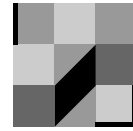


Berichte

Band 6



Bundesamt  
für Bauwesen und  
Raumordnung

*Urban Development and Urban Policy in Germany*  
*An Overview*

Bonn 2000

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# Contents

Introduction	1
1 Urban Development and Urban Policy in the Federal State	3
1.1 Levels of Spatial Planning	3
1.2 Communal Self-Government	8
1.3 General Tasks of the Municipalities	10
1.4 Financing the Communal Tasks	11
1.5 Urban Development and Urban Policy as a Municipal Task	12
2 Actors of Urban Development	17
2.1 Communal Councils and Administrations	17
2.2 Private Actors	21
2.3 Media and Civic Groups	22
2.4 Co-operation of Actors on a Local Level	23
2.5 Actors on a Subregional Level	24
3 Formal and Informal Instruments of Urban Planning	27
3.1 Urban Land-Use Planning	27
3.2 Safeguarding and Implementation of Plans	33
3.3 Urban Development and Renewal	36
3.4 Informal Instruments	42
4 Urban Development and Urban Policy Undergoing Change	45
4.1 Reconstruction in the 1950s	45
4.2 Urban Expansion in the 1960s	47
4.3 Urban Renewal in the 1970s	49
4.4 Urban Reconstruction in the 1980s	51
4.5 Multi-Faceted Urban Development in the 1990s	53
5 Selected Tasks of Urban Development and Urban Policy	55
5.1 Development of Inner-Cities and Urban-District Centres	56
5.2 Urban Renewal in Inner-City Districts with Old Buildings	58
5.3 Urban Reconstruction on Brownfields	59
5.4 Further Development of the Large Housing Estates	62
5.5 Development of New Urban Districts	65
5.6 New Shopping Centres and Large Leisure Facilities	68
5.7 Creation of Urban-Compatible Transport	70
5.8 Securing and Developing Open Areas and Non-Built-Up Areas	71
6 Future Challenges for Urban Development and Urban Policy	75
Bibliography	79
Selected authorities and institutions in Germany dealing with urban development and urban policy	81

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## Introduction

This report provides an overview of the wide range of tasks facing urban development and urban policy in Germany. Cities and towns do not develop in an unregulated way in Germany. They are not just a product of freely operating market forces. They reflect societal developments and are thus the result of weighing up public and private interests, which follow the planning principle of sustainable urban construction development. Politics and administration, associations and political parties, private entrepreneurs and citizens influence the shaping of towns and cities.

The report was produced during the preparation for Urban 21, the Global Conference on the Urban Future, which will take place in July 2000 in Berlin. The report is aimed at providing the international specialist community with compact, but comprehensive information on urban development and urban policy in Germany. At the same time it is aimed at "interested amateurs" in Germany, who do not examine this issue every day. It was therefore necessary in many places to consciously simplify and shorten it. This report is designed to convey the "rules of the game" of urban development and urban policy in Germany in a way that is comprehensible to everyone.

The report aims to show how these policies are integrated into the federal system of Germany, who is responsible for the development of the towns and cities, which statutory and promotion instruments are available. The report intends to show the change in urban development and urban construction since the Second World War. Until 1990, before German reunification, two different social and economic systems shaped urban development and urban policy in the West and the East of Germany. Even today different requirements and conditions can be derived from this former split. The report deals with selected tasks, which today do not only arise in the old „Länder“ but also in the new „Länder“. The final part provides a brief overview of future challenges for urban development and urban construction.

The report was drawn up by a working group in the Federal Office for Building and Regional Planning, a Federal authority within the portfolio of the Federal Ministry of Transport, Building and Housing, which supports and gives scientific advice to the Federal Government in fulfilling its tasks in the area of urban construction, spatial planning, housing and in fundamental building questions.

Dr. Wendelin Strubelt

Vice-President and Professor of the Federal Office for Building and Regional Planning

Bonn, June 2000

# 1 Urban Development and Urban Policy in the Federal State

In Germany, cities are the result of market forces and the political desire to shape cities. A wide range of decisions on locations by the very different participants repeatedly alter the cityscapes, bringing them a new look. The decisions of private and public investors depend on land and real estate prices not only in the city itself but also in the urban fringe and the urban hinterland. These prices reflect the respective individual preferences of the participants in the evolving process and the scarcities on the land and real estate markets. However, on the other hand, these location decisions also depend on a spatial planning which should lead to a well-ordered urban development.

This introductory section explains how the basic underlying conditions of this spatial planning are designed to generate sustainable urban development in Germany. Here the federal structure of Germany is reflected in the interplay between supralocal spatial planning and local urban policy. Since the former GDR (East Germany) was reunited with the rest of Germany in October 1990 the Federal Republic of Germany consists of 16 "Länder" (states). The Federal Government and the 16 "Länder", thereof the 114 regions and around 14,000 municipalities share the tasks of spatial planning. This means that generally basic principles and basic ideas are pre-determined at the higher levels of government administration and specified in greater detail at the respective lower levels.

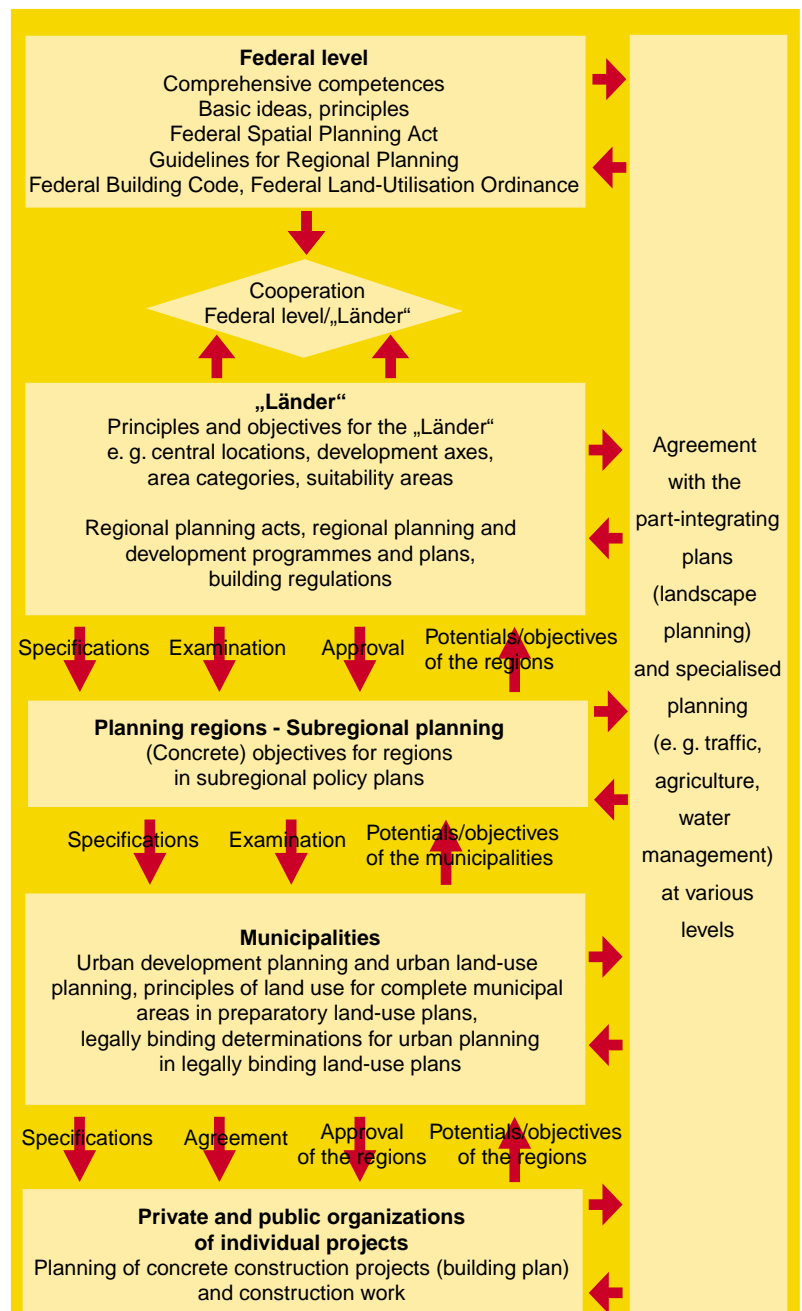
## 1.1 Levels of Spatial Planning

### *Spatial planning at the Federal level*

The respective higher levels take action in Germany if tasks from the lower level cannot be effectively fulfilled or if the uniformity of living conditions are to be organised or secured. The uniformity of living conditions is the central linking point for the superordinated spatial planning at the higher levels, which are pursued at Federal Government level and at the level of the 16 "Länder" (states). The Federal Spatial Planning relates to the summarising interregional and cross-sectoral development of the entire territory of the Federal Republic of Germany. However, apart from the binding specification of

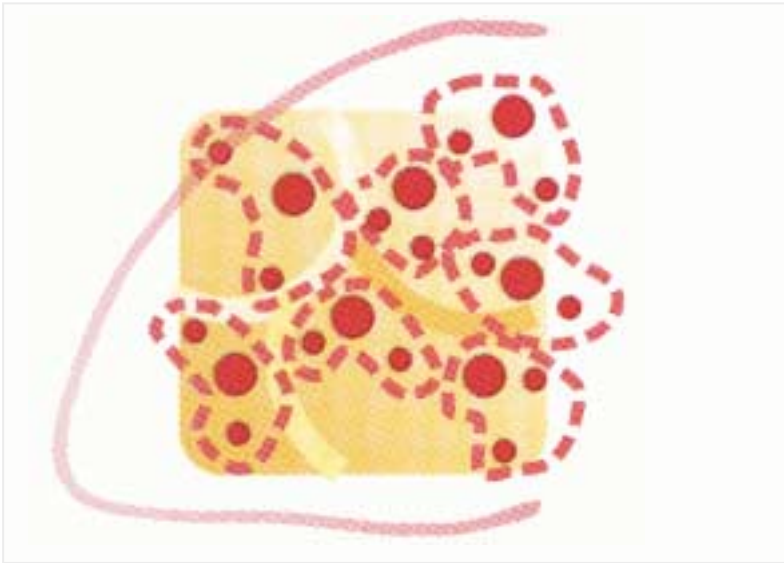
spatial planning objectives, the Federal Government only has one so-called comprehensive competence – i.e. it can determine principles and basic models for spatial development in the whole of Germany. It stipulates a framework of regulations governing content and procedures (through the Federal Spatial Planning Act), which the "Länder" are then responsible for fulfilling, specifying in greater detail and implementing.

Figure 1  
Planning Levels  
in Germany



© BBR Bonn 2000 Source: modified according to Spatial Planning in Germany, Federal Ministry for Regional Planning, Building and Urban Development, Bonn 1996

Figure 2  
Comprehensive Spatial Planning at the Planning Levels



Source: European Spatial Development Perspective, EU Commission 1999

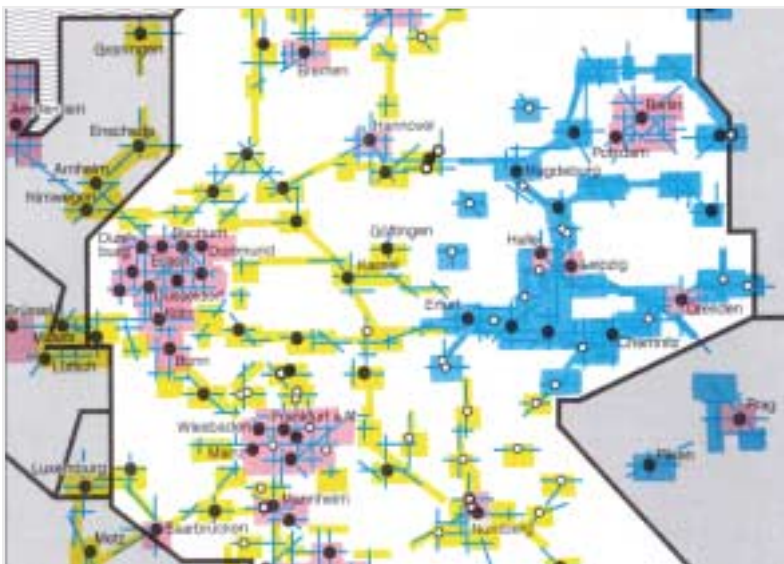
Planning Level:  
Spatial Development in the European Union

Spatial Application Area:  
EU Member States

Comprehensive Spatial Plan:  
European Spatial Development Perspective (ESDP)

Legal Basis:  
None, Legally Non-Binding

With the ESDP the Member States and the Commission have come to an agreement on common guiding spatial principles and political options for the future development of the territory of the European Union. The issue at hand is to work towards a balanced and sustainable spatial development in the EU. This includes a polycentric and balanced spatial development in the EU. The ESDP has not insisted on an exact graphical implementation.



Source: Guidelines for Spatial Planning,  
Federal Ministry for Regional Planning, Building and Urban Development 1993

Planning Level:  
Spatial planning of the Federal Government

Spatial Application Area:  
The Federal Republic of Germany

Comprehensive Spatial Plan:  
Guidelines for Regional Planning

Legal Basis:  
Federal Spatial Planning Act

The Guidelines for Regional Planning set the position for the further regional development in the entire territory of the Federal Republic of Germany. They outline the future spatial structure on the basis of the following five guidelines:

- Guideline on Settlement Structure
- Guideline on Environment and Spatial Use
- Guideline on Transport
- Guideline on Europe and
- Guideline on Planning and Development



Planning Level:  
Regional Planning (spatial planning at „Länder“ level)

Spatial Application Area:  
„Land“ (in this case: North Rhine-Westphalia)

Comprehensive Spatial Plan:  
Regional Development Plan

Legal Basis:  
Regional Planning Act North Rhine-Westphalia

The Regional Development Plan stipulates the objectives of the spatial planning and regional planning for the entire area of the „Land“. It depicts

- the large-scale spatial categories,
- the structural features of the settlement pattern (arrangement according to central locations, main focuses and axes of development) and
- spatial functions which are significant for the „Land“ (settlement and non-built-up areas with a wide range of environmental protection functions).



Source: Area Development Plan for the Regional District of Cologne, in this case: Bonn, Regional Government of Cologne 1986

Planning Level:  
Subregional Planning

Spatial Application Area:  
Region (in this case: Government District of Cologne)

Comprehensive Spatial Plan:  
Area Development Plan

Legal Basis:  
Regional Planning Act of North Rhine-Westphalia

In North Rhine-Westphalia the area development plan determines the regional objectives of spatial and regional planning for the development of the administrative districts and for all spatially relevant plans and measures in the planning area. Amongst other things, it makes statements on regional settlement structures (stipulation of settlement areas) for the regional structure of non-built-up areas and on designations in the area of regional infrastructure.



Source: Preparatory Land-Use Plan of the City of Bonn, Urban Planning Office, City of Bonn 1990

Planning Level:  
Comprehensive Municipal Planning

Spatial Application Area:  
Total Municipal Area (in this case: Bonn)

Comprehensive Spatial Plan:  
Preparatory Land-Use Plan

Legal Basis:  
Federal Building Code

The preparatory land-use plan is valid for the whole municipal area. It outlines the type of land use, as envisaged in urban development. This includes, amongst other things, building areas, facilities for requirements, important road axes and different types of green areas. A fix planning period for the preparatory land-use plan is not stipulated in the Federal Building Code.



Source: Binding Land-Use Plan No. 7524-13, Land Registry Office, City of Bonn 1994

Planning Level:  
Comprehensive Communal Planning for Parts of Cities

Spatial Application Area:  
Parts of a Municipality (in this case: part of Bonn)

Comprehensive Spatial Plan:  
Legally Binding Land-Use Plan

Legal Basis:  
Federal Building Code

The legally binding land-use plan contains legally-binding stipulations on how individual plots of land are to be used. Amongst other things, a legally binding land-use plan determines the type and extent of buildings, the areas of land which can and cannot be built on and the position of the constructional facilities.

*At the national level the Federal Building Code is the legal framework for the cities and municipalities. In addition the Federal Government also provides urban renewal funds.*

*Regional planning (spatial planning at „Länder“ level) and subregional planning*

The "Länder" are responsible for their respective "Land" area for the most important task of spatial planning. The planning objectives are specified in greater detail in subregional planning. The subregional planning is institutionalised in different forms in the individual "Länder". Its influence differs from "Land" to "Land". This is a constant clash of interests between the basic ideas of regional planning of the "Länder" and the development conceptions of the municipalities and there is also a conflict of interests between their cross-sectional orientation and the respective sectoral specialist orientations. In the 1990s a new debate emerged in some "Länder" regarding new regional cooperations in city-hinterland relationship. In general the municipalities are obligated to adapt their planning to the objectives of regional and subregional planning.

*Urban development and urban policy at the communal level*

Different terms are used for the shaping of cities and municipalities. For instance, one frequently refers to urban development, urban policy or urban planning. Urban development is understood as a further-reaching term here, which includes the organisation of satisfying all opposing interests and mediating the different demands to the city. Here urban policy is understood as all legally stipulated building and planning activities for the municipalities. Urban planning means the planning activities related to this.

The tasks of urban development, urban policy and urban planning are integrated in the communal self-government guarantee, which is guaranteed by the German Basic Law. This status of the municipalities granted by the constitution results in the communal planning authority. This means that municipalities have far-reaching independence in planning. However, a superordinated framework for urban is created through legislation and the provision of financial resources at national level and at the "Länder" level, too. Just like other state tasks, urban construction policy in Germany is interrelated and interdependent at the various state levels in many different ways.

*Building planning law at Federal Government Level*

At the national level the Federal Government has defined legislation for a great part of the urban policy – the Building Planning Law (Land Law in the meaning of Section 74, No. 18 of the German Basic Law). In 1960 in the Federal Building Law – today the Federal Building Code – the Federal Government for the first time created a uniform legal framework which provides the same instruments for all municipalities in Germany, allowing the respective municipalities to draw up local land-use plans. Following German reunification there were first a few modifications, but since 1998 the Federal Building Code has also become generally applicable for Eastern Germany. The Federal Building Code, which has been amended several times, outlines in general form the objectives and guiding principles of urban development. The cities and municipalities are then responsible for specifying details to meet specific local conditions.

*Promotion of urban renewal as a joint task of the Federal Government and the "Länder"*

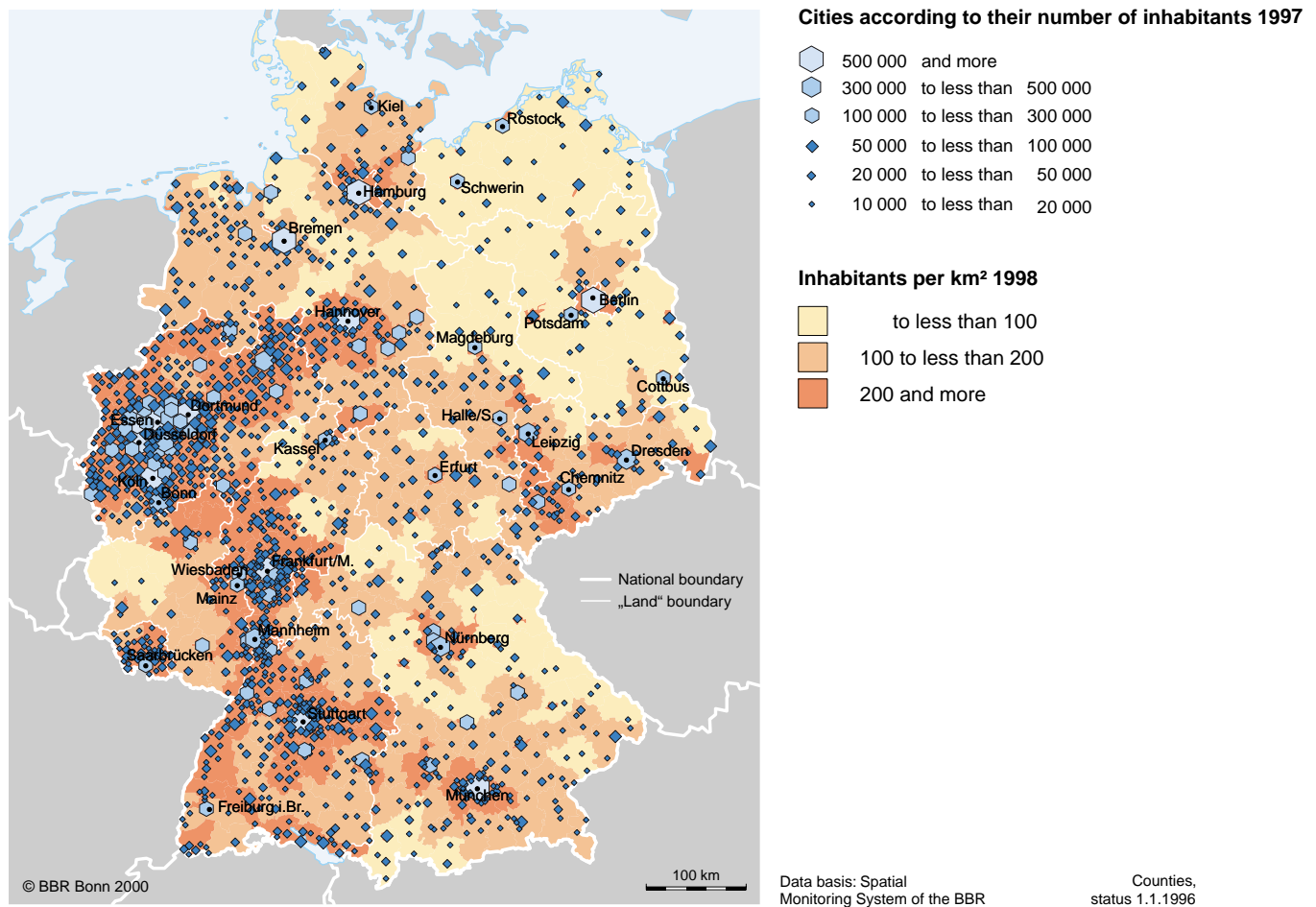
In addition, since the beginning of the 1970s the Federal Government, together with the "Länder" (states), has provided investment aids for urban renewal and urban development of the cities and municipalities in a special programme for urban policy. In 1971 a law was created specially for this purpose – i.e. the Urban Renewal and Town Development Act which in 1987 was integrated as a special part into the Federal Building Code. The Federal funds generally cover one third of the costs of an urban redevelopment measure which is worthy of promotion. The basis for the promotion of urban renewal are the administration agreements between the Federal Government and the "Länder", since this investment aid is a joint task of the Federal Government and the "Länder".

