çok konuların esnek bir şekilde ifade edilmesini

	cok detayli	esnek	
yenisehir	26	2	28
akdeniz	7	1	8
toroslar	11	4	15
	44	7	51

17-İmar planlarında konut alanları olarak belirlenmiş bölgelerde, aşağıdaki konular dile getirilirse, bu konuları nasıl bir sıralamaya koyarsınız? Önceliğinize göre seçeneklerin yanına rakamları yazınız. (1-2-3-4-5-6-7-8)

- ___ kat yükseklikleri ve yapı yoğunluğu (emsal değerleri)
 ___ yapılaşma düzeni
 ___ parsel büyüklükleri
 ___ yapı adalarının büyüklükleri
 ___ yolların standartlara uygun olması
 ___ yeterli otopark alanının sunulmuş olması
 ___ yeterli açık alanların ve parkların sağlanmış olması
 ___ alanda konut dışı kullanımların da yer alması
 ___ diğer:.....

	bir.	iki.	üç.	dört.	beş.	altı.	yedi.	sekiz.
emsal değerleri	12	9	3	8	4	3	2	3
yapılaşma düzeni	20	11	3	4	5	1		1
parsel büyüklükleri	3	2	6	2	8	9	7	5
yapı adaları	1	1	3	4	2	8	14	6
yol standartları	2	9	17	4	5	5	3	2
yeterli otopark alanı	1	9	7	9	7	7	5	2
yeterli açık alan	12	3	7	11	7	2	4	1
konut dışı	0	4	2	3	5	6	6	12

18-İmar planları ile ilgili görüşmelerin amacı ne olmaktadır? (birden fazla şık işaretleyebilirsiniz)

- plancı tarafından belediye meclis üyelerini bilgilendirme amaçlı toplantılar
 imar komisyonu tarafından meclis üyelerini bilgilendirme amaçlı toplantılar
 belediye meclis üyelerinin beklentilerini öğrenmek amaçlı toplantılar
 belediyenin kentle ilgili sorunlarını belirleme amaçlı toplantılar
 diğer:

	bilgilendirme	komisyon sunuşu	bmü beklenti	sorun tespit
yenisehir	17	18	4	17
akdeniz	7	3	3	6
toroslar	9	6	3	12
total	33	27	10	35

19-Bu görüşmeler sizin için aydınlatıcı oluyor mu?

- evet hayır

	evet	hayır	
yenisehir	25	3	28
akdeniz	8		8
toroslar	13		13
	46	3	49

20-Görüşmeler sırasında eksikliğini duyduğunuz konular oluyor mu?

- hayır, herhangi bir eksiklik duymuyorum.
 evet, imar planları çok teknik, anlamakta zorluk çekiyorum.
 evet, planlar yeteri kadar tartışılmıyor/açıklanmıyor.
 evet, planlarda öncelikler belirlenmiyor.
 evet, beklentilerimiz yeterince ifade edilmiyor.
 diğer:

	eksik yok	plan teknik	tartışma yok	öncelik yok	beklenti karşılanmıyor	
yenisehir	10	7	12			29
akdeniz		1	4	3		8
toroslar	3	4	3		3	14
	13	12	19	3	3	51

21-Plan görüşmelerinde plan müellifinin görüşleri alınıyor mu?

- evet hayır

	cevap veren	yüzde
evet	37	70
hayir	11	21
Total	48	91

22-Plan müellifinin sizi bilgilendirmesine gerek duyuyor musunuz?

- evet hayır

	cevap veren	yüzde
evet	45	85
hayir	4	8
Total	49	92

23-Sizce Mersin’de planların çözüm bulamadığı sorunlar nelerdir? Bir sıralama yapar mısınız? Önceliğinize göre seçeneklerin yanına rakamları yazınız. (1-2-3-4-5-6)

- ___ yeterli imar parseli sağlanması.
 ___ altyapı sorunları.
 ___ konut alanlarında niteliğin artırılması.
 ___ imar haklarının dağıtılması.
 ___ kıyı şeridindeki sorunlar.
 ___ kaçak yapılaşmayla ilgili sorunlar
 ___ diğer:

	bir.	iki.	üç.	dört.	beş.	altı.
yeterli imar parseli	10	3	3	11	8	8
altyapı sorunları	5	18	8	7	4	3
niteliğin artırılması	4	8	14	6	6	4
imar haklarının dağıtılması	1	9	4	9	12	6
kıyı şeridindeki sorunlar	12	5	8	4	4	12
kaçak yapılaşma	19	5	9	5	3	2

24-İmar planlarının yetersiz kalmasındaki başlıca neden sizce hangisidir?

- nazım plan kararlarına uygunluğun yeteri kadar sağlanamaması
 planların kararlarının gelişmeyi yönlendirmede eksik kalması
 planlar bazı durumlarda çok karmaşık oluyor ve uygulanması zorlaşıyor
 planların uygulanması ile ilgili imar programlarının oluşturulmaması
 planların istenilen düzeyde imar haklarını sağlayamaması
 planların kamuoyuna yeteri kadar anlatılamaması
 diğer:

	yenisehir	akdeniz	toroslar	
plan kararlarının gelişmeyi yönlendirmede yetersiz kalması	11	1	4	16
planlar bazen çok karmaşık ve uygulaması zor oluyor	3	2	2	7
planların uygulanmasıyla ilgili imar programlarının yokluğu	4	3	1	8
planların istene düzeyde imar haklarını sağlayamaması	2	2	3	7
planların kamuoyuna yeterince anlatılmaması	1		1	2
diğer	1		2	3

25- sizce, plan deęişiklikleri yapılmalı mıdır? Neden?

- evet, çünkü mevcut planlar ihtiyaçlarımıza cevap veremiyor
 evet, çünkü mevcut planlarda uygulama sorunları çıkıyor
 evet, çünkü bazı durumlarda planlar çok karmaşık oluyor
 hayır, çünkü imar planları bütün sorunları çözebilir
 hayır, çünkü imar planlarının kesinlikle deęiştirilmemesi gerekir
 dięer:

	yenisehir	akdeniz	toroslar	Frequency
evet, mevcut planlar ihtiyaçlarımıza cevap vermiyor	12	7	9	28
evet, mevcut planlar uygulamada zorluk cikartiyor	11	1	1	13
evet, bazı durumlarda planlar çok karmasik oluyor			2	2
hayir, imar planlari tüm problemleri çözebilir			1	1
hayir, imar planlarının kesinlikle deęistirilmemesi gerekir	1			1
dięer			1	1

26-Plan deęişiklikleri hangi durumlarda daha öncelikli hale gelmektedir? Bir sıralama yapar mısınız? Öncelięinize göre seçeneklerin yanına rakamları yazınız. (1-2-3-4-5)

- ___ yapılaşmanın çevresiyle uyumsuz hale gelmesinden dolayı
___ planların uygulanmasının mümkün olmadığı durumlarda
___ nazım planda yapılan bir deęişiklikten dolayı
___ plan hükümlerine aykırı bir yapılaşmanın plana uygun hale getirilmesi amacıyla
___ planların deęişen koşullar karşısında yetersiz kalmasından dolayı
___ dięer:

	bir.	iki.	üç.	dört.	beş.
uyumsuz hale gelmesinden dolayı	21	5	5	6	4
uygulama sorunları	6	10	9	9	4
nazım planda deęişiklik	4	6	14	8	1
yasallaştırma	7	10	5	8	8
deęişen koşullar	7	9	4	2	15

27-Plan deęişiklikleri nasıl gündeme gelmektedir?

- mülkiyet sahibinin ön bilgilendirmesi ile
 plan deęişiklięini yapan plancının bilgilendirmesi ile
 imar komisyonu raporu ile
 dięer:

	yenisehir	akdeniz	toroslar	Frequency
mülkiyet sahibinin ön bilgilendirmesi ile	13	5	3	21
plan deęisiklięini yapan plancinin bilbilendirmesi ile	9	2	6	17
imar komisyonu raporu ile	5	1	6	12
Total	27	8	15	50

28-Sizce, plan deęişikliklerinde plan müellifi görüşünün alınması gerekli mi?

- evet, çünkü plan müellifi plana en hakim kişidir
 evet, çünkü yasal mevzuata göre görüş alınması gerekli
 evet, çünkü, plan müellifinin görüşü planın genel amacının sağlanması açısından önemlidir.
 hayır, çünkü, plan müellifi uzaktan kararlar vermektedir, yeni ihtiyaçlarımızın farkında olmayabilir.
 hayır, çünkü, planlarda gerekli deęişiklikler plan müellifi tarafından engelleniyor.
 dięer:

	yenisehir	akdeniz	toroslar	TOPLAM
evet, plan müellifi plana en hakim kisidir	9	4	8	21
evet, yasal mevzuata göre görüş alınmalıdır	7	1	2	10
evet, müellifinin görüşü planın amacının sağlanması için gerekli	10		3	13
hayir, plan müellifi yeni ihtiyaçların farkında değildir		1	1	2
hayir, planda gerekli değişiklikler müellif tarafından engel			1	1
	26	6	15	47

29-Plan değişikliklerinde en çok ne talep edilmektedir?

- yapı adalarının yeniden düzenlenmesi
- kullanım değişiklikleri
- yol düzenlemeleri
- kat ve yoğunluk artışı
- binalarda cephe ve çatıların düzenlenmesi
- diğer:

	yenisehir	akdeniz	toroslar	Frequency
yapi adalarinin yeniden düzenlenmesi	6	2	6	14
kullanım değişiklikleri	9	3	2	14
yol düzenlemeleri	1		2	3
kat ve yoğunluk artışı	12	1	5	18
diğer	1			1
	29	6	15	50

30-Plan değişikliklerinde, getirilen öneriyle ilgili olarak öncelikle neye dikkat edersiniz?

- mevzuata uygun olarak yapılmış olmasına
- değişikliğin yapıldığı alandaki imar haklarının artıp artmadığına
- değişikliğin yapıldığı alandaki çevresel kalitenin yükselip yükselmediğine
- değişikliğin yapıldığı alanda yapı adalarının biçiminin değişip değişmediğine
- değişikliğin yapıldığı alanda kullanımların değişikliğe uğrayıp uğramadığına
- değişikliğin yapıldığı alanda yolların değişikliğe uğrayıp uğramadığına
- diğer:

	yenisehir	akdeniz	toroslar	Frequency
imar haklarının artıp artmadığına	9	1	2	12
çevre kalitesinin artıp artmadığına	9	5	6	20
yapı adalarinin biçiminin değişip değişmediğine	2		1	3
kullanımların değişip değişmediğine	4		3	7
yolların değişikliğe uğrayıp uğramadığına			1	1
	24	6	13	43

31-Plan değişiklikleri ile ilgili görüşmelerde olumlu anlamda en çok kimin görüşünü dikkate almaktasınız?