At the "Länder" level there are no own statutory competences for communal planning. However, the "Länder" have the legislative competence for the building regulations (Section 70 of the German Basic Law). In contrast to the area-related building and planning law, the building regulations relate to the requirements for construction and design of the individual buildings. The building regulations entail the right to protect against danger.

*The building regulations (Bauordnung) are regulated at the "Land" level. Apart from this there are specific promotion programmes for urban development in some "Länder".*



Figure 3  
Urban System in Germany



Germany is characterised by a polycentric urban system. Even though Berlin has in recent years assumed the function of capital, there is no metropolis such as Paris or London, which clearly dominates the country. Instead, there are several large urban regions, which are relatively evenly distributed and which form a balanced urban system.

The large urban regions in the German urban system differ:

- On the one hand, there are mono-central urban regions, such as Hamburg, Bremen, Hanover, Berlin, Dresden, Stuttgart or Munich, where one centre has been clearly dominant for many years.
- On the other hand, there are polycentric urban regions, where several centres – almost equal in size – form a joint urban region. These include above all the Rhine-Ruhr region and the Rhine-Main region, and also the Rhine-Neckar region and the urban region of Halle/Leipzig.

Over a period of decades a complex division of labour has evolved between these larger urban regions. For instance, urban regions with a marked service orientation compared to other urban regions where the commercial-industrial activities have a relatively large importance. Berlin has in the meantime taken over the function of a capital, but Frankfurt is still regarded as the international centre in terms of business, distribution and finances, whilst Hamburg is recognised as the trading, transport and press centre and Munich plays the role of the high-tech and media location.

However, the smaller cities and centres are also integrated in this nationwide division of labour. Cities with 100,000 inhabitants, such as Wolfsburg (VW) or Gütersloh (Bertelsmann) are the seats of big company headquarters, and other medium-sized cities, such as Erfurt, Saarbrücken or Schwerin, are the seats of "Land" governments. The nationwide urban system is hence decentralised and highly organised in terms of the division of labour.

*Communal level:  
Here the urban policy  
becomes specific*

Furthermore, the individual "Land" (state) governments with their respective responsible "Land" ministries support the cities and municipalities with their own different "Land" programmes for urban development. In addition the "Länder" generally participate financially in the promotion of urban renewal by one third of the funds, and shape the promotion of urban renewal in their "Land" programmes. Here they regulate the promotion capability, the main focuses of the promotion and the more detailed selection criteria for the urban redevelopment and

development measures in the cities and municipalities, and hence control the practical implementation of the promotion of urban renewal.

Urban development policy is shaped at the level of the cities and municipalities. The cities and municipalities form the "lowest" level and the level closest to the citizen in the political system of Germany. Communal urban policy can therefore display a spatial and objective proximity, which is a first important prerequisite for appropriate and tailor-made local solutions. Here concrete location decisions become effective across whole areas, and the sum of these decisions leads to the formation of the cities. In the next sections the basic underlying conditions for the respective local urban development policy are presented.

**Chart 1**  
Number of Municipalities, Counties, and Cities not belonging to a County

„Länder“	Municipalities <sup>1)</sup>	Counties	Cities not belonging to a county
Schleswig-Holstein	1 130	11	4
Hamburg	1	0	1
Lower Saxony	1 031	38	9
Bremen	2	0	2
North Rhine-Westphalia	396	31	23
Hesse	426	21	5
Rhineland-Palatinate	2 305	24	12
Badem-Württemberg	1 111	35	9
Bavaria	2 056	71	25
Saarland	52	5	1
Berlin	1	0	1
Brandenburg	1 489	14	4
Mecklenburg-West Pomerania	1 069	12	6
Saxony	779	22	7
Saxony-Anhalt	1 295	21	3
Thuringia	1 053	17	5
<b>Germany</b>	<b>14 196</b>	<b>322</b>	<b>117</b>

<sup>1)</sup> Without areas not belonging to a municipality

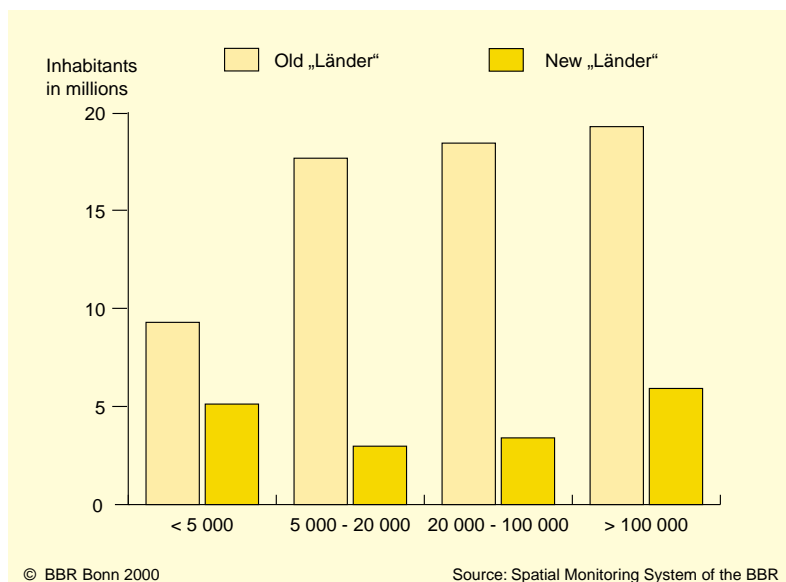
In sparsely populated areas of some „Länder“ in particular (e. g. Schleswig-Holstein, Lower Saxony, Rhineland-Palatinate, Mecklenburg-West Pomerania, Brandenburg) there are supramunicipal organisation forms, which combine several basically independent municipalities, amongst other things, into administrative communities.

© BBR Bonn 2000 Source: Spatial Monitoring System of the BBR

## 1.2 Communal Self-Government

In the federally-organised government structure of the Federal Republic of Germany the municipalities form a further level of public administration after the Federal Government and the "Länder". The territory of the Federal Republic of Germany is covered almost completely by the over 14,000 municipalities. The size of the municipalities varies. The number of inhabitants ranges from municipalities with a few hundred inhabitants to the largest cities which also have the legal status of a municipality. A peculiarity are the city states of Berlin, Hamburg and Bremen, which are both "Land" and municipality.

**Figure 4**  
Number of Inhabitants according to the Size Classes of the Municipalities 1998



Despite the different sizes of the municipalities, the difference between urban and rural areas in Germany has become increasingly less clearly defined in recent years and has given way to an urban-rural continuum. A clear contrast between urban and rural areas no longer exists. Even in the traditionally sparsely-settled rural areas urban structures have emerged and the population is developing a typically urban social behaviour. It is therefore more accurate to refer to city and countryside in Germany, or city and open space.

### *Municipalities belonging to a county and municipalities not belonging to a county*

Small municipalities are often not strong enough in terms of their efficiency to fulfil all communal tasks. These small

Figure 5  
Municipalities, Counties, and Planning Regions  
in Greater Munich

municipalities are therefore combined in a total of 322 Landkreisen (counties). They are hence municipalities belonging to a county. Altogether there are approximately 14,000 municipalities belonging to a county, which generally have less than 50,000 inhabitants, but also in a few cases up to 100,000. Apart from these municipalities there are 118 municipalities not belonging to a county with generally more than 50,000 inhabitants. These cities do not only provide the administrative services of a municipality belonging to a county but also those of a complete county, too.

*Communal area reorganisation*

In the 1960s and 1970s in almost all of the "Länder" in West Germany and in the 1990s in the "Länder" of Eastern Germany far-reaching communal area reforms were carried out. Through new organisation and restructuring the number of municipalities and counties was considerably reduced – in the West from over 25,000 to approximately 8,000 municipalities. This, on the one hand, allowed the administrative power at local level to be strengthened and more efficient units to be created. Above all in the core cities the joining together of municipalities was welcomed, whilst in the surrounding areas this trend tended to meet with disapproval. On the other hand, there are frequent complaints that the area reforms have led to a loss of citizens' identification with their own municipality, that populist public institutions have decreased and that willingness to actively participate in the public life of the local municipality has decreased.

In Eastern Germany there is still a great number of small municipalities. Almost 2,500 of them have less than 500 inhabitants. Because this often means that they are not efficient, there have been calls for strengthening planning and implementation instruments at the subregional level.

*Planning authority as a part of communal self-government*

Section 28, Subsection 2 of the German Basic Law grants municipalities the right to regulate within the scope of their own



Chart 2  
Number of Municipalities according to Size Classes

Number of Municipalities					
Inhabitants	< 5 000	5 000 - 20 000	20 000 - 100 000	> 100 000	Total
Old „Länder“	6 161	1 785	494	70	8 510
New „Länder“	5 257	322	95	12	5 686
<b>Germany</b>	<b>11 418</b>	<b>2 107</b>	<b>589</b>	<b>82</b>	<b>14 196</b>

Number of Inhabitants					
Inhabitants	< 5 000 (%)	5 000 - 20 000 (%)	20 000 - 100 000 (%)	> 100 000 (%)	Total
Inhabitants in 1 000 (per cent)					
Old „Länder“	9 287 (14)	17 652 (27)	18 421 (29)	19 261 (30)	64 622 (100)
New „Länder“	5 122 (29)	2 976 (17)	3 399 (20)	5 918 (34)	17 415 (100)
<b>Germany</b>	<b>14 410 (18)</b>	<b>20 628 (25)</b>	<b>21 820 (27)</b>	<b>25 179 (31)</b>	<b>82 037 (100)</b>

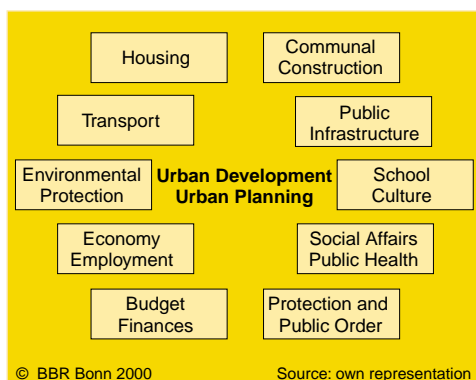
Area of Municipalities					
Inhabitants	< 5 000 (%)	5 000 - 20 000 (%)	20 000 - 100 000 (%)	> 100 000 (%)	Total
Area in 1 000 ha (per cent)					
Old „Länder“	10 259 (42)	9 124 (37)	3 922 (16)	1 091 (4)	24 395 (100)
New „Länder“	8 624 (79)	1 296 (12)	657 (6)	280 (3)	10 857 (100)
<b>Germany</b>	<b>18 883 (54)</b>	<b>10 419 (30)</b>	<b>4 579 (13)</b>	<b>1 371 (4)</b>	<b>35 252 (100)</b>

© BBR Bonn 2000 Source: Spatial Monitoring System of the BBR

responsibility all matters related to the local community within the framework of the laws. Within the framework of this communal self-government the municipalities have the authority to make legislation regarding their own personnel, organisation, finances, planning and tax law – although these authorisations to make legislation are, on the other hand, restricted by the framework of the state laws. This is also the reason why, on the basis of the German Basic Law, the municipalities are not formerly independent state levels.

Within the framework of the laws stipulated to them by the Federal Government and "Länder", all municipalities have a degree of autonomy regarding the statutes. They are allowed to regulate their affairs

Figure 6  
Communal Tasks



themselves and in their own responsibility. These affairs also include the urban development of their municipal areas. The central tool of communal planning sovereignty is the urban land-use planning. The communal self-government enables the cities and municipalities to deal with their own local conditions in a carefully-targeted way, and to exercise their own responsibility in stipulating in their own plans what is suitable for the local problem situation.

### 1.3 General Tasks of the Municipalities

In the municipalities the most varied of public tasks are fulfilled (see Figure 6: Communal tasks). They are in principle responsible for all matters which are related to local affairs. This includes activities in the areas of social affairs, education, leisure (sport facilities, swimming baths), economic promotion (industrial estates, etc.) and waste disposal (refuse and sewers). Generally public utilities, such as gas, electricity and water, are also communal companies. Part of these public tasks were transferred in recent years to specially created companies organised on the basis of private-sector law, in order to be able to act more quickly and flexibly. Some tasks were even completely taken over by the private sector.

In some cases in the urban development sector municipalities have also founded such companies of their own, based on private-sector law, in order to implement concrete tasks and individual projects. However, generally the task of comprehensive urban development is linked to a communal comprehensive approach, and therefore in terms of organisation it frequently remains the task of urban policy in the building sector.

In dealing with the tasks the municipalities do not only act as executive organs of the state but also as independent political bodies, which discharge certain duties under their own responsibilities:

- In acting as executive organs of the state, the municipalities assume their tasks in assigned spheres of action, i.e. on behalf of the state. In the area of building the issuing of a building permission is an example of such a task. Another example of these tasks is shop and factory

inspectorate or transport planning.

- In acting as independent political organs, the municipalities fulfil tasks in their own sphere of responsibilities. Here a differentiation is made between voluntary tasks (for instance the maintenance of a theatre) and statutory, obligatory tasks (for instance youth welfare services).

In the case of the statutory tasks the type of exercising duties is up to the discretion of the municipalities. These tasks include urban land-use planning as a self-administrative task, free of instructions.

### 1.4 Financing the Communal Tasks

The fulfilment of the various communal tasks and the consequent provision of the necessary infrastructures requires the appropriate finances for the municipalities. For instance, the municipalities make about two thirds of the public investments.

For financing their tasks the municipalities levy their own taxes (for instance real-estate tax) and charge fees and collect contributions. On the other hand, the municipalities participate in the income from certain taxes (for instance wage tax and income tax) and receive financial transfers from the "Länder". Furthermore, the municipalities have the possibility of borrowing loans. On average the tax revenue of the municipalities comes in roughly equal parts from the municipality share of the wage tax and income tax and the local business tax, and to a lesser amount from the real-estate tax and other taxes. The Western German municipality budgets are financed by about one third from tax revenue. In Eastern Germany the structure of the communal income is fundamentally different. There tax revenue only accounts for approximately 11 % of the communal income, whilst the proportion of general transfers of state funds and

*The municipal revenue comes from different sources. On the Federal Average, 30 % come from taxes, 25 % from transfers, 23 % from fees and contributions and 22 % from other revenue.*

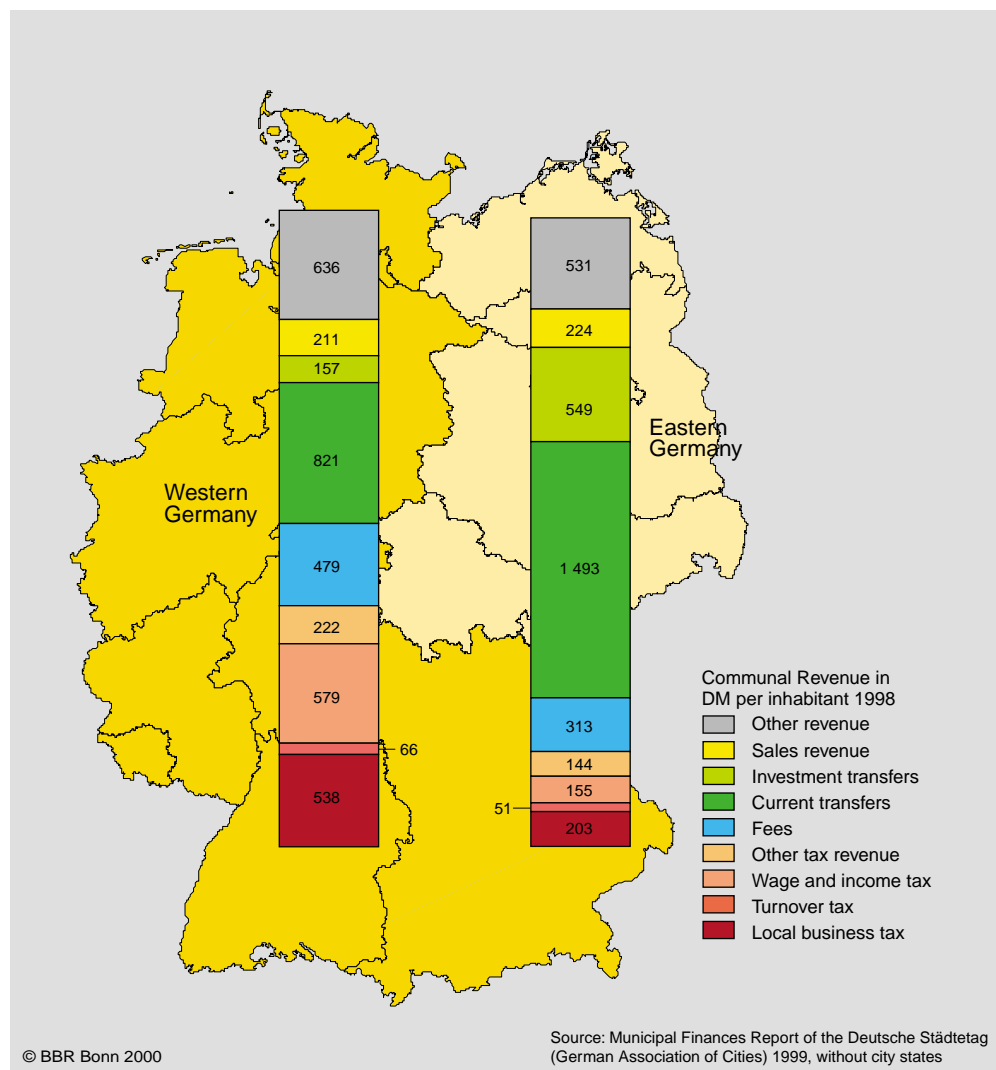


Figure 7  
Communal Revenue

investments is extremely high.

#### *Share in the wage and income tax*

The share of a municipality in the wage tax and income tax depends on the number of citizens subject to taxation who have their residence in this municipality. Therefore cities and municipalities have a particular interest in ensuring that a high proportion of gainfully-employed and well-earning people have their residence in their municipal area. This tax system encourages measures to improve the attractiveness and

leads to an offensive building land policy of the municipalities. However, an increase in the number of inhabitants at the same time means the expansion of the social infrastructure.

#### *Local business tax*

The local business tax revenue is the second most important source of income for the municipalities. For larger cities, where the economic activity and the headquarters of large enterprises are concentrated, it is often the biggest source of income. In 1998 the local business tax on capital was abolished, and to compensate for this the municipalities were given a share of the turnover tax. Now the municipalities can only levy local business tax on earnings, whereby the concrete arrangement of the municipal percentage – that is, how high it is – is left to the discretion of the municipality. Despite this change in the tax system, the municipalities have a great interest in encouraging existing companies in their municipal area and looking for possibilities.

Figure 8  
Tax Revenue in Selected  
Municipalities



#### *Purpose-oriented grants*

In addition, the municipalities finance themselves through the purpose-oriented grants of the „Länder“. They are used for communal investment projects and are often described as “golden reigns”, because the municipalities no longer arrange their investments according to communal priorities but, instead, according to the possibilities for support. In recent years the sale of own communal property for consolidating the communal budget has increased in importance. For urban development it is hereby important to retain an influence on the arrangement of land use when selling plots of land.

## 1.5 Urban Development and Urban Policy as a Municipal Task

In Germany spatial development for the respective municipal area is a special task at communal level. The municipality takes on these tasks for its respective municipal area under its own responsibility and consequently assumes responsibility for the use of space in its communal area. In fulfilling this task the most varied of fields of action – the natural necessities of life, the economic activities, housing or transport – effect the arrangement of land use. Each

municipality must coordinate the different interests of these fields of action and integrate them in an inter-disciplinary, cross-sectionally oriented comprehensive plan of its communal area. In contrast to the planning of private companies, which aims to maximise profit, this comprehensive planning pursues objectives aimed at the common good of the community.

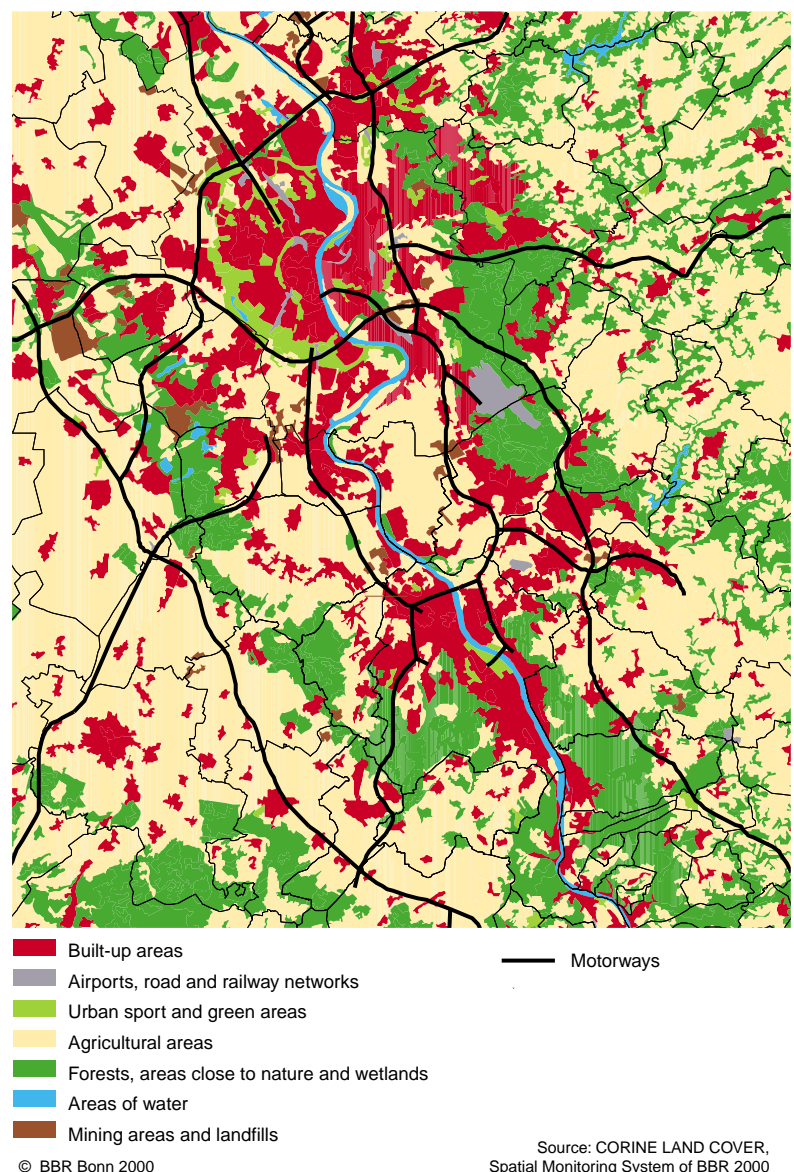
#### *Comprehensive spatial planning of municipalities*

The task of urban development is coordinating the comprehensive development in a municipal area. This brings in the basic principle of the planning of the municipal development. It therefore comprehensively deals with all aspects of the development. In an ideal case it manages to coordinate a spatial comprehensive planning with the individual requirements of the whole city and individual districts of the city. In contrast to such comprehensive spatial planning there are spatial sectoral planning, which deal with sectoral problems and areas of duties. This includes, for instance, communal transport planning or the various types of planning in the sphere of environmental protection. The sector plans deal more specifically with the individual sectoral interests.