- belediye başkanı
- diğer parti üyeleri
- belediye danışmanı
- imar komisyonu
- plan müellifi görüşü
- ilgili meslek örgütü
- kendi görüşüm
- diğer:

	yenisehir	akdeniz	toroslar	Frequency
belediye baskaninin	5	1	2	8
belediye danismani	1			1
imar komisyonu	13	3	8	24
plan müellifinin görüşü	4	1	2	7
ilgili meslek örgütü	3	1	2	6
kendi görüşüm	2		1	3
	28	6	15	49

32-Plan değişiklikleri görüşmelerinde en yoğun tartışma hangi bölgelerdeki değişikliklerde gerçekleşiyor?

- kıyı şeridinde
- kent merkezinde
- Adana yolu boyunca
- Pozcu ve çevresinde
- Toroslar bölgesinde
- Güneykent ve çevresinde
- Hilton ve çevresinde
- Yenişehir'in kuzeyinde
- Yenişehir-Mezitli arasında GMK Bulvarı boyunca
- diğer:

	yenisehir	akdeniz	toroslar	Frequency
kiyi seridi	12	3		15
cay, cilek bölgesinde		3		3
diğer		1		1
okan merzeci bulvarı boyunca	6			6
pozcu çevresinde	2			2
yenisehirin kuzeyinde	7			7
osmaniye mah. ve çevresi			1	1
demirtaş, alsancak mah.			10	10
akbelen bul.			2	2
güneykent			1	1

33-Plan değişiklikleri görüşmelerinde en yoğun tartışma hangi konulardaki değişikliklerde gerçekleşiyor?

- yapı adalarının yeniden düzenlenmesi
- kullanım değişiklikleri
- yol düzenlemeleri
- kat ve yoğunluk artışı
- binalarda cephe ve çatıların düzenlenmesi
- diğer:

	yenisehir	akdeniz	toroslar	
yapi adalarinin yeniden düzenlenmesi	10	4	7	21
kullanım değişiklikleri	8	4	5	17
yol düzenlemeleri	4	3	1	8
kat ve yoğunluk artislari	19	3	3	25
binalarda cephe ve cati düzenlemesi	2	1	1	4

34- plan değişikliklerinin değerlendirilmesi ve plan hazırlanması ile ilgili süreçlerde neyin öncelikli olarak gözetilmesi gerekir?

	yenisehir	akdeniz	toroslar	Frequency
prosedürlere ve standartlara uymak	20	6	7	33
sürecin kısa tutularak maddi ve zamansal masraflar azaltılabilir	4	1	3	8
farkli kesimlerin görüşleri alınmalı	10	4	4	18
basvutru sahiplerinin istekleri gözetilmeli	3	0	3	6

38- Yorumlarınız, görüşleriniz:

APPENDIX C

QUESTIONNAIRE WITH LOCAL PLANNING OFFICERS AND THE RESULTS

Within the framework of the study, besides municipal council members, questionnaires are made with actors *planning officers in municipalities* who prepare technical reports on plan modifications for councillors. They are basically open-ended interviews; however, they have common issues with the questionnaires, conducted with councillors. These interviews were held with urban planners, architects and other professionals in planning department of district municipalities and Municipality of Greater Mersin. In-depth interviews were held with two urban planners in Municipality of Greater Mersin; with one urban planner and four technical officers in Akdeniz Municipality; with three urban planners in Yenişehir Municipality; and with two urban planners in Toroslar Municipality. Their duties differentiated in planning control mechanisms. For instance two of them were the vice-mayor, whereas two others were head of planning department. Rest of them took place in technical procedures of planning control mechanisms. Below the questions and the responses of councillors are revealed:

1. belediyedeki göreviniz nedir?

- başkan bşk. yrd. imar daire bşk. (yrd) planlama şube bşk.
(yrd) planıcı danışman

	ysehir	akdeniz	toroslar	bsehir	Frequency
bsk. yrd.	1	1			2
planlama sube bsk/yrd	1			1	2
planıcı	1		1	1	3
diğer		4	1		5
	3	5	2	2	12

2-hangi okuldan mezun oldunuz?

- ODTÜ Gazi İTÜ Yıldız MSÜ Selçuk
 Dokuz Eylül Diğer:.....

	ysehir	akdeniz	toroslar	bsehir	Frequency
odtü	1	1	1	1	4
gazi		1			1
yıldız	2			1	3
msü		1	1		2
diğer		2			2
	3	5	2	2	12

3-mezun olduktan sonra yüksek lisans/doktora yaptınız mı?nerede?

- evet hayır

	ysehir	akdeniz	toroslar	bsehir	
hayir	3	5	2	2	12

4-hangi alanda yüksek lisans/doktora yaptınız?

- şehir planlama bölge planlama kentsel tasarım kentsel politika
kamu yönetimi diğer:.....

5-belediyede ne kadar süredir çalışıyorsunuz?

- 0-3 3-5 5-10 10-15 15+

	ysehir	akdeniz	toroslar	bsehir	
0-3			1		1
3-5	1		1	1	3
5-10		1			1
10-15	1	1			2
15+	1	3		1	5
	3	5	2	2	12

6-belediyede üstlendiğiniz başka görevler oluyor/oldu mu?

- evet hayır

	ysehir	akdeniz	toroslar	bsehir	
evet	1	2		1	4
hayir	2	2	2	1	7
	3	4	2	2	11

7-nasil bir konutta oturmaktaısınız?

- apartman dairesi
 müstakil konut
 bir sitede
 diğer:

	ysehir	akdeniz	toroslar	bsehir	
apartman dairesi	1	2	2	1	6
müstakil konut		1			1
bir sitede	2	2		1	5
	3	5	2	2	12

8-yaşadığınız konutu nasıl edindiniz?

- satın aldım
 kiraladım
 kooperatif yoluyla
 diğer:

	ysehir	akdeniz	toroslar	bsehir	
satın aldım	3	3		1	7
kiraladım				1	1
kooperatif yoluyla		1			1
diğer		1	2		3
	3	5	2	2	12

9-yaşadığınız konut dışında başka konutunuz var mı?

- hayır, başka konutum yok
 evet, yazlığım var
 evet, Mersin'de başka konutum var

	ysehir	akdeniz	toroslar	bsehir	
hayir	3	1	2	2	8
evet, baska konutum var		4			4
	3	5	2	2	12

10-oturduğunuz konutu seçerken neye dikkat ettiniz? Bir sıralama yapar mısınız?

- ___ güvenli olmasına
___ işyerime yakın olmasına
___ altyapı sorunlarının olmamasına
___ mimarisine
___ yaşam çevresinin kalitesine
___ konutta kullanılan malzemenin kalitesine
___ diğer:

	bir.	iki.	üç.	dört.	beş.	altı.	
güvenli	1	2	2	2	1		8
işyerine yakınlık		1			1	3	5
altyapı	2	1	3	2			8
mimari	2	1	2	1	1	1	8
çevre kalitesi	5	2	1		1		9
malzeme	1	2		1	2	1	7

11-şu anda kullandığınız konuttan ve çevresinden memnun musunuz? hayır ise neden? Bir sıralama yapar mısınız?

- evet
 hayır ___ altyapı sorunları bulunmakta
___ mimarisini beğenmiyorum
___ çevre kalitesi yeterince iyi değil
___ konutun içi kullanışlı değil
___ konutta kullanılan malzeme iyi/sağlam değil
___ çevre güvenilir değil
___ çevredeki binalar yüksek katlı
___ diğer:

	ysehir	akdeniz	toroslar	bsehir	
evet	2	3	1	2	8
hayir	1	2	1		4
	3	5	2	2	12

12-kaliteli bir çevreyi tanımlamak için nasıl bir sıralama yaparsınız? (1-2-3-4-5-6-7-8)

- ___ yaşadığım çevrede ihtiyaçlarımı karşılayabileceğim dükkanlar olmalı
___ evim çocuk bahçesine yakın olmalı
___ kaldırımların ve yolların düzgün olması gerekli
___ mimari olarak binaların güzel olması lazım
___ apartmanın/sitenin yönetiminde herhangi bir sorunla karşılaşılmalı
___ evim sinemaya, kitabevine yakın olmalı
___ yaşadığım çevrenin gürültülü olmaması gerekir
___ diğer:

	bir.	iki.	üç.	dört.	beş.	altı.	yedi.	
ticaret	1	2	3	2	1	1	1	11
çocuk bahçesi	1		3	2	1	2	2	11
yollar	1	3	2	3	1		1	11
mimari	2	2	1	4	1	1		11
yönetim		1	2		5	1	2	11
kültürel aktivite			1		1	4	3	9
gürültü olmaması	6	3	1			1		11

13-imar planlarından beklentileriniz nelerdir? Bir sıralama yapar mısınız?

- kentin gelişmesinin yönlendirmesi ve denetlemesi
 kentteki inşaat faaliyetlerinin yönlendirilmesi için çok net ve kesin bir çerçeve oluşturulması
 sağlıklı ve güvenli bir çevre oluşturulması
 imar haklarının eşit bir şekilde dağıtılmasını sağlaması
 kamusal alanın güçlenmesini sağlaması
 kentin genel kimliğinin vurgulanması
 kentin kıyıyla olan ilişkisinin kuvvetlendirilmesi
 diğer:.....

	bir.	iki.	üç.	dört.	beş.	altı.	yedi.	
kentin gelişmesinin yönlendirmesi	6	3	1	1				11
inşaat faaliyetlerinin yönlendirilmesi		2	2	2	1	3		10
sağlıklı ve güvenli bir çevre		2	2	3	3	1		11
imar hakları	2	1	1	1	3	2		10
kamusal alan		1		1	1	1	5	9
kentin genel kimliği	3	1	4	1	1	1		11
kentin kıyıyla olan ilişkisi		2	1	2	1	1	3	10

14-sizce, imar planları Mersin kentinin fiziksel biçimlendirilmesiyle ilgili sorunlarını çözmekte başarılı mıdır? Başarılı değilse ne yapmalı?

- evet hayır

	ysehir	akdeniz	toroslar	bsehir	
hayir	3	4	2	1	10
	3	4	2	1	10

15-imar planlarının onanmasında dikkat ettiğiniz konuları sıralar mısınız?

- nazım plan kararlarına uygun bir şekilde hazırlanıp hazırlanmadığına
 imar mevzuatında belirtilen standartlara uygun olup olmadığına
 kentteki yaşam kalitesini artırıp artırmadığına
 arazi kullanım kararlarının dağılımına
 imar haklarının nasıl dağıtıldığına
 diğer:.....

	bir.	iki.	üç.	dört.	beş.	
nazım plan kararları	9	1			1	11
standartlara uygunluk	1	5	2	1	2	11
yaşam kalitesi	2		3	3	4	12
arazi kullanım kararları		2	5	2	1	10
imar hakları		4	1	4	2	11

16-imar planlarının uygulanması aşamasında, imar planlarındaki hükümlerin nasıl ifade edilmesini tercih edersiniz?