#### *Increasing importance of the subregional level*

Urban development does not stop at the urban boundaries. Despite the municipal area reorganisation in the 1960s and 1970s, cities and municipalities have grown beyond their administrative boundaries. Urban development is increasingly taking place in regional contexts. Within the urban regions new divisions of labour have emerged. In recent years the city centres have lost their previous pre-eminence as economic and cultural centres. Individual urban districts or municipalities in the hinterlands of the large cities have taken over important functions. They compete with the originally clearly dominant city centres. New divisions of labour between core city and hinterlands as well as between the individual urban districts have developed in the urban region. Polycentric urban structures with new divisions of labour have also emerged within the urban regions.

Figure 9  
Urban Region Cologne/Bonn



However, as political action and creative power levels these urban regions have up to now only developed to a limited degree. Since subregional planning has only incompletely exercised inter-communal coordination, the creation of urban regions as a new political and administrative level of action is being debated. Communal associations could be new forms of cooperation between the municipalities for tasks which go beyond the own municipal area – and these are increasingly becoming questions of urban development.

#### *“Rules of the game“ by building law and land law*

Urban development is hence the task of organising and controlling the spatial and

constructional development in a city, an urban district or also in individual construction areas of the city. In concrete terms this means

- stipulating uses in the urban region and hence creating offers,
- authorising curtailments on uses or also ruling this out,
- developing new locations or also reactivating old locations and
- ensuring infrastructural links to plots of land (roads/paths, water, sewage) – in particular guaranteeing utility supplies and waste and sewage disposal.

The communal organisation of urban development follows “rules of the game”, which are set by building law and land law. In Germany building law and land law are not regulated in one single law. Aspects of building planning and the reallocation of land are nationally regulated in the Federal Building Code for the municipalities, aspects regarding prevention of danger are regulated at the “Länder” level in the building regulations of the respective „Land“. The reason for this separation is the legislative competence which is regulated in the German Basic Law. This stipulates that the Federal Government does not have legislative competence for the entire building law. For policy on land it has the competence within the framework of the “competing legislation” between the Federal Government and the “Länder” (according to Section 74, No. 18 of the German Basic Law) and the “Länder” have the legislative competence for building regulations in accordance with Section 70 of the German Basic Law.

The central tool for the communal level is the urban land-use planning. It aims to serve the common good, and is intended to create a balance between the different interests in the use of land. In a general form the common good is formulated in Section 1, Subsection 5, Clause 1 of the Federal Building Code. This stipulates that urban land-use plans must guarantee sustainable urban development and a socially-correct land use which serves the good of the general public, and should contribute towards ensuring a humane

environment and protecting and developing the natural necessities of life.

It mainly depends on the political decision of the municipality, which concrete content the urban development contains for its municipal area. Here public and private matters have to be weighed up against each other and amongst each other. This principle of weighing up matters is apparent throughout the entire spatial planning.

When making decisions, the cities and municipalities are generally subject to state supervision. However, since the municipalities – guaranteed through Section 28, Subsection 2 of the German Basic Law – exercise planning sovereignty for their municipality area, the communal supervision is limited to the legal examination of land-use plans. The usefulness of the respective planning is up to the discretion of the cities and municipalities, which have to weigh up public and private considerations against each other.

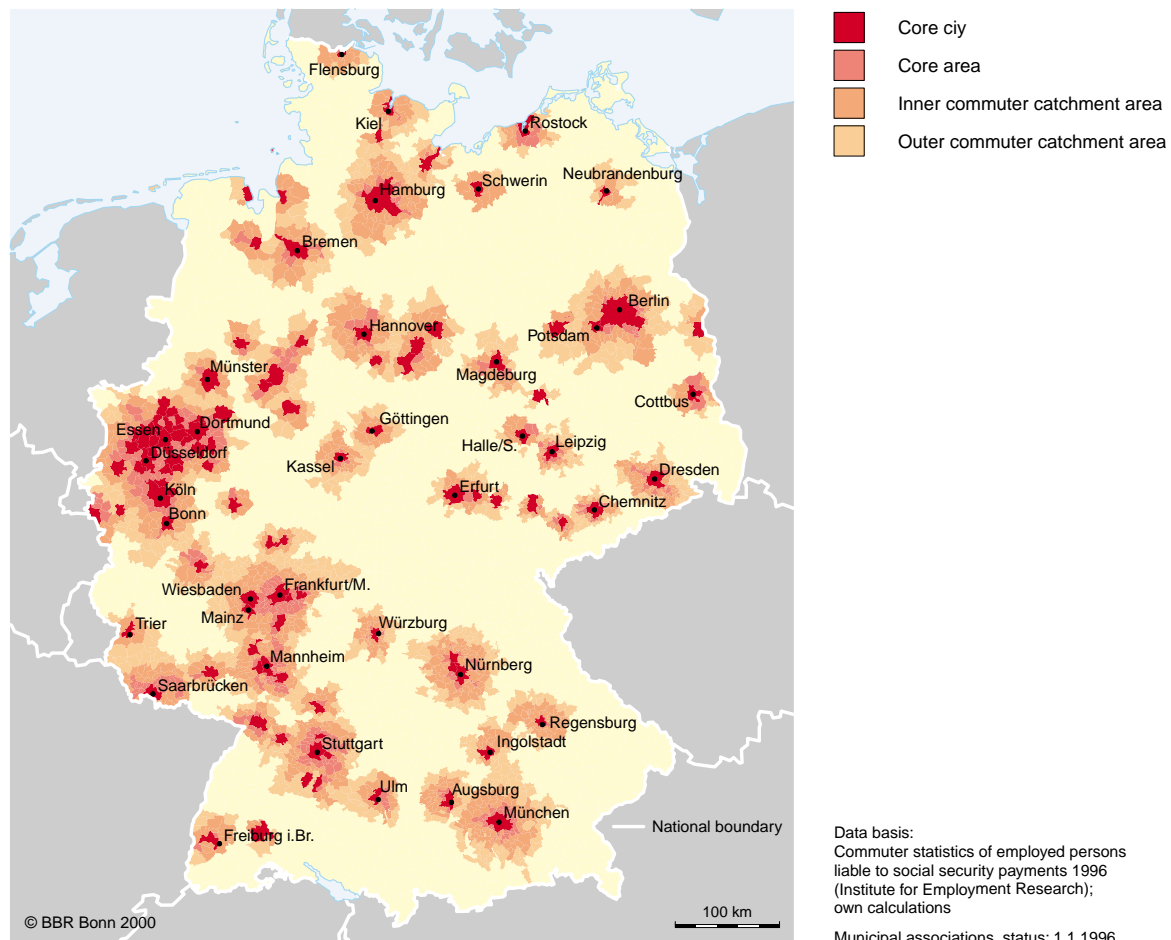
The communal activities for urban development have an impact in different directions. On the one hand, the definition of possibilities for use have a considerable influence on the property market. Land prices are not only influenced by the location in the respective urban district but also by the definition of the type and intensity of utilisation. However, with the allocation of building land the development opportunities of other urban districts in the municipal area and neighbouring municipalities are also influenced.

The building and planning law becomes effective for citizens via the building permission. For most building projects citizens require a building permission. For this a building application must be made at the local responsible building supervisory authority. The building supervisory authority examines the plan to see if it is authorised under building and planning law – for instance, to what extent the intended building project conforms with a legally binding municipal land-use plan. Furthermore, the building project is tested for its authorisation under administrative law. Hence the building authorisation for the citizen links the Federal building and planning law with the administrative laws of the “Länder”. Building can only begin when building permission is given in the form of the building authorisation.

*Urban development and urban policy are an important communal task. The Federal Building Code provides the legal framework at the Federal level.*



Figure 10  
Commuter Catchment Areas in Urban Regions



In the 50s, Olaf Boustedt created the urban regions model recording the socio-economic unity of the city and the surrounding areas. Two basic assumptions formed the starting position for the construction of this model. The first one was that the city has grown beyond its administrative border and that neighbouring municipalities, even if they do not belong to the city, have characteristics similar to the city and thus can be classed with the core area of an urban region. The second one should express that surrounding municipalities belong to an urban region if, with regard to the income structure of their inhabitants, they are rather characterized by urban than by rural forms of living.

Despite some modifications, the basic approach of this model has been kept. During the censuses of 1950, 1961 and 1970 the urban regions in the old "Länder" have been delimited. Afterwards these models have not been continued for different reasons. The permanent expansion of cities to the surrounding areas and the increasing interconnection of the surrounding municipalities with the cores of agglomerations underlines the need to think in urban regional contexts. From this perspective, the need for a continuation of the urban regions model has grown.

Therefore, the Federal Office for Building and Regional Planning (BBR) has delimited urban regional commuter zones according to the delimitation of urban regions by Boustedt and based on the commuter statistics of employees liable to social security payments. The methodical procedures are oriented towards Boustedt's model and follow the concept both with regard to the internal differentiation according to core area and hinterland and with regard to the spatial reference and the methodical access. The delimitation is effected in two stages. In the first stage the urban regional core areas (core city and core area) are determined. The core cities cover all municipalities with 80.000 and more inhabitants (demographic situation of 1996). Municipalities with higher population density resp. municipalities with a surplus of in-commuters are classed with the core area around the core cities if their areas are connected. The commuter zone of an urban region is identified based on an interrelation analysis. The hinterland is covered by the commuter zone if the share of out-commuters in urban regional core areas exceeds certain threshold values (internal commuter zone = 50 or more per cent resp. external commuter zone = 25 up to below 50%).

According to the new model 62 urban regional commuter zones in total can be identified in Germany, around 70% of the total population living in them. The largest agglomeration in German is the Rhine-Ruhr region with more than 12 million inhabitants. Berlin is the second largest (4.4 million inh.), followed by the Rhine-Main region with the core cities of Frankfurt, Mainz, Wiesbaden, Offenbach, Hanau and Darmstadt (4.1 million inh.). The smallest urban regions are Brandenburg and Neumünster each with a bit more than 120.000 inh. In the new "Länder", Dresden, apart from Berlin, is the largest urban region with nearly 980.000 inhabitants.

## 2 Actors of Urban Development

Urban development is a social process that is closely intertwined with economic, social, cultural, and, not least, political processes of change. Our towns and cities owe their appearance, structure and development to the interests and activities of highly diverse actors. Investors, politicians, planners, citizens, and many others influence urban development and are, in turn, influenced by it. However, despite these heterogeneous interests, urban development is not an unregulated process but one controlled by institutions and procedures.

Politics and administration – i.e. communal councils and authorities – play a major role in conveying the various requirements of urban development. On a communal level, urban development is a political field that covers many other domains, such as communal housing, transport, environment, employment and economic promotion, social and cultural policies.

### 2.1 Communal Councils and Administrations

At the communal level, councils and administrations politically negotiate the outlines of urban development. The municipal codes of the “Länder” regulate the internal structure of each municipality. Although they may differ from “Land” to “Land” by organisation, type and responsibilities of individual bodies, their formation, composition and interrelations, these differences are no longer of a fundamental nature since the communal constitutions of some “Länder” underwent extensive reforms in the 1990s.

According to the municipal codes, the council – or communal parliament – is in charge of forming opinions and making decisions and the administration is in charge of preparing and implementing decisions. At first, we want to focus on the basic theory of division of labour between the council and administration, as specified in the communal constitutions. However, in practice this co-operation is a lot more complicated today – a topic we will discuss further below.

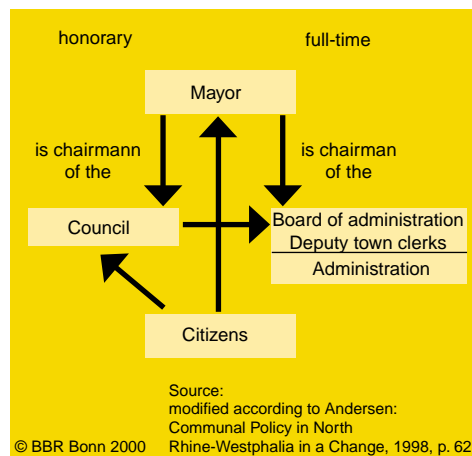


Figure 11  
Relationship Council and  
Administration/Mayor

#### *Municipal parliament*

In all cities and municipalities the people are represented by a municipal parliament, authorised by democratic elections. In smaller municipalities this parliament is known as the *Gemeinderat* (municipal council), in larger municipalities as the *Stadtrat* (city council). The councillors are elected by the citizens who are eligible to vote in general, direct, free and secret elections. Apart from the mayor as chairman of the council, all councillors work on an honorary basis and merely receive an expenses allowance for their efforts. The responsibilities of the councillors are regulated in the municipal codes of the “Länder”.

The council conveys a wide variety of issues, monitors planning, contributes to the formation of political opinions and effects the democratic authorisation of planning decisions. The council is an arena of political interaction with urban planning and urban development. The political groupings in the council – the parties – ideally represent the political spectrum on a local level and thus integrate different viewpoints of urban policy.

The municipal or city council can be defined as the “legislator” on a local level. It issues its “laws” as statutes. In these statutes local affairs are regulated within the scope of Federal and Land legislation and on the council’s own responsibility. *Bauleitplanung* (urban land-use planning)

*According to the municipal codes of the “Länder” the municipal council elected by the citizens makes planning decisions.*

plays an important role for urban development. *Flächennutzungspläne* (preparatory land-use plans) are set up for the entire municipal territory, *Bebauungspläne* (legally binding land-use plans) adopted by the municipal or city council for parts of the municipal territory in the form of legally binding statutes. In these plans the political forces agree on the outlines of communal development.

The work of the council is sectorally organised by various council committees. These committees negotiate bills of the administration and prepare council decisions, which gives them an important filter function. Urban development, in a comprehensive sense, is the focus of various committees. The construction or planning committee plays a major role in urban planning and development. The committee members are recruited from members of the individual council parties. The distribution of political power in the council is also mirrored in the committees. Ideally, committee members are suggested by the parties according to their capabilities and interests.

#### *Municipal administration and the mayor*

Alongside the municipal parliament, the municipal administration – in cities the urban administration – plays a crucial role in urban development. It is headed by the *Oberbürgermeister* (lord mayor), in smaller municipalities the *Bürgermeister* (mayor). They are directly elected by the people. The term of office, responsibilities and powers of a full-time (lord) mayor differ from “Land” to “Land”. But, in general, he heads and supervises the entire administration and represents and chairs the council with voting powers. So, as head of the administration and chairman of the council, the mayor has a prominent status in the municipalities.

The communal administration breaks down into various specialised departments, which, in turn, have specialised offices. The scale of these departments differs from city to city. As a rule, the larger the city, the greater the number of its departments. While medium-sized towns often do with

only five departments, large cities have ten or more. The departments are normally headed by civil servants elected by the municipal parliament for a term specified in the municipal code.

The municipal construction department is in charge of urban land-use plans and their implementation. Moreover, it performs the manifold tasks of urban preservation and renewal. Among its various offices, the urban planning office, which creates preparatory land-use and legally binding land-use plans, plays a major role in urban development. This office normally also prepares the manifold informal plans, which frequently precede formal urban land-use planning. This includes urban planning competitions and expert reports, framework plans and other kinds of planning. The municipal building offices look after public buildings such as schools, theatres or hospitals, civil engineering offices plan and supervise the town's own building measures such as infrastructural roads, sewage or water treatment systems, and the building regulations offices issue building permissions, e.g. for single family houses.

The administration must prepare council decisions, implement council resolutions and meet its compulsory tasks subject to directives. These are public tasks – such as issuing building permissions – that have been assigned to the municipalities for better effectiveness. But these tasks only inadequately reflect the administration's true importance. Unlike councillors, administrative staff work full-time and thus have a considerable advantage in terms of information and knowledge. A city like Cologne with a population of approximately one million, employs a staff of around 18,000 in its municipal administration. Its building administration alone has a staff of 1,600, in other words there are 18 building administrators for each of Cologne's 90 city councillors. In smaller towns this ratio is not quite as pronounced. But this goes to show the manifold ways in which the administration can influence and shape the planning process, which strengthens its position against the democratically elected council.

*Planning decisions of the municipal council are prepared by the municipal administration. It has diverse possibilities of influencing and controlling in the practice of urban development.*

Figure 12  
Structure of Communal Administration

1	2	3	4	5	6	7	8
General administration	Fiscal administration	Law, security and public affairs administration	School and culture administration	Social and health administration	Building administration	Administration for public institutions	Administration for business and transport
10 Main office	20 Municipal finance department	30 Law office	40 School administration office	50 Social welfare office	60 Building administration office	70 Town cleaning office	80 Business and tourism promotion office
11 Personal office	21 Municipal pay office	31 Police	41 Culture office	51 Youth welfare office	61 Urban planning office	71 Stockyard and slaughterhouse	81 Municipal undertakings
12 Statistical office	22 Municipal fiscal office	32 Office for public order		52 Sports office	62 Land survey and land registry office	72 Market office	82 Forestry office
13 Press office	23 Real estate office	33 Residents' registration office		53 Health office	63 Building regulation office	73 Lending office	
14 Audit office	24 Office for defence costs	34 Registry office		54 Hospital office	64 Housing office	74 Public bath office	
		35 Insurance office		55 Equalisation of burdens office	65 Municipal building office		
		36 Veterinary office			66 Civil engineering office		
		37 Fire brigade			67 Garden and cemetery office		
		38 Civil defence office					
		39 Road traffic office					

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Source: KGSt: The Administrative Structure of Municipalities, Part 1, Task Allocation Chart, Cologne 1967, p.7f.

The size and structure of a municipal administration already show that this is not always a homogeneous actor. A municipal administration breaks down into a multitude of departments and offices, which, in turn, look after different interests and pursue different – sometimes even opposing – goals. This may impede

co-ordinated and integrated municipal politics. Ideally, however, the mayor and heads of the departments make the most important decisions so that the municipal administration only speaks “with one voice” on fundamental issues. In the end, political resolutions are the domain of the municipal or city council.

### *Modernisation of communal administration*

In recent years, changes have been emerging in the structure of communal administrations. Tight budgets and ever tougher competition between the cities and municipalities have led to intensive reform discussions within communal administrations and increasingly to the outsourcing of tasks to the private sector. The administration aims to break down the administrative machinery into modern, productive, customer-driven and efficient service enterprises.

For this purpose, some cities and municipalities have already reformed their own administrations. Hierarchical departmental structures have been replaced by divisions and specialised divisions each with more decentralised overall responsibilities. This can be furthered by budgeting, for example, which would provide greater financial independence to divisions and specialised divisions.

On account of outsourcing, private companies are often expected to perform the former tasks of communal administrations more economically than the municipalities. And the aim is to overcome antiquated service and budget regulations.

There are various forms of public-private co-operation for outsourcing administrative tasks. Public and private actors may have informal agreements or proper contracts, or they may seek an alliance in a jointly organised private-sector company. In all cases where tasks of communal administration are outsourced, it is crucial for the municipalities to maintain their political sovereignty of decision-making and performance through public participation so as to ensure the unity of the "corporate city".

In the field of urban development and urban renewal, outsourced tasks range from the foundation of private-sector industry development agencies to public utilities and waste disposal facilities, for which private-sector organisations have been founded. Of course, sovereign tasks of the cities and municipalities such as the issuance of building permissions cannot be privatised. Since the 1970s fiduciary

redevelopment agencies have been involved in preparing and implementing urban redevelopment schemes. And since the early 1990s the municipalities have also frequently commissioned private development agencies to prepare and implement urban development measures.

### *Control and decision-making powers of council and administration*

The communal parliament and municipal administration have a large scope of action and decision-making powers, which must fit into a fixed legal framework, however. A multitude of "Länder", Federal Government, and European Union (EU) laws, decrees or administrative rulings curb the control and decision-making powers of cities and municipalities and shape the direction of communal activities. Also, municipalities must observe case law and consider it in their decisions.

In addition, the municipalities are restricted in their scope of action by the difficult communal budget situation. Hence, earmarked financial assistance from the "Länder", the Federal Government or the EU are gaining importance for the orientation of urban policy goals on a communal level. To take part in these programmes, the municipalities must accept the aims of their financial backers, be it the "Länder", the Federal Government or the EU. Hence, communal decisions become closely intertwined with the political decisions of the EU, the Federal and the "Länder" governments. This could be interpreted as a loss of communal autonomy. Some funding programmes on a Federal, "Länder" or EU level focus on urgent urban development policy measures and take account of the subsidiarity principle. They can help municipalities to implement initiatives of their own, which would be impossible or entail considerable efforts without these funds. Due to the difficult communal budget situation, some cities and municipalities jump on the subsidy band wagon and tie up non-earmarked support funds in EU, Federal or "Länder" programmes. This curbs the powers of municipalities, if communal planning goals cannot be reconciled with support programmes of a higher priority.

*In the last years, the tasks of the municipal administrations have increasingly been privatised. This also applies to task of urban planning and urban development.*

## 2.2 Private Actors

Just like councillors need information from the communal administration, communal administration staff need information on the intentions of private and public investors. Over the last few years the constellation of actors has changed in specific urban expansion, redevelopment or conversion measures. Tenders that are prepared by the municipal administration, adopted by the council and for which finally investors are sought, are rather the exception nowadays.

### *Land owners and investors*

Today communal planning reacts much more frequently to investors' interests and must therefore identify needs and utilisation interests early on and integrate them in their planning approach. Investors buy larger pieces of land both on the urban fringe and inside the cities and expect to be integrated more closely in communal planning. For one thing, this safeguards their investments and makes them more efficient to implement planning. Large building companies prepare and implement their projects themselves. In this context, project preparation and implementation can be very comprehensive, ranging from financing to the design concept.

Regardless of whether municipalities or private investors take the initiative for large building projects, different urban development concepts or expert reports are created and competitions staged as preparatory measures. For this purpose, planning services are often outsourced to private offices, urban planners and architects who do not work in the municipal administration. Together with communal administration and politics, investors, property or project developers make suggestions for utilisation and design. But even in these projects their ideas must be implemented in legally binding land-use plans that need to be passed by the council. For smaller projects it may suffice, subject to the corresponding conditions, if building permissions are issued even without a legally binding land-use plan.

So in many cases, it is no longer the administration or council of a city that

takes the planning initiative, but private land owners or investors who are looking for a suitable piece of land for their project. Land owners are interested in gaining added value through the use of their land, investors pursue economic interests with their building projects. In such cases, the municipalities no longer offer plans and wait for investors, but often elaborate financial, legal property and technical development issues in close co-operation with investors.