- imar planlarında tüm hükümlerin çok detaylı ve net bir şekilde tarif edilmiş olmasını
 imar planlarında detaylı hükümler olmasından çok konuların esnek bir şekilde ifade edilmesini

	ysehir	akdeniz	toroslar	bsehir	
cok detayli	1	3	2	2	8
esnek	1	2			3
	2	5	2	2	11

17-imar planlarında konut alanları olarak belirlenmiş bölgelerde, aşağıdaki konular dile getirilirse, bu konuları nasıl bir öncelik sıralamasına koyarsınız (1-2-3-4-5-6-7-8)?

- ___ kat yükseklikleri ve yapı yoğunluğu (emsal değerleri)
 ___ yapılaşma düzeni
 ___ parsel büyüklükleri
 ___ yapı adalarının büyüklükleri
 ___ yolların standartlara uygun olması
 ___ yeterli otopark alanının sunulmuş olması
 ___ yeterli açık alanların ve parkların sağlanmış olması
 ___ alanda konut dışı kullanımların da yer alması
 ___ diğer:.....

	bir.	iki.	üç.	dört.	beş.	altı.	yedi.	sekiz.	
emsal değerleri	2	1	1	3		1	2		10
yapılaşma düzeni	2	1	2		2	2	2		11
parsel büyüklükleri		3		4	1	2	1		11
yapı adalarının büyüklükleri	5	1	3		1			1	11
yolların standartlar		2	3	1	1	2	1		10
yeterli otopark alanı		2	1	3	3	1	1		11
yeterli açık alanlar	2	2	2	2	2			1	11
konut dışı kullanımlar			1		1	2	4	2	10

18- sizce, son yirmi yıl içinde Mersin’de planlar, kentin hangi bölgelerindeki gelişmeyi daha çok etkiledi? Neden? Sizce, hangi bölge planlarda daha öncelikli olmalıydı?

- kıyı şeridinde
 kent merkezinde
 Adana yolu boyunca
 Pozcu ve çevresinde
 Toroslar bölgesinde
 Güneykent ve çevresinde
 Hilton ve çevresinde
 Yenişehir’in kuzeyinde
 Yenişehir-Mezitli arasında GMK Bulvarı boyunca
 diğer:

	ysehir	akdeniz	toroslar	bsehir	
kiyi seridi	2	3	2	2	9
pozcu ve çevresi		1	1	1	3
güneykent ve çevresi	1				1
hilton ve çevresi	1			1	2
yenisehir kuzey	1				1
yenisehir-mezitli arasi GMK üzerinde			3		3
toroslar bölgesinde				1	1

19-son yirmi yılda, belediye sınırları içinde, imar planlarının ya da plan değişikliklerinin yapılaşmada etkili olduğu ve sonuçtan memnun olduğunuz bölgeler bulunmakta mıdır? evet ise neden buralardaki sonucun daha iyi olduğunu düşünüyorsunuz?

- hayır, bulunmamaktadır.
 evet, mahallesinde, çünkü
 bütün süreç yasal prosedürlere ve standartlara uygun bir şekilde yürütüldü
 süreçte katılım yüksek düzeyde sağlandı
 plandaki tasarım kalitesi yüksekti

- planda, alanın genel karakteri çok iyi belirlenmişti
 alandaki binalarda kullanılan malzemeler diğer alanlara göre daha farklıydı
 diğer:

	ysehir	akdeniz	toroslar	bsehir	
evet	1	1	2		4
hayir	1	4		2	7
	2	5	2	2	11

	ysehir	toroslar	
prosedürlere ve standartlara uyuldu	1	1	2
	1	1	2

20-imar planlarının, bazı alanlarda başarısız olmasında ve yetersiz kalmasındaki başlıca neden sizce nedir?

- nazım plan kararlarına uygunluğun yeteri kadar sağlanamaması
 planların kararlarının gelişmeyi yönlendirmede eksik kalması
 planların bazı durumlarda çok karmaşık olması ve uygulanmasının zorlaşması
 planların uygulanması ile ilgili imar programlarının oluşturulmaması
 planların kamuoyuna yeteri kadar anlatılamaması
 planlama mevzuatının yetersizlikleri ve kısıtlayıcılığı
 diğer:

	ysehir	akdeniz	toroslar	bsehir	
nazım plan kararlarına uyulmaması			1	1	2
plan kararlarının gelişmeyi yönlendirmede yetersiz kalması	2		2		5
planların karmaşık ve uygulamasının zor olması	1	1		1	3
imar programlarının oluşturulmaması	2	2		2	6
planların kamuoyuna yeterince anlatılmaması	1	2			3
mevzuatın yetersiz olması		2		1	3

21-sizce, imar planları ile kentnin farklı bölgelerine farklı karakterler kazandırıldığı düşünüyor musunuz? sizce kazandırılmalı mı ?

- evet hayır

	ysehir	akdeniz	toroslar	bsehir	
evet	2	4	2	2	10
hayir	1				1
	3	4	2	2	11

22-planlama çalışmaları açısından sizce, Mersin’de farklılaşan bir planlama çalışması veya değişiklik/revizyon çalışması yapıldı mı?

- evet hayır

	ysehir	akdeniz	toroslar	bsehir	
evet	2	3		1	6
hayir	1	1	2	1	5
	3	4	2	2	11

23- evet ise, bu çalışmanın diğerlerinden farklı olduğu noktalar nelerdir?

.....

24-planlama süreci içinde plan değişikliklerinin kaçınılmaz hale geldiği durumlar sizce nelerdir? bir sıralama yapar mısınız?

- ___ yapılaşmanın çevresiyle uyumsuz hale gelmesi durumunda
 ___ planların uygulanmasının mümkün olmadığı durumlarda
 ___ nazım planda yapılan bir değişiklikten dolayı

___ plan hükümlerine aykırı bir yapılaşmanın plana uygun hale getirilmesi amacıyla
 ___ planların değişen koşullar karşısında yetersiz kalması durumunda
 diğer:

	bir.	iki.	üç.	dört.	beş.
yapılaşmanın uyumsuzluğu	2	2		4	1
uygulama sorunları	4	3	2	1	1
nazım planda değişiklik	2	2	2	4	1
yasallaştırma		1	2	1	5
değişen koşullar	3	3	5		

25-plan değişikliği ile ilgili bir öneri geldiğinde öncelikle neye bakıyorsunuz? bir sıralama yapar mısınız?

___ mevzuata uygun olarak yapılıp yapılmadığına
 ___ imar haklarının artırılıp artırılmadığına
 ___ çevresel kalitenin yükseltilip yükseltilmediğine
 ___ yapı adalarının biçiminin değişip değişmediğine
 ___ kullanımların değişikliğe uğrayıp uğramadığına
 ___ çevresiyle uyum sağlayıp sağlamadığına
 ___ yolların değişikliğe uğramış olmasına
 diğer:

	bir.	iki.	üç.	dört.	beş.	altı.	yedi.	
mevzuata uygunluk	8	2	1					11
imar hakları	3	5		2				10
çevresel kalite		1	3	2		2	2	10
yapı adalarının biçimi			1		3	2	3	9
arazi kullanımı			4	2	2	2		10
yapılaşmanın uyumluluğu		2	1	3	2	2		10
yolların tasarımı				1	3	2	4	10

26-plan değişikliklerini değerlendirirken alansal ve/veya niteliksel bir öncelik sıralaması yapıyor mu?

evet (nasıl ve neye göre):.....
 hayır

	yşehir	akdeniz	toroslar	bşehir	
evet	1	2	1	1	5
hayır	1	1	1	1	4
	2	3	2	2	9

27-belediyeinizde, plan kararlarının uygulanmasında sorunların yoğunlaştığı bölgeler var mı?

kıyı şeridinde
 kent merkezinde
 Adana yolu boyunca
 Pozcu ve çevresinde
 Toroslar bölgesinde
 Güneykent ve çevresinde
 Hilton ve çevresinde
 Yenişehir'in kuzeyinde
 Yenişehir-Mezitli arasında GMK Bulvarı boyunca

	yşehir	akdeniz	toroslar	bşehir	
kiyi seridi			1		1
adana yolu boyunca ve karaduvar			2		3
pozcu çevresinde		1			1
kent merkezi			1		1
toroslar				1	2
yenişehirin kuzeyinde		1	1	1	4
kent merkezi			2	2	4
mezitli-yenişehir arasında, GMK bul. üzerinde		1			1
		1	4	1	8

28-bu bölgelerde sorunların yoğunlaşmasını neye bağlıyorsunuz?

- alandaki mülkiyet biçimi
 mülkiyet sahipliği açısından çok hisseli bir durumun olması
 alana yönelik plan kararlarının açık ve net olmaması
 diğer:

	ysehir	akdeniz	toroslar	bsehir	
mülkiyet biçimi	1	4	1	2	8
plan kararlarının net ve acik olmaması		1		1	2

29-Planlama mevzuatı içinde farklı yönetmelik ve yasaların çakıştığı alanlar oluyor mu? Bu sizi nasıl etkiliyor?

- evet hayır
.....
.....

30-Mersin İmar Yönetmeliği'nin, bakanlıkça hazırlanmış olan Tip İmar Yönetmeliği ile büyük benzerlikler gösterdiği görülmektedir. Genel ve örnek niteliğindeki bu yönetmeliğin Mersin'de uygulanması sizin açınızdan bir sorun oluşturuyor mu?

- hayır, bu konuda herhangi bir sorun oluşmuyor, aksine planlama sürecinde çok net ve açık bir uygulama yapılmasını sağlıyor
 evet, kentsel mekanın kalitesinin düşmesine neden oluyor
 evet, kentteki yapılaşmanın tüm bölgelerde tek bir yönetmelikle yönlendirilmeye çalışılması sorunlar oluşturuyor.
 evet, Mersin'e özgü bir yapılaşmanın gerçekleşmesi mümkün olmuyor.
 diğer:

	ysehir	akdeniz	toroslar	bsehir	
hayır		3	1	1	5
evet, mekan kalitesi düşüyor	1	1			2
evet, tek yönetmelik yeterli olmuyor	1	1		1	3
evet, özgün bir gelişme olmuyor	1		1		2
	3	5	2	2	12

31-imar yönetmelikleri ve plan notlarında, belediye meclis kararları ile değişiklikler yapıldığı görülmekte? Sizce, bu değişiklikler neden gerekli olmaktadır?

- planlarda yapılan değişiklikler, yönetmelik hükümlerindeki değişiklikleri zorunlu kılmakta
 yönetmelik hükümleri toplumsal gereksinimleri karşılamakta yetersiz kalmakta
 planlama sürecinde uygulamada sorunlarla karşılaşılmasından dolayı
 diğer:

	ysehir	akdeniz	toroslar	bsehir	
yönetmeliklerin yetersizlikleri	2			1	3
uygulamadaki sorunlar	1	3	2		6
diğer		1			1
	3	4	2	1	10

32-imar yönetmeliklerinde eksik gördüğünüz gördüğünüz durumlar var mı?