### *Project-focused planning*

Hence, project-focused planning has made a breakthrough over the past few years. For bigger projects – be it the enlargement of settlements, recycling of brownfields or the redevelopment of existing districts – urban planning is turning into urban development project management. This form of planning typically focuses on a specific project, space and time.

As a consequence of such investment plans, political pressure may develop to build on the respective land according to the interests of land owners or buyers, as this often has a positive impact on economic interests in the municipality. However, such a project may also be opposed to communal goals. In such cases the administration and council tell investors early on that a project is incompatible with communal urban planning goals. These investors will then try to realise their plans elsewhere or influence the goals of communal politics where they want their project to materialise.

Time and again, investment projects and communal planning are impeded by the interests and opposition of the resident population who are against new construction in their neighbourhood. For example, they expect new construction to produce increased traffic in the neighbourhood, which could have a negative impact on the existing housing situation. Or residents fear that their unobstructed view of the landscape could be spoilt and their home could lose its value, or they fear disturbances from new population groups who allegedly do not fit in with the existing social environment. Resident manufacturing companies often

*Private land owners and investors today extremely influence urban planning and urban development.*

*The municipalities elaborate and discuss long-term development ideas concerning the Local Agenda 21.*

oppose new construction in their neighbourhood, as well. They fear that neighbours could complain against their running production after completion of the new construction. In some cases residents or local companies try to stop new construction in their neighbourhood by taking legal action, in other cases they form civic action groups to protest against new construction.

### **2.3 Media and Civic Groups**

Alongside the urban council and administration and private investors there are other important actors on an urban level who have a major impact on urban development decisions. They include civic groupings and the local media.

Despite large-scale participation of lobbies and citizens in urban planning processes, "extraparliamentary" groupings will form time and again, especially during the implementation of urban construction projects. Civic action groups mostly form in response to specific projects and mirror the need for participation and political co-determination. Often civic action groups are founded spontaneously and vanish just as quickly when their topic loses its importance. However, one should not underestimate their influence. They lead to a wider public discussion, force the council and administration to focus more on the citizens and break the old rut of council and administration routines in project implementation. Civic action groups are normally reactive and focus on very specific goals.

#### *Local Agenda initiatives*

New forms of co-operation between the urban council and administration and the population have emerged through so-called agenda processes. In Agenda 21, passed in 1992 at the UN Environment and Development Conference in Rio, the cities and municipalities were called upon in chapter 28 to develop local agendas for sustainable development. In some 1300 German cities and municipalities councils passed resolutions to develop a Local Agenda 21.

The basis of a successful agenda process is a new communication culture between administration, council, citizens, associations, trade and industry, initiatives, churches etc. The obligatory goal of the consultation processes is to develop a shared path towards sustainable development on an urban level along with specific strategic concepts for future urban development. In the agenda process the urban administrations take the initiative in various ways. Their activities range from own agenda offices, which may be assigned to the mayor in the form of staff units, or interdepartmental work groups in the administrations. The council is involved by a policy resolution for the creation of a Local Agenda. Ideally, it should be supported by all council parties.

In general, the Local Agenda is created by moderated work groups. Important topics of urban development are taken up and discussed between local organisations and "non-organised" citizens. As a further range of topics, issues of land consumption, protection of the atmosphere and energy, mobility, sustainable consumption, urban development co-operation or regional and sustainable economy come up for discussion. In this context, new forms of civic participation are put to the test. Thus, the Local Agenda 21 is an interesting innovation for civic commitment.

#### *Local media*

The local media (press, and increasingly local radio and television) offer a key platform for the public discussion of urban development issues. On the one hand, they inform about projects and contribute considerably to conveying knowledge and forming opinions among the people. News from their own immediate sphere, draw a great deal of attention from readers of local newspapers. On the other hand, the local media have a control function that subjects political processes and administrative actions to critical public scrutiny. Lobbies and civic action groups can use the media, as can parties, to promote their points of view and contribute selectively to the opinion-forming process. In some cases positive media coverage has led to the success of urban construction projects, but in others to a stigmatisation of disadvantaged urban districts.

## 2.4 Co-operation of Actors on a Local Level

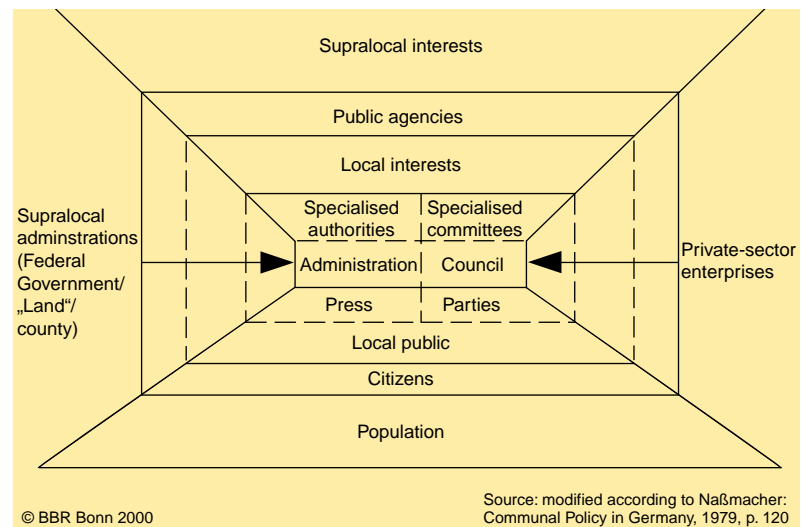
As described, urban decisions can be formally retraced to preparations made by the administration and resolutions passed by the council. Decisions are mostly prepared without broad and intensive public participation, while in urban land-use planning they are made accessible to legally prescribed civic participation in a broad public discussion no later than at the actual resolution stage. In some cases such decisions on the settlement of a few larger projects or zoning of large building sites for lots of small individual projects can turn into urban policy disputes that finally call for a political decision by the municipal council. Therefore, informing the public at the earliest possible stage obviously makes sense.

### *Planning initiatives*

The initiative for municipal policy measures in urban development may be taken by the municipal administration or municipal policy, or by private investors who want to realise construction projects. Mayors and heads of departments are the contacts for possible investors, in larger cities one can also contact specialised authorities, which often identify problems requiring municipal action. They have the expertise, and the respective authorities or departments are headed by actors who – to a larger or lesser extent – have design standards or even a “vision” of their own.

So, over the last few years, mayors or heads of municipal administration departments in some cities and municipalities have taken the initiative to zone land for housing or commercial sites in the urban fringe, in order to reduce housing shortages or enable the creation of jobs on their own municipal territory. Likewise, senior municipal civil servants have initiated the reactivation of inner-city brownfields. In the context of these activities, municipal availability of land and property has become the focus of attention. If the cities or municipalities own the land themselves, they have better possibilities of shaping and controlling it.

Figure 13  
Communal Policy Decision-Making System



This preconditions a close co-ordination between municipal planning and real estate offices.

The administration creates bills for urban development projects. As a rule, there are (preliminary) discussions on important bills at an early stage between the administration and the council or council parties. In this context, the head of the municipal administration seeks an exchange of opinions with the leaders of council parties, often with the majority party or coalition, or the respective committee chairman.

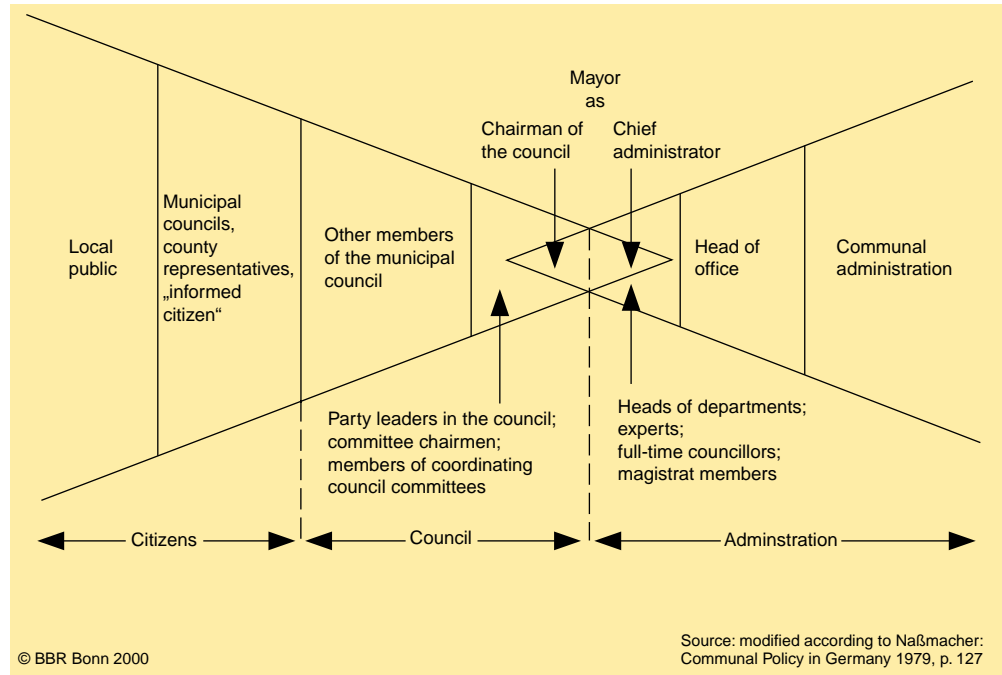
### *Decision-making processes*

In this way major decisions are prepared by smaller groups of persons and sometimes even made in advance. In this context, informal relations between executive administration staff (the mayor as chief administrator, heads of departments and authorities) and influential municipal politicians (party leaders and committee chairmen) play a major role. For such agreements, it is in the interests of the administration to find majorities for its ideas at the earliest possible stage and to secure these ideas politically in good time. As a result, bills are developed that are capable of obtaining a majority in the

*Urban Planning and urban development are a result of the interaction of different interests. Investors, politicians, planners, citizens, media, and many others form a complicated decision-making network.*



Figure 14  
Pre-Decision-Makers in the  
Decision-Making Network



municipality. As honorary staff, the councillors are interested in gaining information from the professional administration. The disadvantage of this informal agreement is its lack of transparency for outsiders. However, it has advantages for the early clarification of fundamental issues which can help avoid damages due to friction and delays in the later implementation process.

### 2.5 Actors on a Subregional Level

Over the last few years, urban growth has increasingly shifted to neighbouring cities and municipalities. As a result, citizens and companies now act and think more regionally. Municipal boundaries play no major role for their locational decisions. The subregional level is not just gaining political importance but is also an important planning aspect, as certain

municipal tasks can only be appropriately handled in a regional context. In the fields of traffic, environmental protection, utilities, waste disposal and industrial development, but increasingly also in the field of housing development, responsibilities have emerged in the relationship between city and region, in which dispersed political competencies have to be overcome and new forms of co-operation between cities and municipalities become essential.

In the 1990s changes occurred in the co-operation between cities and municipalities. Alongside the joint authorities that have long existed for tasks such as public transport, water supply or wastewater disposal, many new forms of co-operation have emerged over the last few years. One can distinguish between rather informal alliances without

*The urban development processors have increasingly shifted to the subregional level. Therefore new forms of cooperation are developing between cities and municipalities.*

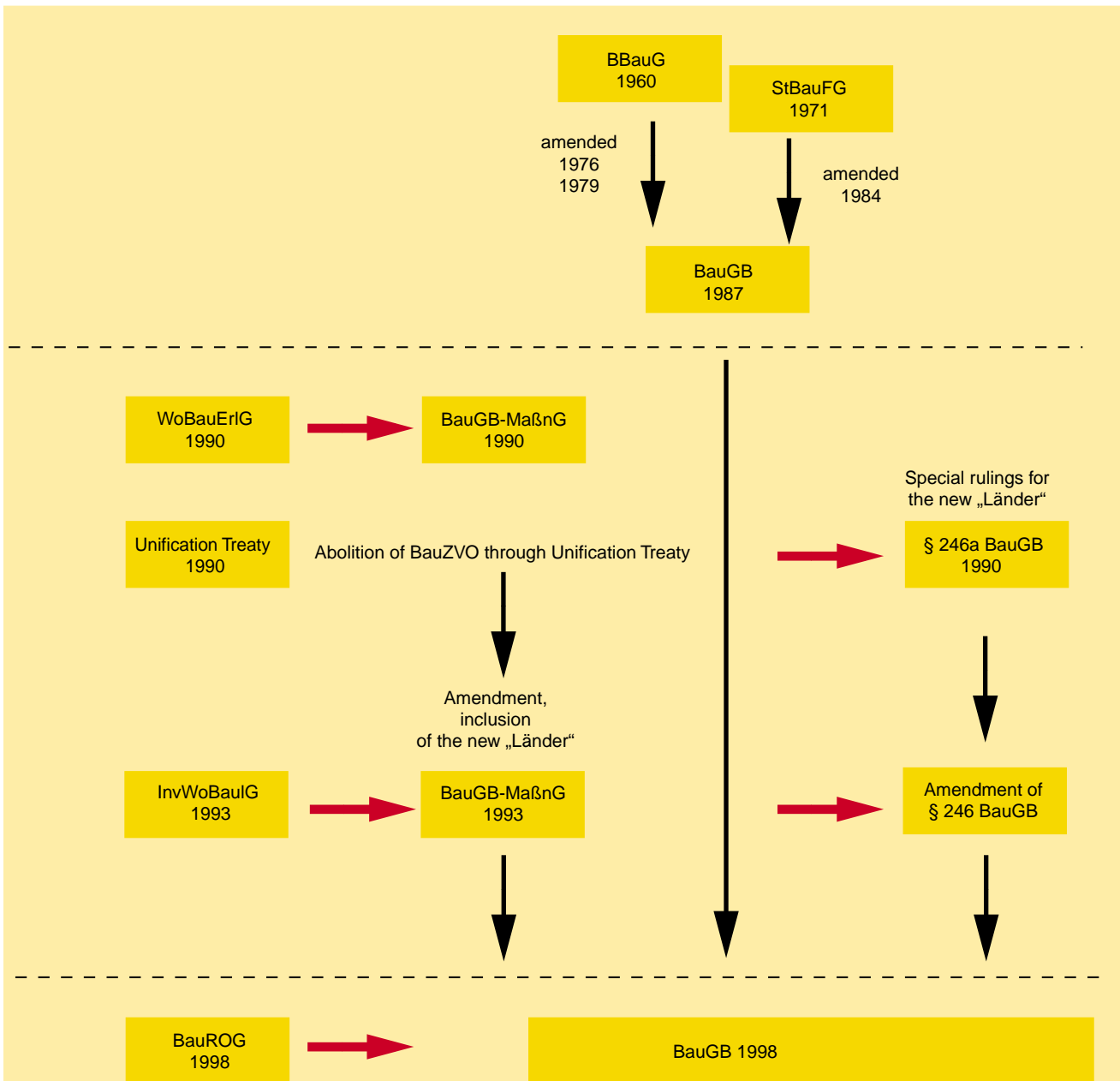
obligations and co-operation types with a rigid legal framework. As intercommunal co-operation is still new in some fields and co-operation still has to grow and stand the test of time, agencies often start with various types of informal and voluntary co-operation. Such forms of co-operation can also take an individual shape.

Moreover, in the co-operation between cities and municipalities one must distinguish between those that focus on a specific sector or topic and sophisticated integrative types of intercommunal co-operation. Regional industrial development agencies are a form of co-operation between municipalities with a topical focus. For the increasingly regional focus of urban development an integrative co-operation between municipalities is of greater importance.

In this context, some cities and surrounding municipalities try to develop joint spatial concepts or even subregional development concepts for their respective urban region. Urban networks or regional conferences are other forms thought to improve co-operation between cities and municipalities. Some large German cities are also discussing new joint authorities or regional authorities that could take on the tasks of comprehensive spatial planning.

The willingness to embark on intercommunal co-operations differs in the individual urban regions. Currently the regions of Hanover, Frankfurt and Stuttgart show well-received approaches for new regions with communal constitutions.

Figure 15  
Genesis of the Federal Building Code (Baugesetzbuch)



**Abkürzungen:**

- BBauG Federal Building Act of 23.6.1960
- BauGB Federal Building Code of 8.12.1986, amended on 22.4.1993 und 27.8.1997
- BauGB-MaßnG BauGB Administrative Measures Act to Supplement the Federal Building Code 1990, amended on 28.4.1993
- BauZVO Construction Planning and Permit Regulations of the German Democratic Republic of 20. Juni 1990
- BauROG Building and Regional Planning Act of 18. August 1997
- InvWoBauIG Investment Facilitation and Housing Development Land Act of 22.4.1993
- StBauFG Urban Renewal and Town Development Act of 27.7.1971, amended on 5.11.1984
- WoBauErlG Housing Facilitation Act of 17.5.1990

### 3 Formal and Informal Instruments of Urban Planning

Planning activities fundamentally break down into those of a formal and those of an informal nature. Formal planning is regulated by urban planning legislation. In Germany its legal basis is the Federal Building Code (*BauGB*). The Federal Building Code is a comprehensive summary of urban planning legislation in Germany.

Moreover, the following regulations apply in Germany due to the distribution of legislative powers between the Federal and “Länder” governments:

- for supralocal planning the laws of spatial planning and regional planning,
- for the regulation of specific planning corresponding sectoral planning acts of the Federal and “Länder” governments,
- building regulations on the “Länder” level, which set standards for the structural condition of buildings, especially from the safety aspect, and which regulate procedures for obtaining building permissions,
- construction regulations in other “Länder” and Federal laws (e.g. environmental protection acts).

In addition, we find conceptual and organisational planning options in urban planning practice that are not formally regulated. These so-called informal plans often precede formal planning in practice and provide programmatic goals. Unlike formal plans that create building law, informal plans provide support for formal planning and building decisions.

#### 3.1 Urban Land-Use Planning

Urban policies and urban planning follow concepts in line with contemporary trends (e.g. preservation and maintenance of the “European city”). In contrast, the instruments of urban policy and land law fundamentally pursue neutral goals. With their support virtually all goal-specific elements of urban planning can be prepared, stipulated and implemented in the form of plans.

One essential element of urban planning is the weighing of public and private interests. The Federal Building Code lists examples of such interests. Mandatory weighing is a key element of urban land-use planning. The aim is to find an acceptable solution for

building and other use of land in a municipality, taking due account of different interests. The municipality has some individual decision-making powers in this context.

#### Planning levels and area categories for land-use planning

German planning regulations and land law distinguish between two levels in urban land-use planning (*Bauleitplanung*) – preparatory land-use planning (*Flächennutzungsplanung*) and legally binding land-use planning (*Bebauungsplanung*) – and between three area categories under building and planning law: areas with a legally binding land-use plan, continuously built-up areas (*Innenbereich*), and white land (*Außenbereich*).

*The German urban planning legislation is regulated in the Federal Building Code.*

*Urban land-use planning regulates the use of land for construction and other purposes.*

Figure 16  
Area Categories for Land-Use Planning (example Münster)



217	Legally binding land-use Plan		Continuously built-up area not covered by any plan
VEP1	Project and infrastructure plan		White land

Figure 17  
Designation Options for Type and Extent  
of Construction Use

If necessary for urban development and organisation, the municipalities must set up urban land-use plans (*Bauleitpläne*). They regulate building and other utilisation of the municipal territory. Urban land-use plans must be adjusted to spatial planning goals, which are specified in regional and sub-regional planning regulations.

The preparatory land-use plan covers the entire municipal territory. It outlines the intended urban development and the resulting desired type of land use. The legally binding land-use plan is created on the basis of the preparatory land-use plan. It stipulates the land's usability for construction purposes in the respective demarcated area with a final and binding effect.

The Federal Land Utilisation Ordinance (*BauNVO*) and Federal Plan Notation Ordinance (*PlanzVO*) are authoritative for designation options in urban land-use planning.

*White land*

Economical land use includes the preservation of white land, in other words non-built up areas where construction – apart from privileged or priority projects such as agricultural or forestry enterprises – is not admissible. White land is a location of predominantly non-urban use and has an ecological balancing function. White land mostly consists of free landscapes outside populated areas.

*Continuously built-up areas*

Municipal territories that are (at least traditionally) continuously built-up or still to undergo construction without requiring a legally binding land-use plan – apart from the application of certain land use

Type of construction use		Admissible construction
General	Specific	
<b>W</b> Housing land (s.1 (1) no. 1 BauNVO)	<b>WS</b> Small housing estates (s. 2 BauNVO)	Predominantly small housing estates,crofting areas
	<b>WR</b> Purely residential area (s. 3 BauNVO)	Residential buildings exceptionally: shops, non-noxious crafts
	<b>WA</b> General residential area (s. 4 BauNVO)	Residential buildings, shops, public houses and restaurants, church, cultural, social and health facilities
	<b>WB</b> Special residential area (s. 4a BauNVO)	Residential buildings, shops, public houses and restaurants, church, cultural, social and health facilities, other commercial enterprises, exceptionally: central institutions of administration
<b>M</b> Land for mixed use (s. 1 (1) no. 2 BauNVO)	<b>MD</b> Village area (s. 5 BauNVO)	Agricultural or forestry enterprises, small housing estates, manufacturing enterprises, retail, public houses, crafts, non-noxious industry, church, social and cultural facilities, market gardens, petrol stations
	<b>MI</b> Mixed area (s. 6 BauNVO)	Residential buildings, commerc. and office build., retail, public houses, non-noxious industry, administration buildings, market gardes, petrol stations
	<b>MK</b> Core area (s. 7 BauNVO)	Commercial, office, administr. buildings, retail, public houses, hotels, entertainment facilities, non-noxious industry, church, culture, etc., petrol stations, housing for employees, exceptionally: other housing
<b>G</b> Industrial land (s. 1 (1) no. 3 BauNVO)	<b>GE</b> Industrial area (§8 BauNVO)	Non-noxious industry, commercial, office and administration buildings, petrol stations, exceptionally: other housing
	<b>GI</b> Manufacturing area (s. 9 BauNVO)	Manufacturing plants, petrol stations, exceptionally: housing for employees
<b>S</b> Land for special use (s. 1 (1) no. 4 BauNVO)	<b>SO</b> Special recreation area (s. 10 BauNVO)	For example: weekend residential area
	<b>SO</b> Other special areas (s. 11 BauNVO)	For example: clinic buildings, areas for shopping centres and large-scale commercial buildings, exhibition grounds

According to the Federal Building Code, the key concept of urban land-use planning is a sustainable spatial and urban development that duly accounts for social and economic aspects as well as the ecological functions of an area. The principle of sustainability runs through all deliberations on the reciprocal allocation of urban functions and uses – without requiring detailed legal regulations. Mixed and – where necessary – separate uses are a key aspect in this context; another aspect is traffic avoidance and reduction. Another essential requirement of urban land-use planning is an economical and considerate use of land.