- imar yönetmelikleri çok fazla detayla uğraşmakta
 imar yönetmelikleri bina üzerine çok fazla odaklanmış durumda
 imar yönetmelikleri planın tamamlayıcısı olarak değil, bağımsız araçlar olarak görünmekte
 imar yönetmelikleri kentin özellikli alanları için çok genel kalmakta
 diğer:

	ysehir	akdeniz	toroslar	bsehir	
detayla ugrasma			1		1
binaya odaklanma		2			2
tamamlayici deęil bagimsiz aracler olarak tanimlanma	1	1		1	3
kentin ozellikli alanlari icin genel kalmakta	2		1		3
	3	3	2	1	9

33-sizce imar yönetmelikleri ve mevzuatta tanımlı diğer araçlar, kentsel mekanın niteliğini artırmak için nasıl olanaklar barındırıyor?

- fazla olanak sağlamıyor,
- mevzuat denetimi gerçek anlamda yapılmadığından olanak barındırmıyor
- aşırı yoğunluk talepleri kısıtlanıyor ve donatılarda zorunluluklar
- plan notu yöresel olmalı, yönetmelik bina bazında kalmalı

34-Sizce, 18.madde, planların hazırlanması sürecini ne ölçüde etkiliyor?

- DOP oranı tutturulmaya çalışılıyor, planı etkiliyor
- plan hazırlama aşamasında öncülük yapmaktadır.
- planlara etkisi olmuyor
- 18. md zaten planlarda işaretleniyor
- plan ve mekan kalitesi geri plana itiliyor, mülkiyete yoğunlaşıyor
- plancının daha rahat tasarım yapmasını sağlıyor
- haritacılar DOP'u tutturmak için plana müdahale ediyor

35-planlarda ve plan değişikliklerinde hangi standartların uygulanmasına özen gösteriyorsunuz?

- mevzuata uygunluk
- yönetmeliklerdeki standartlar
- mevzuata uygunluk ve hakların artıp artmadığı
- donatı alanlarının ayrılması, yoğunluğun artmaması ve dengenin sağlanması
- yönetmeliklerdeki standartlar.

36-sizce, genel anlamda, planlamayla ilgili mevzuatın yetersiz kaldığı alanlar veya konular bulunmakta mıdır?

- değişen koşullar karşısında yetersiz kalıyor
- mali kaynakların yaratılması
- mevzuatın statik yapısı
- parsel sahipleri daha fazla söz sahibi.

37-plan hazırlama sürecinde belediye dışından kimlerle görüşüyorsunuz?

- plan müellifi meslek odaları bölgede yaşayanlar bakanlık
-

	ysehir	akdeniz	toroslar	bsehir	
plan müellifi	1	4	2		7
meslek odalari	1	3			4
bölgede yasayanlar	3				3
bakanlik		2			2

38-görüştüğünüz kişi/grupların talepleri hangi konularda yoğunlaşıyor

- kentin karakteristik özelliklerinin gelişmesi yönünde
- yoğunluk artışı, ulaşım, altyapı sorunları
- imar haklarının artırılması
- kişisel çıkarların ön plana alınması

39-kişilerin tercihleri bir sorun oluşturuyor mu?

- kişisel çıkarlar ön planda

40-görüşmelerde plan müellifinin nasıl bir konumu bulunmaktadır?

- planı hazırlamak ve sunmak
- plan hazırlama sürecinde belediye ile sürekli görüş alışverişinde bulunmak (planlama ile ilgili bilgilendirme, belediyenin taleplerini öğrenmek)
- belediye dışında da çeşitli grupların görüşlerini almak amacıyla toplantılar düzenlenmesini sağlamak
- diğer:

	ysehir	akdeniz	toroslar	bsehir	
plan hazırlamak ve sunmak	1	3		1	5
planlama ile ilgili bilgilendirme	1	1	2	1	5
	2	4	2	2	10

41-sizce, planlamada halkın katılımının sağlanması gerekli midir?

- evet
- hayır

	ysehir	akdeniz	toroslar	
evet	2	3	2	7
hayır		1		1
	2	4	2	8

42-planlamada halkın katılımının sağlanması nasıl sonuçlar doğurmaktadır?

- halkın planlama süreçlerini anlamasını
- halkın taleplerinin planlara daha doğru yansıtılmasını
- planlama süreçlerinde şeffaflığın ve denetlenebilirliğin sağlanmasını
- planların halk tarafından benimsenme düzeyinin artmasını
- diğer:

	ysehir	akdeniz	toroslar	
planlama sürecini anlaması	1			1
taleplerin plana yansımaları	1			1
halkın benimsenmesini arttırması	1	4	2	7
seffaflığı ve denetimi sağlaması		2		2

43-planlamada halkın katılımının yüksek olması için neler yapılmalı?