Source: Citizens join in!  
Hesse Ministry of the Interior 1988



regulations – constitute a further major category. A building project is only permissible if it blends in with the immediate environment in type and extent of construction, its size and characteristics, existing building being a decisive factor.

*Legally binding land-use plan*

The legally binding land-use plan is the norm and classic instrument of regulating construction activities. It normally designates the type and extent of construction, areas suitable for building and local transport areas. It serves as a basis for preparatory and executive land reallocation measures including

expropriation. In order to do justice in individual cases, exceptions and exemptions from the legally binding land-use plan may be issued. However, legally binding land-use plans that are overloaded with designations, may no longer be transparent for the public.

Hence, the legally binding land-use plan serves as a foundation for further execution of the construction and organisation measures specified in the Federal Building Code, while their implementation is largely up to the initiative of the concerned land owners. Legally binding land-use plans are to be developed from the preparatory land-use plan according to the two-stage planning procedure; increasingly municipalities opt for the parallel procedure where the preparatory urban land-use plan is created simultaneously with the legally binding land-use plan. An anticipatory legally binding land-use plan can also be created before creating the preparatory land-use plan.

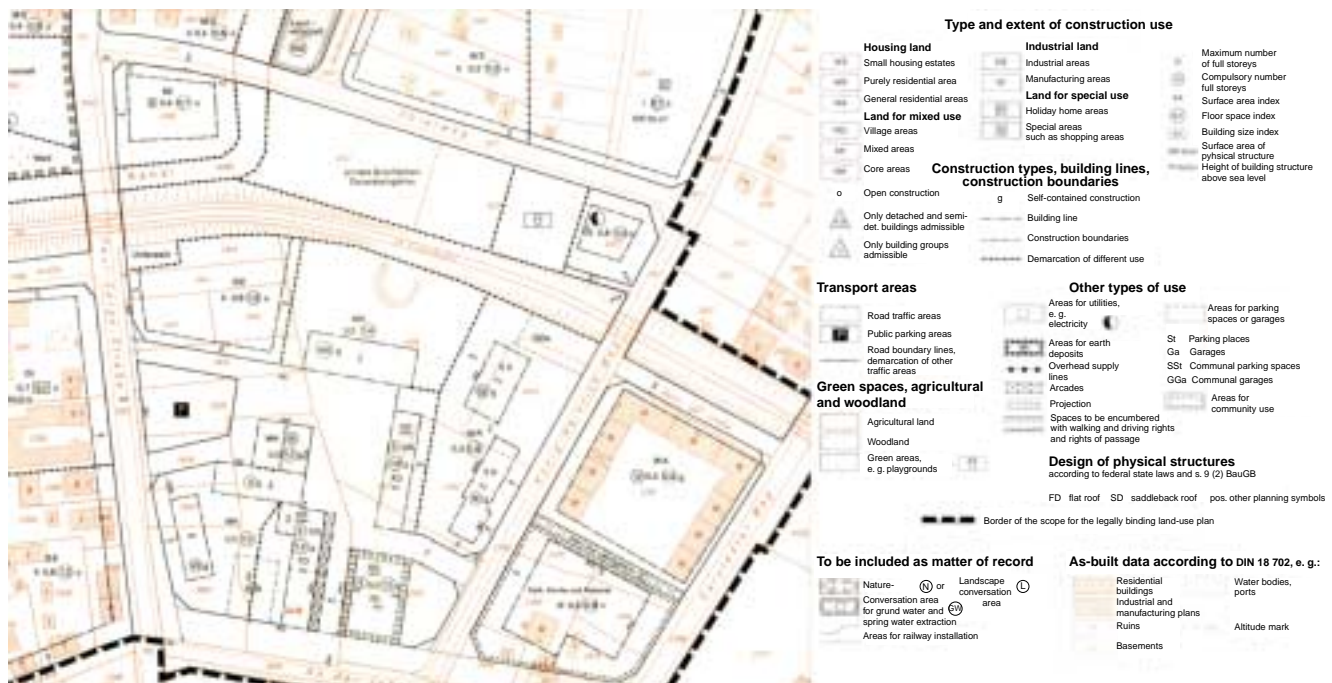
In this context, one should point out the close connection between prices for land (for construction) and urban land-use planning, as the latter determines the returns and thus the value of a property by designating the type and extent of construction.

Chart 3 Differences between the Preparatory and the Binding Land-Use Plan

Preparatory land-use plan	Legally binding land-use plan
Entire municipal territory	Part of municipal territory
Preparatory	Legally binding
Special type of sovereign measure	Statute with consequences for the public
Representations of the intended type of land use in brief	Legally binding designations for further measures necessary for implementation of the act
Explanatory report	Statement of grounds

© BBR Bonn 2000 Source: according to Hoppe/Grotefels: Public Building Law, Munich 1995

Figure 18 Example of a Legally Binding Land-Use Plan



### *Participation in urban land-use planning*

The Federal Building Code offers a detailed legal framework for the urban land-use planning procedure, with similar procedures for preparatory land-use planning and legally binding land-use planning. The procedure kicks off with the municipal council's resolution to prepare a plan, which must be published according to local regulations. This resolution is normally preceded by preliminary talks and negotiations with property developers and other participants.

Urban land-use planning regulates the procedure for public participation and participation by public agencies. The council must inform them early on of planning aims and purposes, alternatives and possible impacts. This so-called first public notification is followed by the second stage, public display of the draft plan.

To accelerate the urban land-use planning procedure, the municipality may contractually delegate the preparation and implementation of public participation and

participation by public agencies to a third party, e.g. a development agency.

All authorities involved in planning must be allowed to participate as public agencies, along with neighbouring municipalities affected by the plans. Public agencies include trade supervisory boards, water authorities, authorities for nature conservation and the preservation of historic buildings, road construction authorities, railway, mail, the Army, churches, chambers of industry and commerce, and crafts chambers. However, the municipality must accept the specifications of binding sector plans established by formal plan approval procedures (for example, according to the Federal Trunk Road Act, the Railway Act or the Telegraph Route Act) and, if necessary, adjust urban land-use plans, due to the priority of supralocal planning and utilisation interests.

In the context of public participation every citizen is fundamentally eligible to participate. The municipality is obliged to inform the citizens in the context of early public participation, and is free to choose the way in which it wishes to do so.

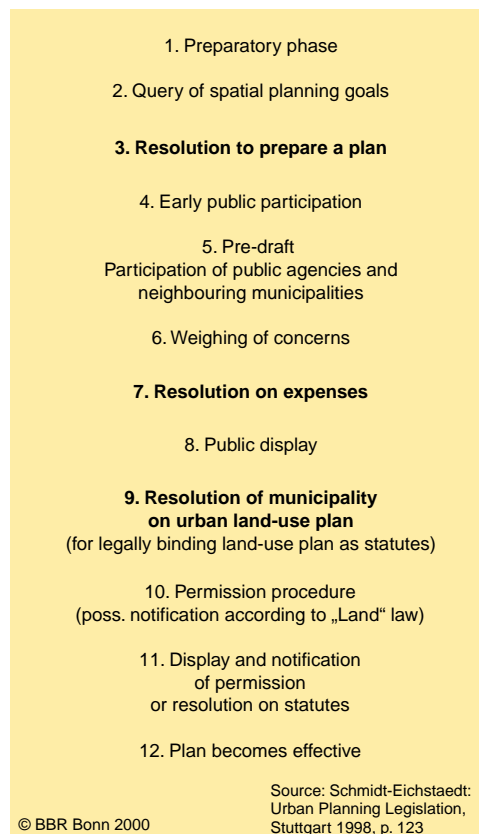
The suggestions made during the first stage must be examined and considered in the weighing process according to their significance. This is followed by the second formally regulated stage, which must be announced a week in advance, e.g. in the local official gazette or local newspapers. The draft plan is then displayed for public inspection along with the explanatory report for a month. The municipality must discuss all comments, suggestions and objections. Often new arguments are submitted during formal public participation, so that the draft plan has to be changed or at least modified. In such cases it is then put on display again. In the case of "smaller" modifications it is sufficient to grant owners or public agencies affected by the changes an acceptable term for their comments. Land-use plans are then made legally binding by the statute resolution of the municipal council, also towards the public.

### *Connection between nature conservation and urban land-use planning*

The Federal Building Code of 1998 took urban land-use planning a step further with

*In the case of urban land-use planning public participation is legally settled.*

**Figure 19**  
**Urban Land-Use Planning Procedure**





*Nowadays, contractual regulations play a large role in urban planning.*

the aim of securing holistic solutions that integrate urban planning and nature conservation. The goal is to improve the consideration of environmental concerns in urban planning. The municipality assesses anticipated interventions in nature and the landscape and decides on avoidance, compensation and substitution measures. Various instruments can be used for compensation measures, e. g. the provision of municipally owned land or the creation of an ecological fund.

#### *Contractual regulations*

Contractual regulations are gaining importance in urban planning. These public-law contracts assign public tasks otherwise performed by the municipality to private companies. They should not be confused with private-law contracts, where the municipality acts like a private owner, for example in land acquisition, award of contracts to (construction) firms, etc.

#### *Urban policy contracts*

In addition to its sovereign instruments, the municipality can regulate the performance of urban policy tasks contractually.

Urban policy contracts are nothing new. Before expressly including urban policy contracts, the Federal Building Code already introduced so-called infrastructure contracts. This is a special type of urban policy contract, under which the municipality can delegate the provision of infrastructure installations - irrespective of whether they qualify for the collection of recoupment charges or not - to a third party, who also bears the costs.

An urban policy contract is concluded between the municipality and owner or investor and may cover the following services:

- Preparation and implementation of urban planning measures by and at the expense of the investor such as the drawing up of urban land-use plans (creation of plans and expert reports), land clearance, soil remediation and reordering plot boundaries (e.g. by voluntary reallocation),

- Realisation of certain plot utilisation options for promoting and safeguarding the aims pursued by urban land-use planning, such as meeting the housing needs of certain groups of the population and implementation of settlement and compensation measures,
- Assumption of responsibility for the costs and other expenses which the municipality incurs or has incurred for urban planning measures (follow-up cost agreement).

The major issues of an urban policy contract are making the land ready for construction and planning, easing of the cost burden and, as an important subaspect, the agreement of land use, e.g. for social housing.

All formal resolutions on the preparation and implementation of urban policy measures remain within the scope of communal competencies. Sovereign services such as creating a legally binding land-use plan may not be attached to additional performance from the other party. Under the urban policy contract, the investor's services should be commensurate to municipal services.

Today, there is an increasing tendency for private investors to determine the implementation of planned construction. Of course, the danger is that profit considerations of companies will gain the upper hand over the common good. Municipal and investor interests do not have to be identical. The main advantage of the municipality lies in reducing costs and administration expenses, investors' interests in cost minimisation, sufficient returns and an accelerated procedure.

#### *Project and infrastructure plan, project-based legally binding land-use plan*

The project and infrastructure plan is a special form of legally binding urban land-use planning for a specific construction project. It was only developed over the last few years as a consequence of reunification, since the GDR did not have any legally binding urban land-use plans. The aim here was to create binding planning laws

quickly, in order to grant investors legal security. Due to favourable experience, the instrument was incorporated in the Federal Building Code as a permanent law. It differs from the “normal” legally binding land-use plan in the following issues:

- The investor always takes the initiative to obtain construction rights. He prepares urban land-use plans and is obliged to implement them and to bear the planning and infrastructure costs. The project developer must own the land or at least dispose over the area intended for planning.
- However, this does not affect communal responsibility for urban land-use planning. The project and infrastructure plan becomes an integral part of the municipal statutes (of the project-based legally binding land-use plan).
- Finally, the important thing is that the project and infrastructure plan only provides legitimisation for the regulation of urban development issues.
- Public participation is not intended.

Accordingly, the project and infrastructure plan essentially consists of

- co-ordinated plans between the municipality and the investor,
- an implementation contract for the implementation of planning and assumption of (follow-up) costs and
- the statute resolution of the municipality, which makes it part of the project-based legally binding land-use plan.

### 3.2 Safeguarding and Implementation of Plans

Land reallocation and land assembly policy provide instruments that safeguard planning and help to implement it. Instruments that serve to safeguard plans include development freezes, the postponement of building applications and the exercise of pre-emption rights. Instruments for implementing plans include urban construction enforcement orders, reallocation of construction land and subdivision of plot boundaries, expropriation and provision of infrastructure facilities.

#### *Land reallocation and land assembly policy*

Land ownership, which is protected by Basic Law, entails the right of use for construction. However, this does not give the owner a “free licence to build” without reservations. The contents and limits of the licence to build are specified by law. The reserved planning rights incorporated in the Federal Building Code specify that land use for construction purposes is detailed and hence limited by the urban land-use plan. This is known as offer planning, in other words by zoning new construction areas and integrating them in urban development, the municipality makes an offer to the owner or buyer of a plot, entailing construction according to the specifications of the legally binding land-use plan. In a few cases there is a construction obligation (e.g. based on contractual agreements or legal construction orders). Normally, traditional offer planning takes the following course: It starts with the legally binding land-use planning, followed by land reallocation (where necessary) and ends with the provision of infrastructure and corresponding charges.

Land reallocation comprises all measures that serve

- to provide land needed for urban construction and other purposes at the right time and on reasonable terms,
- to design site ownership and property rights in a way that land is available there and can be used according to urban planning specifications, where this is intended by the municipality in agreement with regulated urban development.

Land assembly policies are intended for a long to medium term. They include farsighted purchase of areas by the municipality and making them available for communal purposes in the context of urban development planning, e.g. for infrastructure and public facilities, housing or industrial settlements. These areas do not necessarily have to be purchased in the future planning area; they can be bought elsewhere and traded later, if necessary, for other properties in the planning area. One

*Urban planning legislation provides numerous instruments to ensure and implement planning.*

*Land assembly policies can contribute effectively to realising urban development planning.*

Chart 4  
Instruments and Procedures of Land Reallocation and Land Policy

Instrument/Procedure	Explanation	Application
<b>Land assembly policy (Land assembly management)</b>	Normally direct acquisition of land without predefined purpose by the municipality or a providing body at the price of an agricultural or development site	Use of areas for later construction or exchange deals
<b>Intermediate acquisition or purchase of disposal rights</b>	Purchase of land in an anticipated legally binding land-use plan area, rendering plots ready for development and sale at reorganisation value, except land needed for municipal purposes	Use of some land for municipal purposes (e. g. infrastructure); sale of remaining land to construction prospects, normally subject to certain conditions (e. g. contractually agreed construction obligation or obligation to build eco-friendly housing)
<b>Municipal reservations or purchase rights</b>	Option for the purchase of land if it is not duly and according to planning designations	Contractual agreement with owners to sell part of the developed land to third parties who are willing to build
<b>Reallocation of construction land</b>	- Public law procedure according to BauGB for the purpose of reordering plot boundaries - Private law procedure based on a contract (voluntary reallocation possible with official conclusion)	Plots are re-ordered in location, shape and size for building and other use (reallocation for reordering purposes/reallocation for enlargement purposes) and developed (reallocation for development purposes)
<b>Procedures similar to reallocation</b>	Land reallocation based on public law (official) reallocation (e. g. formation or owner alliances)	Application like reallocation of construction land
<b>Urban development measure</b>	First-time development or new development of a municipal area within the scope of urban policy regulations	Uniform preparation and rapid implementation of urban construction projects for public interests (acquisition of land, planning, development and sale of plots to private and corporate buyers)

© BBR Bonn 2000 Source: own compilation

advantage of timely land purchase is that the plots can be bought at the price of an agricultural or development site and not at the much higher price of land for construction.

In the reallocation of land for construction we must distinguish between measures to secure and measures to implement plans. Measures to implement plans that are legally regulated in the Federal Building Code include replotting of land for construction and the subdivision of plot boundaries; and in special cases, where there is no other solution, also expropriation.

Alongside the public-law instruments of land reallocation as part of communal strategies to obtain land for construction, there is a range of methods that combine

public and private-law instruments of land reallocation and the procurement of land for construction. They include:

- Development of municipally owned (e.g. by intermediate acquisition or exercise of pre-emption rights over acquired) areas under communal management,
- intermediate acquisition or purchase of disposal rights over future construction plots by the municipalities or commissioned agencies (such as housing firms),
- development of areas and making them ready for construction by private parties or investors based on urban policy contracts or a project and infrastructure plan and
- finally urban development measures.

### *Securing plans*

Creating a legally binding land-use plan takes time. On average, it takes three years from the resolution to create a plan to its announcement. To ensure that no changes are made that disagree with the intended planning goals in the planning area at the same time, the Federal Building Code provides various instruments to secure plans. They include the terminable development freeze during the creation of a legally binding land-use plan or – in individual cases – the postponement of building applications. In development areas there are also special permission duties.

Finally, legal pre-emption rights serve to secure and implement plans. With a general pre-emption right the municipality can buy land for public purposes within the purview of a legally binding land-use plan in a reallocation area and for other purposes in a redevelopment area or urban development area. With a specific pre-emption right, which must be asserted by statute, the municipality may also buy undeveloped land and land to safeguard planned urban development. In justified cases, a pre-emption right may also be exercised in favour of third parties, e. g. for

social housing. However, this preconditions that the land was intended for sale. The buyer may forestall exercise of the pre-emption right, if he is able to use the land within a reasonable term according to urban development purposes. In practice the pre-emption right only plays a minor role.

### *Implementation of planning*

Urban development enforcement orders and expropriation are among the hard planning implementation instruments. Instruments such as reallocation of land for construction, reordering plot boundaries and providing infrastructure can be crucial for realising planning goals.

### *Urban development enforcement orders*

To realise urban land-use planning, the municipalities have various urban development enforcement orders at their disposal according to the Federal Building Code. However, as such orders profoundly affect property rights, they are always a “last resort” and rarely used in practice. But the threat of such an order alone can move the owner to implement an urban development measure.

Chart 5  
Urban Development Enforcement Orders

Urban development enforcement order	Conditions and purpose
<b>Construction order</b>	<ul style="list-style-type: none"> <li>- Municipality can oblige owner to build on his plot according to the legally binding land-use plan within a certain period</li> <li>- Urgent need for housing space can be a public interest which, as an urban policy need, justifies a construction order</li> </ul>
<b>Modernisation order</b>	<ul style="list-style-type: none"> <li>- Removal of structural deficits, if a building does not meet general requirements concerning healthy living and working conditions</li> <li>- This may include the installation of central heating, improvement of sanitary facilities, heat insulation or soundproofing</li> </ul>
<b>Refurbishment order</b>	<ul style="list-style-type: none"> <li>- Preservation, restoration and removal of deficits of a building that is worth preserving and in need of refurbishment</li> <li>- Removal of deficits cause by wear and tear, age, or climatic conditions</li> </ul>
<b>Planting order</b>	<ul style="list-style-type: none"> <li>- Obligation of private property owner to implement planning measures designated in the legally binding land-use plan</li> </ul>
<b>Development reduction and unsealing orders</b>	<ul style="list-style-type: none"> <li>- Removal of a physical structure, if it is in conflict with the designations of the legally binding land-use plan and not capable of suitable adaption, or reveals deficits or defects which cannot be rectified even by modernisation or refurbishment and a corresponding substitute dwelling is provided</li> <li>- Preservation or restoration of the natural fertility of soil which has been impaired by building or by being otherwise sealed by development</li> </ul>

#### *Reallocation of land for construction and reordering of plot boundaries*

Reallocation of land for construction is tantamount to a land exchange measure with the purpose of reordering developed and undeveloped land in such a manner as to create plots suitable in terms of location, shape and size for built development or for other uses. Reallocation for reorganisation serves to reorder existing construction sites. Reorganisation can increase the supply of marketable land for construction.

*The urban development measure prepares larger settlement projects.*

The aim of reordering plot boundaries is to effect an exchange of neighbouring plots or parts of them or pave the way for due and proper construction through allocation to one party.

#### *Expropriation*

Expropriation under the Federal Building Code primarily serves to realise plans. It is only admissible in individual cases where this is required for the common good and the purpose to be served by expropriation cannot reasonably be achieved by any other reasonable means. It is the “last resort” if the municipality needs a specific piece of land to realise urban planning goals, for example. As expropriation of property is an extreme encroachment on property rights, the requirements, procedure and compensation issues are comprehensively regulated in the Federal Building Code. In urban planning practice expropriation plays a much smaller role than “milder” land reallocation and land procurement instruments.

#### *Provision of local public infrastructure*

In common speech, providing infrastructure comprises outward servicing of the construction area (provision of transport connections, utilities, etc.), internal servicing of plots within the construction area, and private on-site servicing. However, the Federal Building Code only covers infrastructure facilities that refer to the sites and partly to the construction area. This goes especially for public transport. Other infrastructure facilities such as water and energy supply and wastewater disposal, among others, are subject to “Länder” or communal levy laws.

In this context, specialised planning laws play an important role.

Costs for the purchase and preparation of land for local public infrastructure, of its initial development and adoption of existing structures as part of the municipal public infrastructure are normally divided, with owners paying 90%, the municipality 10% according to a so-called servicing statute. However, deviating arrangements may be contractually agreed.

### **3.3 Urban Development and Renewal**

Urban development and renewal are self-contained planning and implementation procedures. Alongside regulations on urban development measures, “special urban planning legislation” focuses on preservation and renewal.

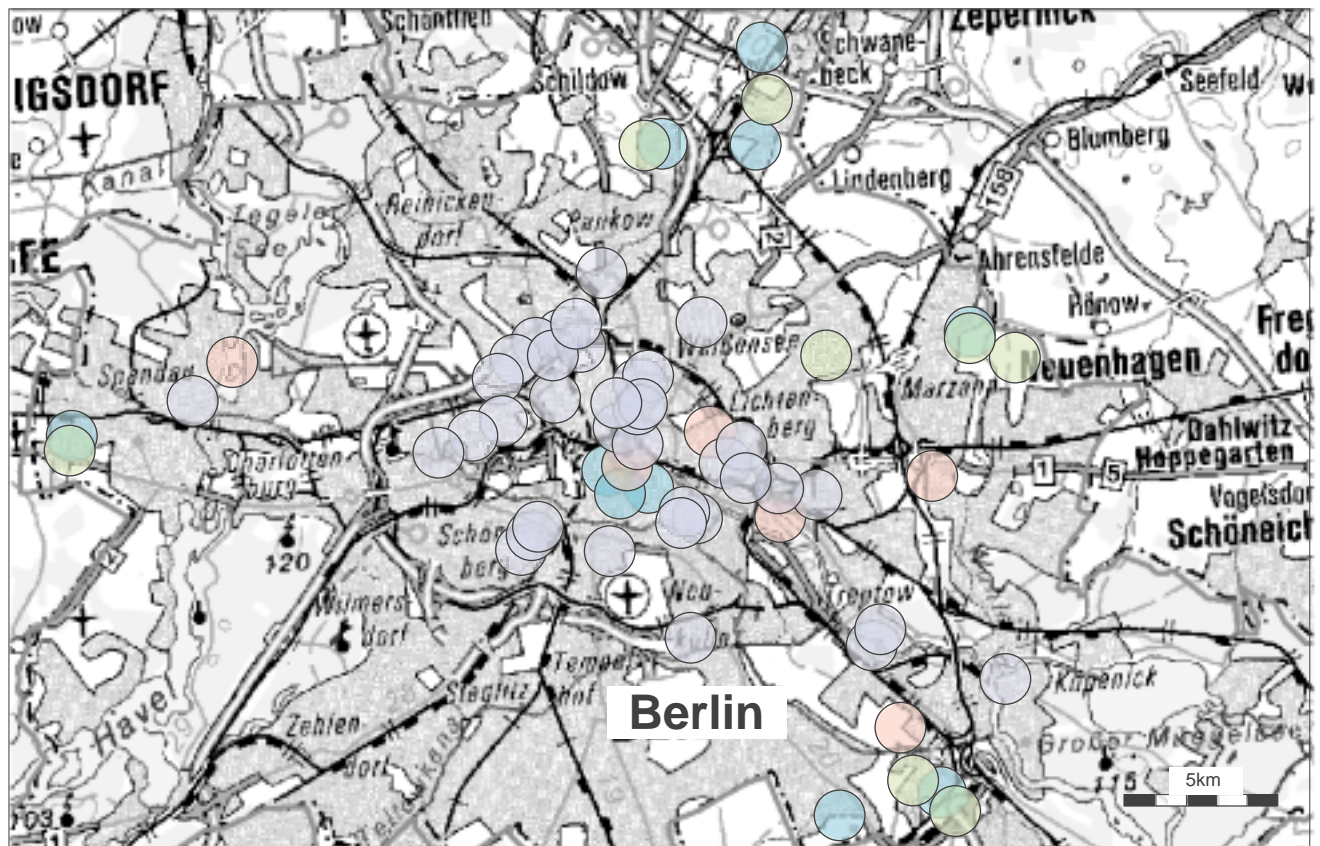
#### *Urban development measure*



The urban development measure is a suitable instrument for the consistent preparation and speedy implementation of larger settlement projects. It is an overall measure that serves to develop a certain area cohesively. Typical features of urban development measures are the communal obligation of property acquisition and reprivatisation, associated siphoning off of the increased property value for financing the measure and the legal reservation of rights to require building permission. For this reason the urban development measure is not an instrument for normal cases. Around 100 measures were adopted as statutes in Germany from 1990 to 1997. The urban development measure may only be implemented, if it meets public interests, is required by the common good and speedy implementation is guaranteed within a foreseeable period. Public interests include meeting an increased demand for housing and workplaces or recycling of brownfields.



Urban development measures have the following goals:

- Create (low-cost) land for housing
- Increase the number of available jobs
- Increase the number of sites for service and retail facilities
- Build public amenities
- Integrate areas in urban development

Figure 20  
Development and Redevelopment Areas in Berlin



 Städtebauliche Sanierungsmaßnahmen  
 Städtebauliche V-erträge

 Städtebauliche Entwicklungsmaßnahmen  
Förmlich festgelegte Entwicklungsbereiche  
 Städtebauliche Entwicklungsmaßnahmen  
Voruntersuchungsbereiche

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Quelle: verändert nach S tadtenerungsgebiete Berlin, Senatsverwaltung für Bauen, Wohnen und Verkehr 1997

The urban development measure consolidates the supply of land for construction, helping to curb the development of land prices. Providing low-cost land for construction enables cost-saving building. Giving land recycling priority over urban expansion can also contribute to sustainable urban development.

A development measure commences with the resolution to start preliminary investigations. Simultaneously, the public is informed and encouraged to participate. The extent and content of preliminary investigations are not formally defined by law but depend on the individual circumstances of the area earmarked for planning. Preliminary investigations can be dispensed with if the municipality already

has sufficient records for assessment. Formal designation of the urban development zone in development statutes requires permission by the superior administration authorities. The development measure is noted for all plots concerned in the land register.

Formal designation requires that permissions must be obtained for certain projects:

- For projects that require a building permissions and other value-increasing changes
- For the subdivision of plots
- For the conclusion of contracts on land use under the law of obligations
- For the sale of land

The municipality may commission development agencies to prepare and implement the urban development measure. A legally binding land-use plan must be created. As a rule, the municipality purchases land in the development zone at a value uninfluenced by development. If the municipality does not buy the land, the owner must pay a financial settlement to the municipality for the value increase of his land incurred by the development measure. The next step in implementation is the reorganisation and provision of infrastructure in the development zone. Finally, the property is sold at its post-reorganisation value, taking account of wide circles of the population. On sale the municipality must make sure that construction is effected on the land within a reasonable period according to the specifications of the legally binding land-use plan and the requirements of the development measure, and that the new facilities are used permanently according to the aims and purposes of the urban development measure. Any earnings incurred by the preparation and implementation of the development measure, i.e. the difference between the purchase and sales price of the land and

#### Procedure under special provisions of redevelopment legislation

If redevelopment is effected according to the so-called traditional procedure, the above-mentioned reservation of rights to require permissions always takes effect. To make this visible for general property transactions, the affected land in the redevelopment areas will be marked by a note of redevelopment in the land register. Moreover, there are special regulations for the treatment of property values and prices. The aim is to facilitate preparation and implementation of redevelopment in view of the land value situation and contribute to the financing of redevelopment measures. After completion of redevelopment, land owners in the redevelopment area must pay a financial settlement corresponding to the appreciation in land value caused by redevelopment. Fundamentally, the municipality siphons off the redevelopment-related value increase and uses it to finance redevelopment. For settlement and compensation payments, e.g. in the case of expropriation, and purchase of land by the municipality or redevelopment agencies, redevelopment-incurred appreciation in land value may not be considered. Moreover, the municipality must refuse a permissions for the sale of land, if the agreed sales price includes value increases due to redevelopment which was not effected at the owner's expense.

#### Simplified redevelopment procedure

If preservation takes priority in urban renewal, the municipality will opt for the simplified procedure in its resolution on the redevelopment statute. The municipality can then use the following legal instruments to control redevelopment:

- ⌞ The municipality has a legal pre-emption right for land acquisition.
- ⌞ In certain cases land in the redevelopment area may be expropriated in the redevelopment agency's favour.
- ⌞ The municipality reserves the right to require a permission for the elimination, erection, alteration or change of use of physical structures in the redevelopment area, for the subdivision, sale or encumbrance of property, for the conclusion and extension of long-term land utilisation contracts under the law of obligations and for selling and establishing hereditary building rights.

Unless required by urban renewal goals, the municipality may dispense with reserving the right to require permission, thus saving unnecessary administration expenses.

financial settlement, must be used only to finance the development measure, e.g. for providing public infrastructure in the development zone.

Development measures not only serve to provide public infrastructure in large, hitherto undeveloped areas but also to reactivate brownfields and reorganise underused or misemployed areas. Even former military areas are recycled for new utilisation by development measures. This is mirrored above all by the total costs, as existing buildings need to be bought, infrastructural measures financed, areas prepared and soil pollution eliminated. Under such circumstances, the municipality is only rarely able to finance implementation on its own. In these cases urban renewal funds are very important, as only this support enables financing and – as a consequence – implementation.

*Urban construction renewal supports urban planning and provides an important contribution to the interior development.*

*Urban preservation and renewal*

Urban preservation and renewal is a major long-term task, as it contributes to interior development. For urban renewal measures the Federal Building Code provides redevelopment provisions. The municipality is in charge of infrastructural measures; while construction measures are performed by land owners and investors. Further major aspects of urban and village preservation and renewal are covered by regulations in other laws such as the "Länder" laws for the protection of monuments and listed buildings, the Federal Control of Pollution Act, fiscal law or "Land" building codes.

Existing buildings, in particular those of historical or architectural importance, must be preserved and protected. Since the 1970s demolition and new construction – as practised under the large-scale redevelopment measures of the past – have been replaced by preservative renewal with a stronger focus on the population and deep-rooted structures.

Finding the right combination of legal instruments, information, advice and participation, financing and subsidisation is essential for the success of urban renewal.

Redevelopment law is to enable the municipalities to perform a planned and co-ordinated renewal process under an overall urban planning measure in areas where such redevelopment is urgently needed. Redevelopment should alleviate urban deficits in an area. Urban deficits mean that, in its existing state of physical development or condition, the area fails to meet general requirements of healthy living and working conditions and general safety of those living and working there. Functional impairments may also give rise to urban deficits (e.g. lack of green spaces or public amenities in the area). Like for urban development measures there must be a public interest in consistent preparation and speedy implementation.

The procedure of a redevelopment measure breaks down into preparation, implementation and completion. Its

normal term is approximately ten years. The need for redevelopment and redevelopment options are examined by the municipality in the context of preparatory investigations. The Federal Building Code only specifies key issues on which the preparatory investigations must provide information:

- Need for redevelopment
- Social, structural and urban planning conditions and context in the area
- General aims to be pursued

As local circumstances differ, the procedure needs to be flexible. Therefore, the municipalities may decide what issues the preparatory investigation should cover in each specific case. Hence, the preparatory investigation provides the decision on the formal designation of a redevelopment area in the form of a redevelopment statute. In the implementation phase the municipality is in charge of infrastructure measures, which may be necessary for the preparation of construction measures. In addition, the municipality has the overall responsibility for the implementation of construction measures. The municipality may commission a redevelopment agency to prepare and implement a redevelopment measure. The contribution and participation of those affected is of major importance for the entire course of redevelopment.

The range of legal instruments available to the municipality to control development in the redevelopment area as intended by the redevelopment goals, distinguishes between two procedures:

- Simplified procedure and
- procedure under special provisions of redevelopment legislation

*Participation and co-operation in the context of urban renewal*

Urban renewal often encroaches on the living conditions of the local population and trade. Therefore the Federal Building Code specifies an intensive participation, consultation and co-operation of those affected and socially acceptable design. Practice shows that successful urban and



**Urban renewal funds can be used for the**

- preparation of development and redevelopment measures,
- implementation of infrastructure measures and compensation,
- execution of construction measures,
- adequate remuneration of commissioned third parties such as development and redevelopment agencies,
- implementation of the social plan,
- modernisation and refurbishment measures,
- projects for the preservation, renewal and appropriate use of a building that warrants preservation on the grounds of its historical, artistic or architectural importance.

village renewal depends decisively on the co-operation of affected inhabitants and trade, owners and tenants.

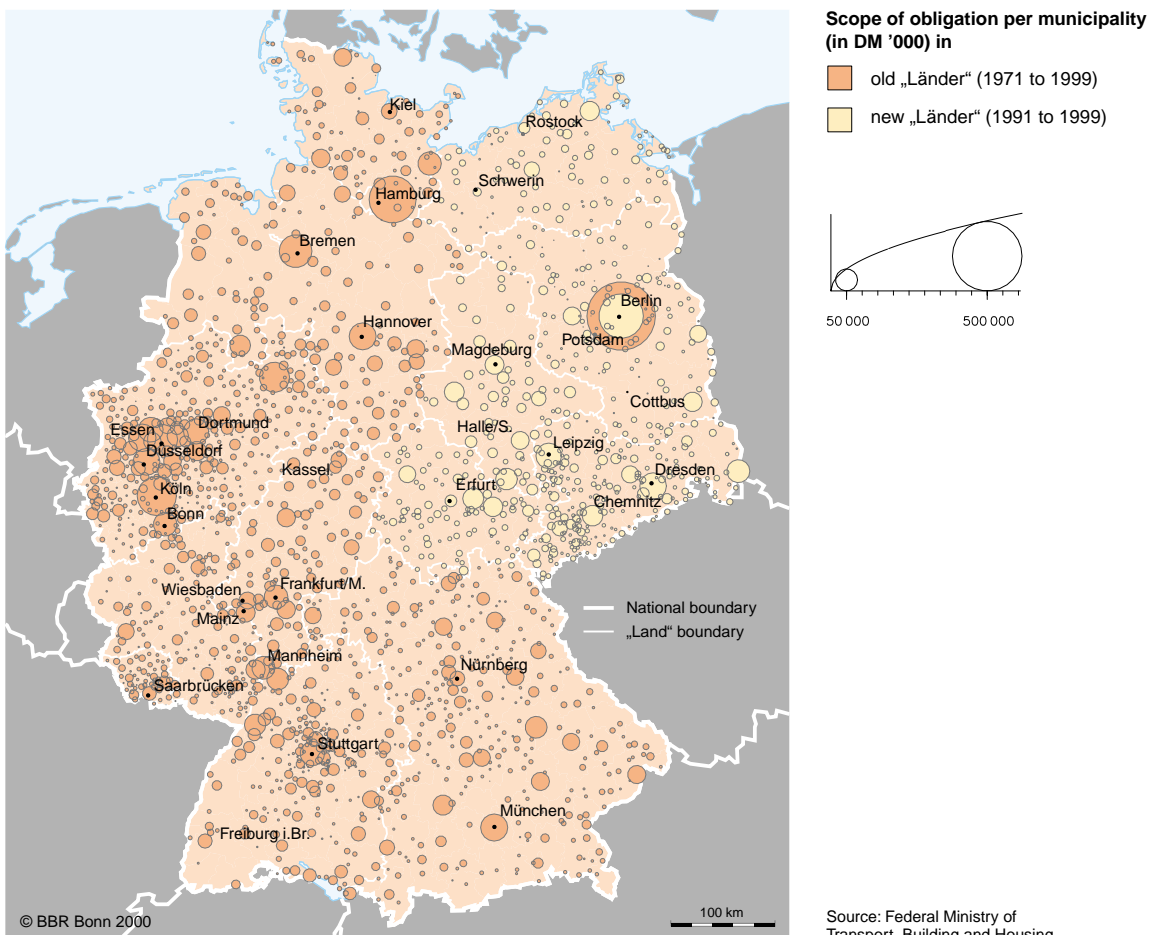
Preparatory investigations prescribed in the context of urban redevelopment measures cannot be performed without the co-

operation of the local population. This is often the first step and simultaneously a key participation measure in redevelopment.

The municipality has the right to gain information from and duty to provide information to the local population and trade, tenants, owners and users. This covers all the information necessary to assess the need for, preparation and implementation of redevelopment in an area. Hence, redevelopment should be discussed at an early stage with those affected. In these brief terms, the Federal Building Code describes the key elements of redevelopment participation - similar to the legal regulations on public participation in urban land-use planning. The public should receive the opportunity not only to state their ideas, wishes and objections but also to take part in discussions. Participation details may thus be developed by the municipalities depending on specific practical needs.

For comprehensive modernisation measures, the population may have to leave

**Figure 21**  
Federal Financial Assistance for Urban Redevelopment and Development Measures



Source: Federal Ministry of Transport, Building and Housing

Municipalities, status 1.1.1996

their homes temporarily. The municipality must discuss such plans with those affected and alleviate or compensate for disadvantages. For this it must create a social plan, offering the following assistance:

- Help with relocation, finding a new job and the move
- Information on public grants to which those affected may be eligible

The provisions of the Federal Building Code on hardship allowances are closely linked with the social plan. In the case of particular hardship, tenants of buildings or rooms needed for redevelopment may apply for a hardship allowance in cash.

#### *Preservation statute*

The preservation statute is an instrument to preserve physical structures and characteristic features of areas. It is used in particular for – but not limited to – urban renewal and preservation. The municipalities may pass a resolution to create a statute for areas where special urban preservation goals are to be pursued. Fundamentally, there are three different fields of application.

A preservation statute may serve to protect the architectural features of an area due to its urban character. Protection focuses on physical structures that shape the character of a locality, townscape or landscape or on old housing stock of particular value for urban construction.

Another aim of a preservation statute may be to maintain the composition of the local resident population of an area for particular urban development reasons, in order to counteract the problems resulting from the displacement of the traditional resident population. One of the tasks of urban planning is to meet the social housing needs of the population. This so-called Vicinity Protection Statute can contribute to avoiding the displacement of resident population groups. It can be successful in combination with subsidy instruments for securing low rents.

#### **Informal planning – the example of Hamburg**

The variety of informal planning is highlighted by the approach of Hamburg's agency for careful urban renewal STEG (*Stadterneuerungs- und Stadtentwicklungsgesellschaft mbh*) for the creation of urban renewal concepts. Normally redevelopment concepts highlight future use in detailed plans. In the course of redevelopment these highly specific and sanctioned future uses of individual plots are implemented in the course of redevelopment, which normally comprises a term of ten years.

In contrast, the renewal concepts developed in Hamburg provide a scope of action that stipulates the minimum requirements of the entire redevelopment measure in the formulated redevelopment goals. Plots with major changes of use are designated by demarcating small-scale renewal areas. At this stage there are no land-related designations of future use – unlike in traditional procedures. Minimum redevelopment requirements are based on the prime goal of the Federal Building Code to create healthy living and working conditions in redevelopment areas. The intensity of interventions that go beyond modernisation and refurbishment is laid down in the renewal areas specified in the overview plan for the renewal concept. A renewal area is a demarcated part of the redevelopment area in need of measures beyond modernisation and refurbishment. Detailed renewal concepts with new construction, redesign and conversion suggestions for renewal areas according to fixed priorities are only developed and coordinated during the redevelopment process.

The goal of this approach is to move planning and implementation closer together and to effectively involve the public in planning at an early stage. Depending on the need for action and chances of realisation, project development (by the redevelopment agency) is accelerated for the individual renewal areas based on redevelopment goals for the entire area. The larger scope of action and flexibility in developing small-scale redevelopment goals in renewal areas enables an effective participation of those affected in planning.

By an open design of the planning process this examination approach aims to intensively involve people living and working in the area in planning for the renewal areas.

*The range of informal planning is large.*

*Comprehensive range of forms of action regarding informal participation.*

This instrument can also ensure the social compatibility of urban restructuring, e.g. the concerns of the population must be accounted for if the need arises for relocation.

#### *Urban renewal funds*

In general, the Federal, "Länder" and municipal governments contribute to financing urban development and redevelopment. Start-up grants are to encourage private initiatives.

The focal areas of subsidisation incorporated in the law primarily support long-term settlement development:

- Reinforcement of the urban function of innercities and local subcentres paying special attention to housing and to matters pertaining to the preservation and conservation of buildings of historic interest,
- Reutilisation of land, in particular derelict industrial sites, conversion land and railway land in inner cities, for purposes of housing and workplace construction, public amenities and consequential developments paying due regard to a sensible functional balance (mixed uses) and to the employment of environmentally benign, low-cost construction techniques which make economical use of land.
- Urban measures to mitigate social deficits

### **3.4 Informal Instruments**

#### *Informal planning*

Unlike formal planning, informal planning has no rigid legal framework. It plays a very important role, as urban planning is a continuous control process of urban development, the programmatic contents of which are often easier to control by non-formal planning. The strong point of informal planning lies in the fact that – depending on the focus of problems and tasks – programmatic, conceptual and design-focused solutions can be developed

by open non-standardised planning and integrated in communal planning. Hence, the advantage of this type of planning lies in its great flexibility.

Informal planning is often used to complement formal planning. In this context, informal planning can help with planning decisions in many different ways. It can be used to examine the necessity of planning or planning needs and to highlight alternative planning or presumed planning impacts. Informal planning can serve as a tool of integration and illustration. It can visualise planning and thus facilitate public participation and co-operation. Hence, informal planning can additionally have a communicative and co-ordinating function.

The scope of informal planning ranges from urban building designs through general urban land-use plans, development planning, special expert reports, urban construction and architectural competitions, transport development plans to architectural designs and models. As informal planning is not a standardised procedure, these are only a few examples. Informal planning has a great variety.

#### *Informal participation*

Informal forms of participation exist alongside legally prescribed public participation in urban land-use planning. A lot of practical experience has now been gained in this field. In legally prescribed participation the planning and decision-making process is primarily effected by administration and politics with public participation. Moreover, their participation is over once the plan has been adopted. In new informal approaches the focus is not just on public participation but on co-operation. This gives the participating public a different position. Moreover, co-operative participation processes range from the phase of identifying goals through creating plans or programmes to implementation or even utilisation. Their open design aims for an intensive

participation of those affected. Planning in this context is open to societal and social concerns, accounts for the variety of existing viewpoints and invites those affected to co-operate.

Traditional offer planning is replaced by flexible and situation-dependent action and reaction. There is an abundance of different measures such as urban forums, urban dialogues, and forms of participation under local agenda processes, future workshops, working groups, urban district conferences, planning units, and many others. The choice depends, among other things, on the participants and status of planning and realisation. Of course, different forms of action can be combined. Their composition is orientated on planning tasks, fields of action and involved actors.

The important thing is that participation aims for a "social reach" to prevent planning and decision-making processes

from boosting powerful interests, e.g. those of the most eloquent speakers. The focus should be on mitigating disadvantages for weaker (socially or otherwise deprived) groups in the planning procedure and taking care that affected interests are represented by negotiating partners with equal rights and equal importance in the process. Sometimes, these groups need an opportunity to realise their involvement and to take advantage of their co-operation options. Moderation procedures can be helpful here.

Only a continuous provision of information can enable this forum of public co-operation. One instrument is classic PR work, which provides information in the form of brochures for example. Another important means is advice, for example through public consulting hours. And surveys can help gain insight into public opinions, e.g. on the quality of urban offerings.

## 4 Urban Development and Urban Police Undergoing Change

The challenges facing urban policy are changing increasingly rapidly in the same way as technical, economic and social conditions. This dynamic process affects all aspects of life and all functions of the city. The economic and technical conditions and the societal problems of the reconstruction phase were different than in the subsequent phase of economic upturn and urban expansion. The political answers to the economic crisis and structural change and the concepts of urban renewal and urban reconstruction differ, on the other hand, from the approaches for coping with societal changes and urban policy challenges since German reunification, which marked the beginning of a phase of multi-faceted urban development.

This chapter outlines important development approaches and milestones of societal and urban change since the Second World War. Although we are aware that there were innumerable numbers of regional differentiations and peculiarities and also that the different phases of urban developments have shifted in a wide range of ways or overlapped, only the basic principles of urban construction developments are outlined in a generalised and hence simplified way. Here only the differences and common aspects of urban development and urban construction in the Federal Republic of Germany prior to reunification and the former GDR are illustrated, in order to emphasise the system-related characteristics. The urban developments can be partly explained by the differences in the historical starting conditions and the underlying societal conditions in the two German states. This includes, amongst other things, the fact that after the War the Federal Republic of Germany received support through the Marshall Plan and, on the other hand, the comprehensive reparation burdens endured by the German Democratic Republic. The Federal Republic of Germany was “integrated into the West”, whilst the German Democratic Republic was integrated into the “Eastern Block”, meaning a federal structure here in the West and a centralistic structure over there in the East, with a market economy here in the West and a planned economy over there in the East.