- planların askı süresinin daha uzun tutulması gerekir
- planın hazırlanması sırasında halkın bilgilendirilmesine yönelik çalışmaların yapılması gerekir
- planın hazırlanması sırasında halkın toplantılara katılmasının teşvik edilmesi gerekli
- katılım prosedürlerinin açık ve net olarak tarif edilmesi gerekli
- diğer:

	ysehir	akdeniz	toroslar	
plan hazırlanması sırasında halkı bilgilendirme	2	3	1	6
katılım sürecinin net olarak belirtilmesi		1	1	2
	2	4	2	8

44-katılımın sağlandığı örnekler ile sağlanmadığı örnekler arasında, gözlemlediğiniz farklar oluyor mu?

	ysehir	akdeniz	toroslar	
evet	2	3	1	6
	2	3	1	6

- halkın bilgi eksikliği sorunu
- katılım sağlandığında değişiklik talepleri azalıyor
- planlar daha uygulanabilir oluyor
- insanlar daha bilinçli oluyor ve uygulamada daha az sorun çıkıyor

45-plan hazırlama ve plan değişiklik süreçlerinde merkezi yönetim ile ilgili sorunlarınız oluyor mu?

evet

hayır

	ysehir	akdeniz	toroslar	
evet		2		2
hayir	1	2	2	5
	1	4	2	7

46-plan hazırlama ve plan değişiklik süreçlerinde belediyenin diğer birimleriyle ne ölçüde bir iletişim ortamı oluşuyor?

- harita şubesi ile parselasyon planları,
- uygulamada (ada etüt planları) imar ve uygulama şubesiyle plan altlıkları hazırlanıyor
- harita ve inşaat birimleriyle iletişim
- imar, harita, ruhsat birbirleriyle

47-plan değişikliği ile ilgili talepler geldiğinde, değerlendirmeler belediye içinde kimler tarafından yapılıyor?

- başkan bşk. yrd. imar daire bşk. (yrd) planlama şube bşk.
(yrd) plancı imar komisyonu

	ysehir	akdeniz	toroslar	bsehir	
bsk yrd.	2	1			3
planlama sb.bsk/yrd.	2	2		1	5
imar kom.	2	2	1	1	6
plancı	1	2		1	4
imar daire bsk/yrd.		1		1	2

48-plan değişiklikleri ile ilgili değerlendirmelere belediye dışından katılanlar oluyor mu?kimler?

- değişiklik teklifini sunan plancı
 değişiklik teklifini sunan mülkiyet sahibi
 ilgili meslek odası temsilcisi
 alanda inşaat yapmayı amaçlayan müteahhit
 diğer:

	ysehir	akdeniz	toroslar	bsehir	
degisik tek. sunan planci	1	3		1	5
mülk sahibi	1	2	1		4
meslek odasi tem.		1			1

49-bu kişilerin katılımını yararlı görüyor musunuz?neden?

evet

hayır

	ysehir	akdeniz	toroslar	
evet	2	2	1	5
hayir		1	1	2
	2	3	2	7

- değişikliği hazırlayan, denetleyen ve uygulayan tartışabiliyor
- bireysel çıkarlarını ön planda tutuyorlar
- kamu yararı yerine mülkiyet haklarını artırma istemleri
- plan değişikliğini anlatan detaylar sunuluyor
- bilgiler daha net alınıyor
- sorunların önceden sorunu sağlanabiliyor

50-plan deęişiklikleri ile ilgili toplantılarda deęerlendirmeleri öncelikli olan kişiler bulunmakta mı?

- belediye başkanı
- belediye danışmanı
- imar komisyonu
- ilgili meslek örgütü
- dięer:

	ysehir	akdeniz	toroslar	bsehir	
bld.bsk.	2	1	1		4
imar komisyonu	2	1	1	1	5
meslek örgütü	1				1

51-plan deęişiklikleri ile ilgili görüşmeler ve deęerlendirme süreci ne kadar sürüyor? Bu süre neye baęlı olarak deęişiyor?

- yaklaşık 1 ay: raporlar, yer tespiti ve inceleme, bilgi aktarımı
- en fazla iki meclis dönemi
- iki meclis dönemi

52-sizce, plan deęişikliklerinin deęerlendirilmesi ve plan hazırlanması ile ilgili süreçlerde neyin öncelikli olarak gözetilmesi gerekir?

- yasal olarak tanımlanmış prosedürlere ve standartlara uymak süreçteki verimlilięi artıracaktır
- sürecin kısa tutulması gerekir, böylece zaman ve maddi israflar engellenebilir
- süreçte mümkün olduęunca farklı kesimlerin görüşleri alınmalı
- mümkün olduęunca, başvuru sahiplerinin istekleri gözetilmeli, kolaylık sağlanmalı
- dięer:

	ysehir	akdeniz	toroslar	bsehir	
sürecin kısa tutulması gerekir	2				2
farklı kesimlerin görüşleri alınmalıdır			3	1	4
prosedürlere ve standartlara uyulmalı	2	4	2		8

CURRICULUM VITAE

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EDUCATION

Degree Graduation	Institution	Year of
MA	METU City and Regional Planning, Urban Design	2001
BA	METU City and Regional Planning	1999
High School	Ankara Atatürk Anatolian High School	1994

WORK EXPERIENCE

Between 1997 and 1999 worked as a partner of a free-lance planning office, had been working on urban planning, urban design and architecture, and their implementation.

Between 1999 and 2000 worked in Department of City and Regional Planning in Mersin University , as a research assistant.

Since 2000 working in the Department of City and Regional Planning in METU.

FOREIGN LANGUAGES

Advanced English

PUBLICATIONS

Ünlü T. (2003); “Planlamada Denetim Mekanizmalarının Yeniden Tanımlanması Gerekliliği Üzerine”, *Planlama*, no. 2003/3

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AREAS OF INTEREST

Urban design, design and development control, urban coding.