On the basis of private ownership protected by the Basic Law and within the framework of the market economy the West German cities developed through the interaction of many private and public land owners and participants in municipal urban planning. In contrast, the development of the East German cities under the conditions of the mainly nationalised real estate and the planned economy was centrally controlled. Hence the spatial focuses of urban development were primarily state expenditure for industrial locations.

In the Federal Republic of Germany there has been a sweeping movement of urban functions to the urban fringe and to the hinterland since the Second World War. First many inhabitants of the cities switched their places of residence and vast numbers of manufacturing companies moved their company locations; at the beginning of the 1980s there was then also an increased migration of trading facilities to the urban fringe. In contrast, in the German Democratic Republic there was a limited growth of settlements in the hinterland through housing construction and the building of trading facilities. Nonetheless, one cannot talk of a uniform system-related character of the urban construction manifestations. Hence, with regard to ideals of the “new construction”, urban construction phenomena such as large housing estates emerged on both sides of the border separating the two societal systems.

### 4.1 Reconstruction in the 1950s

In many German cities the first few post-war years were characterised by huge flows of refugees, the almost complete destruction of industrial plants, the technical infrastructure and the residential areas and inner-cities. The economic and societal development in the occupied zones was under the control of the allies. The foundation of two German states marked the “competition of the two political systems” and ultimately led to the extremely different developments in the two parts of Germany. What they both had in common was the desperate shortage of housing, the high unemployment and the deep wounds which German Fascism had left in the families and in society.

*The societal challenges of the post-war years in the East and the West: reduction of the disastrous housing shortage and economic reconstruction.*



A City after the Second World War

*Housing and urban construction perspectives: between reconstruction and new construction of the city*

Whereas the strengthening of the economy in the West – significantly supported by the “Marshall Plan” – began at an early stage, in the East industrial infrastructure continued to be dismantled. The German Democratic Republic had to struggle for a long time because there was a tremendous need to catch up, particularly in setting up the primary industry: Consequently the location decisions for large housing construction projects were increasingly made on the basis of the spatial focuses of the economic reconstruction – for instance, Hoyerswerda-Neustadt as a new residential location for brown coal mining, Eisenhüttenstadt (formerly Stalinstadt) for steel production.

Housing Estate Aukamm: Diversified Ribbon Development



However, both German states faced the same challenge, namely to overcome the acute shortage of housing through a far-reaching boosting of housing construction. The target groups were from almost all walks of life, since everyone was effected by the impact of the war. Within the framework of the compulsory use of existing housing space many households had to involuntarily share a flat. The compulsory use was soon supplemented by the creation of new residential space.

For the entitlement to move into a flat many social hardships had to be taken into consideration – such as refugee status, extreme requirement for housing, ex-prisoner of war status. In the Federal Republic of Germany during the reconstruction phase over 5 million flats were built on the basis of the Second Federal Housing Construction Act. Despite this, many people looking for housing had to rely on emergency accommodation for years.

In the German Democratic Republic within the framework of communal housing control, housing was allocated in accordance with the criteria of social urgency and national economic priority. Social urgency particularly applied to families with more than two children, for young married couples without an own flat and for single mothers. The main focuses of economic reconstruction had national economic priority. Important companies received contingents of the communal housing supply for occupation according to internal company priorities.

The “segmented and diversified city” became the dominant guiding principle of urban construction in the 1950s. Using the housing reform conceptions of the 1920s as a basis, in many cities housing estates with plenty of green and only a few floors were built. These area-intensive settlement forms were primarily realised in locations close to the inner-cities. In addition, in the 1950s considerations based on the “Charter of Athens” prevailed, which allocated the urban functions of housing, work and recreation to different urban areas.

In the Federal Republic of Germany the communes received planning jurisdiction. In contrast, urban planning in the German Democratic Republic was centralised and placed in the hands of the “state planning commission”. Since here the state also had far-reaching control of real estate, it was

also able to implement ideologically-shaped conceptions of a “Socialist City” in planning and construction.

In the Federal Republic of Germany the reconstruction years were characterised by two very differing approaches: In a great number of West German cities old buildings were reconstructed exactly on specific plots of land in accordance with the old ground plans of the city. The basic ownership structure with its small units, the existing road network with preserved utility supply and waste disposal pipelines and cables and tradition-conscious citizens and decision-makers in many cases prevented far-reaching changes. In other cases the destruction inflicted by the war was used as an opportunity for making a radical new start. Here the historical city centres were fundamentally redesigned (for instance in Dortmund) and adapted to the new demands of road transport. In many cases the traditional construction of blocks of housing from the time before the First World War was replaced by a consistent ribbon development.

In the German Democratic Republic during the close of the Stalin era initially representative and historical architecture and urban construction forms were still realised with large-dimensioned axes, central squares and monumental individual buildings (for instance in Magdeburg, Ernst-Reuter-Allee). However, towards the end of the 1950s industrialisation and standardisation established itself in the construction sector. The urban construction figures with rectangular arrangements of 4 to 5 storey blocks of flats and open free-space structure were also oriented to the guiding principle of the “segmented and diversified city”. The “Socialist housing complex” was stipulated as the basic urban construction model for new housing estates. These complexes were generally built for 4,000 to 5,000 residents, strictly according to the principle of a functional separation as purely residential areas and provided with the most elementary requirements for community and supply facilities.

#### 4.2 Urban Expansion in the 1960s

The catchphrase “Economic Miracle” became the embodiment of the economic upturn in the Federal Republic of Germany. Powerful economic growth, expansion and industrialisation of the manufacturing



Magdeburg, Ernst-Reuter-Allee



Münster: Reconstruction in the Old Town after Destruction During the War

industry were important driving forces for changes in society. Mass purchasing power was strengthened and goods consumption boosted. Immigration and increasing birth rates led to a strong population growth. However, at first the demand for labour could not be satisfied. The economic development increased the requirement for new industrial locations and additional areas of industrial land. This led to an increase in transport and traffic volume. The increases in purchasing power enabled many households to have their own cars. The population growth and the increased prosperity boosted demand for housing space, and for technical and social infrastructure.

Federal politics in West Germany responded to these developments by stepping up the recruitment of “guest

*Economic upturn and increasing importance of the automobile in the West – need for the economy to catch up in the East*



Bremen-Blockdick: New Housing Settlement on the Periphery of the City

*In the wake of an expansive urban development new urban districts and new cities grew up.*

workers”, expanding the traffic infrastructure (motorway construction, the building of new roads and the expansion of existing ones in the cities, the construction of rapid urban railways and underground railways, but also the reduction of the tram networks), and stepping up the expansion of educational and health facilities and, in particular, public-funded rented housing. The financial room for manoeuvre for state subsidy and investment programmes was expanded through increased tax revenue in the wake of the economic miracle. The guidelines of federal law for housing and urban policy were adapted to the changed societal and economic conditions through the amendment of the Federal Housing Construction Act and the introduction of the Federal Building Code.

Halle – Neustadt: New Residential Town on the Saale



In contrast, in the German Democratic Republic sustained economic problems and the economic priority of industrialisation meant that the ambitious housing targets could not be met. The superordinated objectives of housing and urban construction were primarily aimed, on the one hand, at meeting the great demand for housing and, on the other hand, supporting the development of the main focuses of industrial policy through the construction of new housing. This objective led to a further centralisation of urban planning and to an intensified industrialisation of construction. However, the housing policy in both German states was aimed at the family of four in the industrial society.

In many West German city centres economic and cultural centres emerged, where above all business and office uses were concentrated. The growing requirement for land to build housing and industrial sites now stood in sharp contrast to the problem of increasingly few reserves of land in the inner-cities. Suburbanisation set in. Growth in population and employment triggered off a considerable increase in the settlement areas in the urban fringe and in the urban hinterland. The amount of transport rapidly increased and concepts of an automobile-compatible urban development were given a boost. Existing roads were widened, bypasses were built as new roads and new traffic axes were driven through established urban districts.

In order to be able to design these changes in a well-planned way, in the Federal Republic of Germany guiding principles of central locations and graded densities won a new significance. According to these principles, settlement activity should be concentrated along efficient roadways and at rail transport stations and tram stops. On the basis of this underlying concept the building density for a great many urban construction projects was already increased during the planning phase. In the German Democratic Republic functionalistic urban construction concepts increased in importance in connection with the industrialisation of high-rise building construction and with the intentions to demolish whole areas of old buildings.

The design intentions in West German urban planning were rapidly overtaken by the dynamic development of the economy and the population. Under the strong



pressure to develop many cities soon concentrated their centre and density concepts to the urban fringes and the urban hinterland. In addition powerful economic actors (industrial, commercial and housing companies) acquired land used for agriculture in the urban fringe and in the urban hinterland. Some municipalities were unable to cope with the planning requirements and were hence willing to quickly resort to the support of the planning departments of, for instance, non-profit-making housing companies. Hence, the 1960s became the phase of the location of industry and new large housing estates in the urban fringe – very much characterised by the separation of functions between workplaces and purely residential areas. The housing settlements of this time were dominated by multi-storey housing construction, using industrial manufacturing processes. In the course of time, building development became increasingly higher and more dense. However, parallel to these relatively compact urban expansions, in the hinterland the settlement was increasingly diversified and characterised by low-density single-family housing areas.

In the German Democratic Republic multi-storey rented housing dominated; there was practically no significant construction of new one-family houses. In view of the quantitative orientation in housing, the standardisation of construction and of qualities of the flats became established, which ultimately led to the industrial pre-fabricated concrete construction method. The state guidelines for “complex housing” were intended to provide the simultaneous realisation of flats and societal facilities for education, health care, the supply of goods, etc.. In this way it proved possible to considerably increase the amount of new housing, which was mainly realised in new urban districts or even in new towns (for instance: Halle-Neustadt).

### 4.3 Urban Renewal in the 1970s

Spoilt by the previous “economic miracle” the oil crisis shocked many West Germans who had believed in continuous progress. The “Limits to Growth” recognised by the Club of Rome became tangible for many people. The price of petrol rose dramatically; car-free Sundays were introduced. The limited supply of oil underlined the dependency on natural

resources and on internationally-connected economic structures. The so-called “energy crisis” hit the highly-developed industrial states at the very time when the spatial limits of the cities were becoming apparent. The increasing migrations of inhabitants and companies to the urban fringes were the consequence of a growing prosperity but at the same time also an important prerequisite for further economic growth.

“Save our Cities” was the motto of the Deutsche Städtetag (association of German municipalities) at the beginning of the 1970s. It saw itself as a cry for help to bring about a radical change in urban construction policy. Up until then urban development policy in the Federal Republic of Germany had been too focussed on building new housing and had neglected existing housing stock. The Urban Renewal and Town Development Act created the basis for the renewal of the cities as a joint task of the Federal Government, Länder and municipalities. “Urban construction deficits” were from now on the object of comprehensive promotion. Other legislation was aimed at the increased modernisation of existing building stock – in particular with the aim of saving energy. At the same time it was recognised that long-term development can only be controlled through increasing urban research. This assessment led to the foundation of urban development institutes, to the establishment of communal urban development offices and to new interdisciplinary training concepts in urban policy.

In the German Democratic Republic the main issue on the agenda was the “solution of the housing issue”. At the beginning of the 1970s the state government had the ambitious goal of satisfying housing requirements by 1990. And during this decade new housing construction activities actually did reach the highest level in the history of the German Democratic Republic. Within the course of the industrial construction a total of over 2.1 million flats were built. However, this huge effort was only possible at the price of completely concentrating economic resources on new construction and at the same time exploiting every possibility of minimising building expenditure and effort. The previously intended demolition of old city centres was postponed for the

*New urban districts and new cities developed in the context of an expanding urban development.*

*Economic crises and migration to the urban fringes in the Federal Republic of Germany – intensified industrialisation and priority of new housing construction in the German Democratic Republic.*



Leipzig-Grünau: New Construction Area for 100,000 People (1976 to 1988)

time after 1980. The construction of new housing was concentrated at the urban fringe.

*Renaissance of urban construction density in the inner-cities and at the peripheries of cities*

In the Federal Republic of Germany the return to past values of urban qualities characterised the changed assessment of the value of previously neglected urban districts. The complaints about the desolation of the cities – primarily in the new construction settlements in the urban fringe – was at the same time the motive for the revitalisation of the urban districts containing old building stock. Apart from the technical modernisation of the fabric of the buildings, there was a focus on the improvement in the status of inner city

Bonn-Bad Godesberg:  
Extensive Replacement New Construction and Pedestrian Precinct



urban districts in society. Now the “trouble-free separation” of urban functions was no longer seen as the objective of urban development policy but, instead, the lively mixture of functions. Urban density was rediscovered as indispensable for urban styles of living.

The beginning of the urban renewal phase in the Federal Republic of Germany was characterised by a rather widespread, drastic, large-scale redevelopment. Whole blocks of buildings were demolished and new ones built in their place. In some big West German cities and in West Berlin “Hausinstandbesetzungen” (squatting to renovate derelict buildings) drew attention to political failings with regard to a socially responsible treatment of existing housing stock. Many inner-cities and town centres were not spared the drastic redevelopment associated with this “modernisation offensive”. Historic urban structures have disappeared in many places. Where individual objects were saved as witnesses to past building culture the radical nature of the interference in existing urban structures is still visible today.

However, during the past few decades in several towns and cities there were already signs of a careful urban renewal, taking into account the cultural heritage and traditional forms of architecture as well as the securing of stable neighbourhoods. Since this time the preservation of buildings of historic interest has become increasingly important as a component of urban policy. Urban renewal which retains existing buildings in German inner-cities was in many cases supplemented and secured through the setting up of pedestrian precincts and the creation of new car-parking spaces in multi-storey car parks and underground car parks.

In the German Democratic Republic the drawback of the urban policy fixated with new buildings was that the old building stock was completely neglected. There was practically no maintenance and redevelopment of the old districts or an inner development of the cities. The new building projects were almost exclusively realised in the urban fringe. The logic of reducing building expenses resulted not only in a drastic increase in the density of the residential areas and a reduction in urban qualities, but also meant that the facilities in the residential districts became increasingly limited.

#### 4.4 Urban Reconstruction in the 1980s

The economic structural change in the Federal Republic of Germany brought far-reaching changes in society, and in the sphere of working, living and leisure. A far-reaching rationalisation and automation of the manufacturing industry has compounded a considerable long-term unemployment. In the expanding service sector new areas of jobs and professions have established. The population development stagnated and an increased ageing of society became apparent. The number of small households with 1 to 2 persons increased particularly in the large cities.

Against this background residential and leisure behaviour also changed. The housing requirements of Germans increasingly showed a preference for an own home in a green area. Individual empty flats were used as a reason for restricting publicly funded building of new rented housing and for expanding the promotion of owner-occupied homes. In the German Democratic Republic, too, migrational losses (for instance in Karl-Marx-Stadt, today Chemnitz) became apparent in the individual main focuses of housing. The changes in the working world demanded more mobility from the gainfully employed. Also altered leisure activities led to an increased transport volume.

In the Federal Republic of Germany the political responses to the challenges of the 1980s concentrated on state support for investment and employment, above all in the form of tax incentives. These measures primarily relieved the dynamic economic actors. In housing policy the emphases were altered in favour of the creation of own ownership, particularly the promotion of owner-occupied homes. In contrast, urban policy was primarily oriented to the inner development of the cities. The main focus of the promotion of urban renewal by the Federal Government and the Länder was on the renewal of the districts with old buildings; however, in isolated cases it was also extended to the improvement of large housing estates.

Federal German municipalities were at that time trying to achieve a balance between urban renewal to maintain existing areas of the city, on the one hand, and the setting up of new areas of owner-occupied dwellings, on the other hand. This double strategy



Lingen: Redevelopment of Old Town



Görlitz: Building Damage in the Old Building Stock

aimed to retain a high-income population group in the cities and to win back other people from the hinterland. Under the pressure of stagnating economic and population development and an increased environmental awareness, elements of an ecologically-oriented urban development became increasingly important: inner development through maintaining existing buildings and reuse of brownfields with priority over outward development, reduction of settlement expansion and space-saving urban planning concepts in the case of unavoidable new building projects. In the German Democratic Republic, too, the value concepts slowly changed. Hence, established urban structures increased in esteem as a result of new urban-sociological and urban policy

*Economic and demographic structural change has social and political implications.*

*Turning back to the old urban districts.*



Bonn: Centre in the New Building Area Brüser Berg

research. However, in practice there was a lack of necessary reconstruction and redevelopment measures.

*Economic globalisation,  
European Integration,  
pluralisation of lifestyles,  
social polarisation in the  
cities.*

In urban policy practice in the Federal Republic of Germany at the end of the 1980s there was for the moment an end to large housing estates in the urban fringe. This was replaced by smaller projects of more dense one-family housing, mainly in the form of two- to three-storey terraced

Rostock Old Town:  
New Replacement by Pre-Fabricated Buildings with Special Elements



houses on small plots of land. In the districts with old buildings the approaches of extensive redevelopment were abandoned and replaced by concepts of careful urban renewal. Now the emphasis was on the maintenance and renewal of existing building fabric and supplementary new buildings in the gaps between the old buildings. Since this time rented accommodation has also increasingly been turned into owner-occupied flats.

The orientation towards existing building stock was accompanied by an increased commitment of citizens. This not only manifested itself in the shape of formal participation in accordance with the Federal Building Code, but also increasingly in the shape of informal forms of participation. Furthermore, particularly in the large cities, numerous resident projects established themselves, which tested the new forms of community-based and cross-generational living as well as the small-scale linking of working and living.

In the German Democratic Republic the logic of minimising expenses in new construction and neglecting old buildings increased even further. The qualities in urban planning and housing were reduced to a minimum basic provision of facilities and supplies of utilities, which meant that numerous new building districts remained unfinished (for instance Berlin – Hellersdorf). At the same time the decay of existing building fabric was obvious. Whole districts were sealed off because of safety reasons and in some cases there was demolition of extensive areas of old building fabric and new prefabricated buildings were used to replace them.

Until the 1980s considerably different value assessments had emerged in the populations of East and West Germany with regard to districts with old buildings and areas of new buildings. In the German Democratic Republic, because of the neglected structural state of old buildings, living in large new building districts tended to be seen in a positive light. In contrast, in the Federal Republic of Germany a greater esteem for living in modernised old buildings had emerged during the 1970s and 1980s.

#### 4.5 Multi-Faceted Urban Development in the 1990s

The 1990s were decisively shaped by the increasing globalisation of the economic markets. Not least the opening of the Eastern Block led to new sales markets, on the one hand, and, on the other hand, to new competitors for products and services on the global market. The opening of the markets corresponds with the progressive European integration and sustained immigration to Germany, not least from the former Eastern Block. Increasingly groups of residents comprising multi-cultural elements are characterising life in German cities. On top of this development there have been considerable changes in the demographic composition. Sustained high unemployment is leading to an increasing social polarisation in individual urban districts.

At the beginning of the 1990s, German reunification confronted politics and society with a historically unique challenge. After 40 years of separation and belonging to different social systems the task Germany faced was above all to balance out the living conditions in both parts of Germany. Numerous pieces of legislation had to be applied to the quite different problems of Eastern German cities; new laws (for instance the investment and measures act) were developed for the special tasks for dealing with the adaptation processes. The urban development was also characterised by considerable tax incentives for investors ("Gemeinschaftswerk Aufbau Ost" – common task Eastern reconstruction). Not least basic underlying problems in transferring state ownership of buildings and land to private ownership had to be solved. The claims for the handing over of possessions to former owners and the corresponding allocation of assets have considerably influenced the urban development processes in Eastern Germany.

The dominating principal orientation of the 1990s is sustainable urban development. Corresponding value assessments can take up on an environmental awareness which developed in the 1980s. Here the aims do not just simply focus on the consistent



Meißen: Revitalisation of the City Centre



Stralsund: New Area of One-Family Houses

conservation of resources but also include the conscious responsibility for the coming generation and for the solidarity with all people on the earth. The challenge of bringing together environmental issues (Rio Conference, Agenda 21) and urban development (Istanbul Conference, Habitat Agenda) characterises the complicated tasks at communal level aimed at reducing conflicting objectives between economic, ecological and social interests and combining them to create future-oriented

*A new guiding principle for the future of the cities: sustainable urban development.*

survival strategies. The main focus of urban policy efforts in Eastern Germany was the securing and improvement of the large housing stock in the so-called "Plattenbausiedlungen" (pre-fabricated construction settlements) and the revitalisation of the inner-cities.

The recognisable consequences of urban sprawl in the hinterland by new housing estates – which continued into the 1990s, in particular with area-intensive owner-occupied homes and the new industrial estates and retailing centres located on vast

areas of land triggered off a reorientation. In many cities urban reconstruction has now been given priority over new construction on green-field sites. Numerous practical examples for civil re-utilisation of military sites or for the alternative re-utilisation of areas of derelict industrial land underline the potential provided by a consistent urban renewal. Here the reactivation of brownfields is less hindered by the technical limits of rehabilitation than by the political limitations of private ownership of real estate.

## 5 Selected Tasks of Urban Development and Urban Policy

The following section presents eight selected tasks of urban development and urban policy in Germany. It is a conscious selection of issues which have determined urban policy practice and the debate on urban policy in the past few years and decades and today still rank amongst the most important tasks in almost all German cities. On the one hand, the selection of issues follows a rather spatial approach. For example, the inner-city thematises a very central urban area. On the other hand, the selection also follows important sectoral aspects of urban development. For instance, urban transport has had a very important impact on urban development in recent years, and conversely it is influenced by urban development. Between the individual tasks there are many points where they come into contact with each other and overlap.

This section is for presenting in today's day and age the changed tasks, objectives and approaches in urban policy practice over the past few years, and hence providing an appraisal of the current situation. Until German reunification several tasks had a definitely different status in Western German and Eastern German cities. The two social systems and differing values are reflected in the way the tasks were dealt with until this point in time. Today the starting situation is still different, but the approaches of the communal decision-makers in Western and Eastern Germany has in the meantime become more similar. Apart from these issues which has been addressed here, new challenges for urban policy are becoming evident; these will be outlined in the final chapter.

Aspect	Characteristics of the Multi-Functional City
History	History and uniqueness Inner-cities are unique (historical) entities. Residents can see and experience this in the ground plans, buildings and utilisation structures.
urban policy	Concentration, density and mass The structural, spatial and functional concentration of activities and information in the inner-city is a precondition for urbanity and attractiveness.
Function	Utilisation variety and mixture The uses living, working, utilities/supplies and leisure are mixed with each other and display a variety within their function.
Transport	Accessibility The prerequisite for communication, concentration, mixture, variety and publicness in the inner-city is an efficient transport system, consisting of public and private transport.
Region	Attractiveness and charisma The societal and economic importance of the inner-city depends on its size and centrality, and reaches out into the region in accordance with its importance.
Economy	Market and economy The tertiary sector, and in particular the retail trade, represents the guiding principle and the basis of the inner-city.
Politics	Publicness and representation The inner-city is the public space which contains facilities relevant to the public and where social and individual activities can take place. As the inner-city is an area with an extremely publicness, it also concentrates large social contradictions.
Changes	Dynamism Increasingly shorter product cycles and economic reinvestment periods lead to a permanent change in the structural design and functional mixture of the city centre.

Chart 6  
Characteristics  
of the Inner-City

### 5.1 Development of Inner-Cities and Urban-District Centres

*The inner-cities still have a special position in the urban structure. Therefore special attention is paid to their development.*

Inner-cities have a particular importance in the structure of the city. Through their usually historical city centre and their outward appearance many cities win their own unmistakable profile and offer possibilities of identification. They are characterised by urbanity, a wide range of utilisations and consequent liveliness. Inner-cities are (still) important places of trading, central places of communication and important locations for services and cultural facilities. They offer numerous jobs and are a frequently sought-after place of residence. They are generally characterised by a high residential quality.

#### *Different development in Western and Eastern Germany until reunification*

There are differences between the inner-cities in Western and Eastern Germany. In Western Germany the residential population had already been migrating since the 1960s to the urban fringe and to the hinterland. In Western Germany

commercial complexes and industry which disturbed the urban environment were also moved from inner-cities years ago. In a second wave of suburbanisation, retailing has also for several years been relocating to extensive shopping and leisure centres in the suburbs. Now these losses of functions for the inner-cities have also been perceived as a threat in Western Germany, and this has led to numerous activities for maintaining and developing lively inner-cities.

Until reunification there was no comparable development in Eastern Germany. Many inner-cities were threatened by structural decay of the building substance. During the first few years of reunification the poor building material and the initially uncertain ownership situations were two important reasons why the upturn in trading, services and urban infrastructure only made slow progress in the inner-cities of Eastern Germany. In the cities of eastern Germany there has been a considerable loss of functions following reunification. Competition from retailers on greenfield sites is particularly marked here, and has considerably influenced inner-cities in recent years.

Bremen: Inner-City



Hence in Western Germany there are threats to the maintenance and development of lively inner-cities and urban-district centres, whereas in Eastern Germany there is a threat to their being established in the first place. The particular position of the inner-cities is threatened repeatedly in both the West and the East. Residential use can only be retained to a certain extent because of the high prices of real estate and rents. Office use is more profitable and is establishing itself in the inner-cities. At the same time the inner-cities have lost a great deal of their attractiveness as shopping centres. There is great competition from the decentralised locations. New operating forms in retailing, such as specialist markets and hyper markets are difficult to integrate in inner-cities. Urban decay tendencies with accompanying drops in the quality of life and services are the consequence for many inner-cities. The increasing traffic loads continue to cause particular problems in the inner-cities.



### *Multi-faceted strategies for strengthening the inner-cities*

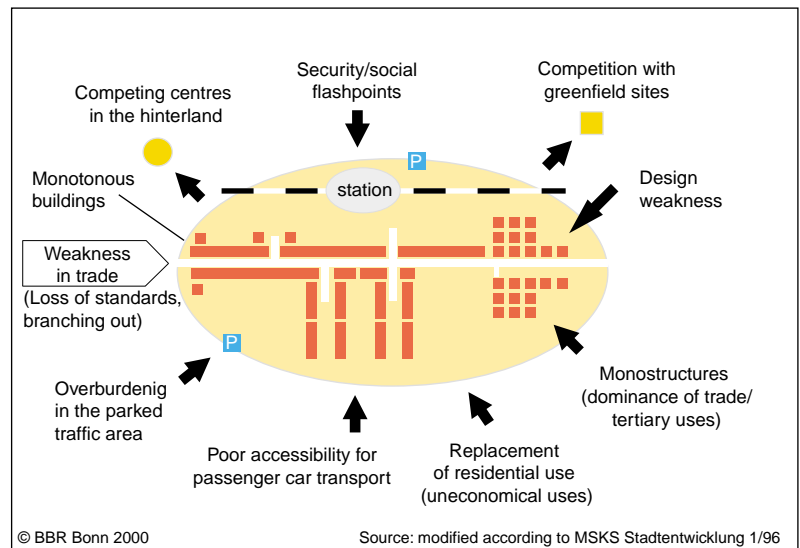
For years now the activities of urban planning and urban development have been specially aimed at the inner-cities. In recent years there have been repeated efforts aimed at improving the quality of the inner-cities. Starting with the setting up of pedestrian zones through sustaining urban renewal, there were already numerous attempts to improve the situation in Western Germany in the 1970s and 1980s.

Today there are a wide range of initiatives and proposals for strengthening the inner-cities. Communal umbrella organisations, trading associations or the responsible ministries at Federal or Land levels both believe that the future shaping of our cities is very dependent on the development of the inner-cities and urban-district centres. Here lively inner-cities require a functioning trade sector. The strengthening of the residential function and the implementation of traffic concepts which are compatible with inner-cities are further prerequisites for the development of inner-cities. The cultural heritage of buildings and the variety of the available culture enrich the inner-city and are important starting points for a inner-city policy. Visitors and residents should feel safe in the inner-cities. In addition, it is assumed that a more intensive mixed use can contribute towards stabilising the inner-cities.

For solving these tasks for the development of the inner-cities and urban-district centres, amongst other things, the following is recommended:

- Concepts for the development of the inner-city and urban-district centres, which are integrated in a centres concept for the city as a whole. Such centres concepts form a basis for the evaluation of urban construction projects and, together with the urban development plan, form a framework for urban land-use planning.
- Communal political decisions on the centres concepts, which then have to be implemented in terms of procedure and organisation. For this purpose a voting procedure which has been agreed and moderated at intra-communal and inter-communal level is helpful (the forming of so-called "Round Tables").

**Figure 22**  
Problems in the Inner-Cities in the Mid-1990s



- Setting up a master plan as a planning and planning implementation instrument with costs and financing overviews. This can be the further basis for coordinated public and private action. ("Public-Private Partnership").
- City marketing concepts, which can contribute to coordinated individual action on the basis of common objectives. Such concepts help to provide efficient cooperation between politics, administration and industry, and improve the projection of the city and the regions' image.

In May 1998 the Federal Ministry for Regional Planning, Building and Urban Development, together with communal umbrella organisations and representatives from society, industry and science, worked out an "Initiative Pro Innenstadt" ("In Favour of the Inner-City Initiative". It contains theses and approaches for action for maintaining the inner-city functions and inner-city development.

1. The variety of the cities and cityscapes reflects the quality of Germany as a location.
2. The shaping of the future of our cities and hence the shaping of the future of Germany decisively depends on the development of the inner-cities (and urban-district centres).
3. A more intensive mixed use stabilises the inner-cities.
4. Living cities require functioning trade as a prerequisite – trade in the cities requires environs with residential quality and quality of life.
5. The strengthening of the residential function is an absolutely necessary prerequisite for lively inner-cities.
6. The cities require user-friendly, inner-cities-compatible traffic concepts.
7. Railway stations and their environs can provide important impulses for a sustainable urban development
8. People must feel safe in their inner-cities.
9. The cultural heritage of building substance and the variety of cultural supply enrich the inner-city.
10. City and region rely on each other.

## 5.2 Urban Renewal in Inner-City Districts with Old Buildings

Careful urban renewal in inner-city districts with old buildings is a field of tasks for the interior development of urban construction, which is aimed at maintaining and modernising the existing buildings. In Western Germany the policy of urban renewal has a long tradition and after reunification the Eastern part of Germany was included in this process. Because of considerations aimed at an environmentally and socially-acceptable urban construction, it is worthwhile maintaining existing buildings and hence guaranteeing their use. The concepts for utilisation and action carefully drawn up within the framework of urban renewal is intended to contribute towards a socially and environmentally-compatible development of the districts. The local planning strategies are not just related to construction measures but also include, for example, measures from the social, employment or cultural sector. They are hence integrated approaches.

The objective of urban structural planning is to maintain mixed structures or to increase these through urban reconstruction measures, in order, for instance, to facilitate the functions of living, working, supplies of goods and utilities, education, social aspects, leisure and culture to exist within a small area. A delicate mixture of functions and

enrichment should lead to district structures which offer shorter distances to different uses.

In securing and intensifying residential usage, the main focus should be on maintaining, redeveloping and modernising housing – and this should be oriented to the interests of the user. Attention should also be focussed on keeping local commercial enterprises in the area and stabilising small craft industries. Particularly in the inner-city districts with old buildings in Eastern Germany it is still important to create the prerequisites for an economic revitalisation. The aim of re-orientation measures for transport are widespread improvements and not expensive constructional traffic-calming measures.

The maintenance and careful renewal of buildings or ensembles of buildings which are valuable in terms of urban construction is an important task, particularly in the inner-city districts with old buildings. The cityscape is made more attractive, and architectural and urban construction qualities are created, which belong to the “soft” location factors. In maintaining and looking after the existing buildings and in reconstruction measures – i.e. redeveloping and modernising – ecological building should be fulfilled.

There are possibilities for additional construction in the small gaps between existing buildings, and through renovating

*Today urban renewal means a careful use of the existing building fabric. At the same time, the social composition of a district and the variety of functions have to be considered and maintained.*

Urban Renewal in Nuremberg Gostenhof-Ost:  
Ecological Residential and Commercial Centre

Architect: J. Eble

### Ecological Urban Renewal in Nuremberg Gostenhof-Ost

The project of ecological urban renewal began over a decade ago in Nuremberg Gostenhof-Ost. Tried-and-tested forms of simplified redevelopment of Wilhelminian buildings in inner-city areas and an ecological orientation were to be combined with each other. In an open planning process - which initially did not stipulate ecological content and projects but, instead, was intended to be developed mutually with the citizens of the city – all living aspects of the citizens of the urban district were declared as possible fields of action. In addition to the classical fields of action – i. e. the modernisation of old buildings, construction of new housing as part of the improvement of housing environs, urban green space, transport, supplies of utilities and waste disposal and industry – the new fields of action were education, culture/leisure, health, social relations and household/consumer behaviour.



and expanding attic floors and re-development of brownfields. However, in districts where the existing buildings are compact – and that is frequently the case in inner-city districts with old buildings – it is not advisable to fill every space which is available for building on. Instead, it can be important to keep areas of open space and to achieve an improvement in the micro-climate through establishing a network of green areas and open spaces.

Today, within the framework of urban renewal, forms of action are practised which are oriented towards “real” dialogue and cooperation with the affected people, residents and businessmen and women, and which encourage an active involvement in the renewal process. Initiating and qualifying processes for ecological planning and construction are suitable for promoting willingness on the part of affected persons to participate in the environmentally-compatible renewal process. In this connection the planning is characterised by frankness and consensus and process-orientation. The approach is in small subdivisions and also offers the advantage that incorrect developments in planning can be more easily corrected.

An organisational integration of the urban renewal into a flexible planning and implementation model has proved advantageous. The carrier model should be “tailored” to the local situation and the complexity of the need for renewal.

### 5.3 Urban Reconstruction on Brownfields

In recent decades the reactivation of brownfields in inner-city areas has become a key task of urban development in Germany. Brownfields adjacent to the inner-city are primarily “used”, frequently “neglected” areas, with deserted buildings which require special activities before they can be used for their old functions or adapted for other uses. In nearly all German cities there are now examples of such former commercial districts or industrial plants, former military areas or areas devoted to transport purposes (former railway or dock areas), which today are no longer used for their original purpose. In recent years new purposes are also being sought for office buildings or public infrastructure facilities.



Nordhausen: Barfüssergasse before Redevelopment



Nordhausen: Barfüssergasse after Redevelopment

#### *Different causes of the emergence of brownfields*

The causes of areas becoming derelict is, on the one hand, due to locational decisions on the part of private business (commerce or industry) and, on the other hand, location decisions of public institutions (military or transport).

Commercial or industrial brownfields are the result of economic structural change. This either leads to a final abandonment of certain production plants – particularly textile, coal, iron or steel production – but also to a relocation of companies from the inner-cities to the urban fringe and increasingly to the hinterland. In Western Germany in particular this structural

*The reuse of inner-city brownfields has for some years been a central task of urban development.*

Chart 7  
Selected Examples of the Reactivation of Inner-City Brownfields

Type of brownfields Type of region	Commercial and industrial brownfields	Mining sectors	Military brownfields	Transport brownfields
Old industrial region	Oberhausen: <sup>1</sup> Former steel and rolling mill Gutehoffnungshütte converted into shopping centre CentrO  1988–1996  Approx. 100 ha.	Bottrop: <sup>5</sup> Former abbatoir Prosper III converted into mixed urban district with rented flats, one-family houses, industry, local supplies and park  1987–1997  Approx. 29 ha.	Bremen: <sup>8</sup> Former Cambrai barracks and Scharnhorst barracks converted into flats  1992–1997 (mainly completed)  Approx. 13 ha.	Bremerhaven: <sup>12</sup> Former harbour converted into mixed leisure and residential area  Since 1990  Approx. 58 ha.
Agglomeration with high competitiveness	Düsseldorf: <sup>2</sup> Former Oberbilk steel plant converted into expansion of city centre to the east of the railway station  1983–1989  Approx. 11 ha.	None exists	Stuttgart: <sup>9</sup> Former Flander barracks converted into housing complex "Burgholzhof" with around 1,000 housing units  Since 1993  Approx. 10,5 ha.	Cologne: <sup>13</sup> Former freight station Gereon converted into media park (services in the media sector, cinema, flats)  Since 1988  Approx. 20 ha.
Rural region	Nordhorn: <sup>3</sup> Former textile factory Povel converted into mixed area to supplement city centre  1986–1997 (mainly completed)  Approx. 14 ha.	Minden: <sup>6</sup> Former company site of the mine Meißen-Dorf converted into industrial estate  1985–1990  Approx. 8 ha.	Lüneburg: <sup>10</sup> Former Scharnhorst barracks converted into university location  Since 1991  Approx. 13 ha.	Coesfeld: <sup>14</sup> Former rail track system converted into commercial area  Since the end of the 1980s  Approx. 15 ha.
New "Länder"	Riesa: <sup>4</sup> Former steel plant converted into new industrial area  1991–1996  Approx. 70 ha.	Borna: <sup>7</sup> Former briquette factory converted into mixed-use district  Since 1994 (first competition level completed)  Approx. 20 ha.	Brandenburg: <sup>11</sup> Former Flak barracks converted into Land authorities centre  1993–1995  Approx. 4 ha.	Wittenberge: <sup>15</sup> Former railway site converted into reserve sites for building purposes  Since 1995  Approx. 18 ha.

<sup>1</sup> Beiträge in Bauwelt (1996) H. 6, S. 2528–2561: Werner, F.: Jedes Ding hat seine Halbwertszeit. Die „Neue Mitte“ von Oberhausen; Albus, V.: Global Village Oberhausen. Über die Warenwelt in der „Neuen Mitte“; Gatermann, A.: Eddie goes Emscher. Bericht zur Planungsgeschichte aus der Sicht der Architekten; Blume, J.: Oberhausen und der Strukturwandel

<sup>2</sup> Ministerium für Stadtentwicklung, Wohnen und Verkehr des Landes Nordrhein-Westfalen (Hrsg.): Stadterneuerung in der Industrielandschaft. Die Landeshauptstadt Düsseldorf. – Düsseldorf 1989

<sup>3</sup> Wiegandt, C.-C.: Altlastensanierung und Reaktivierung von Brachflächen. Abstimmung von Sanierungs- und Nutzungskonzepten. In: ExWoSt-Informationen zum Forschungsfeld „Städtebauliche Erneuerung“ Nr. 10.9, 1994, S. 20–24

<sup>4</sup> Stadt Riesa (Hrsg.): Die Umstrukturierung des Stahl- und Walzwerkes Riesa. Bilanzen und Perspektiven. – Riesa 1994

<sup>5</sup> Trinka, E.: Fallbeispiel Prosper III in Bottrop. Aus einer Zechenbrache wird ein neuer Stadtteil. In: Genske, D.; Noll, H.-P. (Hrsg.): Brachflächen und Flächenrecycling. – Berlin 1995, S. 253–257

<sup>6</sup> Heller, C.: Von der Zechenbrache Minden-Meißen zum hochwertigen Gewerbepark. In: Flagge, I. (Hrsg.): Industriebrachen. Vom Industriepark bis zum Medienzentrum. – Stuttgart 1990, S. 101–105

<sup>7</sup> Stadt Borna (Hrsg.): Städtebaulich-landschaftsplanerischer Ideenwettbewerb Brikettfabrik Witznitz. – Leipzig 1996

<sup>8</sup> ExWoSt-Informationen zum Forschungsfeld „Konversion“ Nr. 2, 1993, S. 4–7

<sup>9</sup> Bertram, M. und M. Elleser: Konversion militärischer Liegenschaften am Beispiel der Städtebaulichen Entwicklungsmaßnahme „Bad Cannstatt – Burgholzhof“. In: Mitteilungen der Landesentwicklungsgesellschaften und Heimstätten (1997) H. 1, S. 31–34

<sup>10</sup> Vogel, W.: Hochschulstandort Lüneburg – Chance durch Konversion. In: Mitteilungen der Landesentwicklungsgesellschaften und Heimstätten (1997) H. 1, S. 28–30

<sup>11</sup> Minister für Wirtschaft, Mittelstand und Technologie des Landes Brandenburg: Jahresbericht Konversion 1995/96 für das Land Brandenburg. – Potsdam 1996

<sup>12</sup> Seestadt Bremerhaven: Sanierung Alter Hafen/Neuer Hafen. Ozean Park. – Bremerhaven o.J.

<sup>13</sup> Schröder, C.F.: MediaPark Köln. In: Bauwelt (1996) H. 45, S. 2524–2525

<sup>14</sup> Stadt Coesfeld: Rückbau und Umnutzung aufgegebenen Bundesbahnflächen in Coesfeld. Abschlussbericht Forschungsfeld Städtebau und Wirtschaft. – Coesfeld 1995

<sup>15</sup> Schneider, J.: Das Bahnhofsprogramm Brandenburg. In: Standort – Zeitschrift für angewandte Geographie (1997) H. 2, S. 9–18

change has been taking place since the 1970s and 1980s, and in Eastern Germany this has been taking place in a particularly radical form since the 1990s. In old industrial regions and cities with weak economic structures there is usually no demand for the areas which have been abandoned. Here the areas are therefore more frequently derelict than in the economically strong areas, where a new utilisation is rapidly found because of the greater demand for space.

In recent years the location decisions of public institutions above all affected the military. Since the beginning of the 1990s numerous areas have been made available in the wake of disarmament and a reduction of the military armed forces in Eastern and Western Germany. At the beginning of 2000 this involved an area of over 400,000 hectares (more than Saarland with its 257,000 hectares). However, approximately 20 % of this is in the outer districts of the city and hence less relevant for urban development. Nevertheless, the inner-city barracks play a major role in urban development. They offer good prerequisites for the creation of diverse and lively urban districts.

In the last few years decisions in the wake of the restructuring of Deutsche Bahn (German Rail) have contributed to the emergence of stretches of brownfields. Recently large areas of railway land have become available for urban development. In a period of 15 years Deutsche Bahn is planning to sell real estate worth DM 13 billion. In addition Deutsche Bahn has founded an own real estate company, in order to use its own areas of land as optimally as possible.

Apart from the areas of land owned by Deutsche Bahn, for several years now large areas of dockland have become available for urban development in areas which even in areas away from the coast are locations next to the water, and these are predestined for urban development, because new harbour technologies cannot be realised at the old harbours near the inner-cities. The planned harbour city in Hamburg is currently the largest planned project in Germany for the reactivation of an old harbour area. Finally, there are other special services, such as trade fairs (Leipzig, Munich), which are being moved to the urban fringe, leaving valuable areas of land in the inner-cities.



Bitterfeld: Rehabilitation Work at Chemie AG

#### *Problems of Reuse*

Reusing brownfields causes problems in different ways:

- The new uses do not always suit the old buildings
- The areas formerly used for industrial purposes have a bad image, or
- potential waste deposits from the decades of industrial or military use can make reuse difficult.

Nordhorn-Povel: Rehabilitation of Waste Deposit Sites and Reactivation of Brownfields



Since the mid-1980s a new mixed-use district has grown up on the site of an old textile plant in the immediate vicinity of the historic inner-city of Nordhorn. Since the beginning of the year 2000 there are over 600 new flats and more than 700 jobs in the inner-city district. Part of the old production plants had to be demolished, existing waste deposits are being redeveloped with a process specially developed for the location. With the integration of waterways it proved possible to increase the attractiveness of the former industrial location and improve the image of the location. In the meantime another textile plant has given up its production in Nordhorn and another stretch of brownfields is being reactivated.

**Figure 23**  
Cadastral map of  
brownfields in the  
Emscher-Lippe region

Many German cities have systematically begun surveying building land and drawing up special cadastral maps of brownfields. One example of this is the area atlas, Gisela, for the Emscher-Lippe region, which can be viewed as a geographical information system on the Internet. Section 200, subsection 3 of the German Building Code explicitly allows this.



© BBR Bonn 2000

Source: [www.gis-ela.de/fatlas/index.html](http://www.gis-ela.de/fatlas/index.html)

the reuse of these brownfields only takes place without great communal support in a few cities with high building land prices and high real estate prices. In almost all cities and municipalities this requires planning support, financial support and organisational support from the decision-makers at communal, state and semi-state levels. For this purpose it is important that the cities develop concepts for suitable subsequent uses.

Due to the high settlement density, and also due to the ongoing challenge to keep the fringe area as free as possible from building, the reactivation of brownfields has become an important task of urban policy in the inner-cities. Whereas the reactivation of the brownfields has been carried out in Western Germany since the 1970s and then also on an increasing scale in the 1980s, in Eastern Germany it has only been part of the daily agenda of urban policy tasks since reunification. Whereas there are brownfields projects in almost every Western German city and initial successes can be registered, the reuse of brownfields in Eastern Germany still causes particular problems. On the one hand, there is frequently no appropriate demand and, on the other hand, during the 1990s the ownership situations were still not clarified in some cases, so that it was simpler to invest on the urban fringe.

#### **5.4 Further Development of the Large Housing Estates**

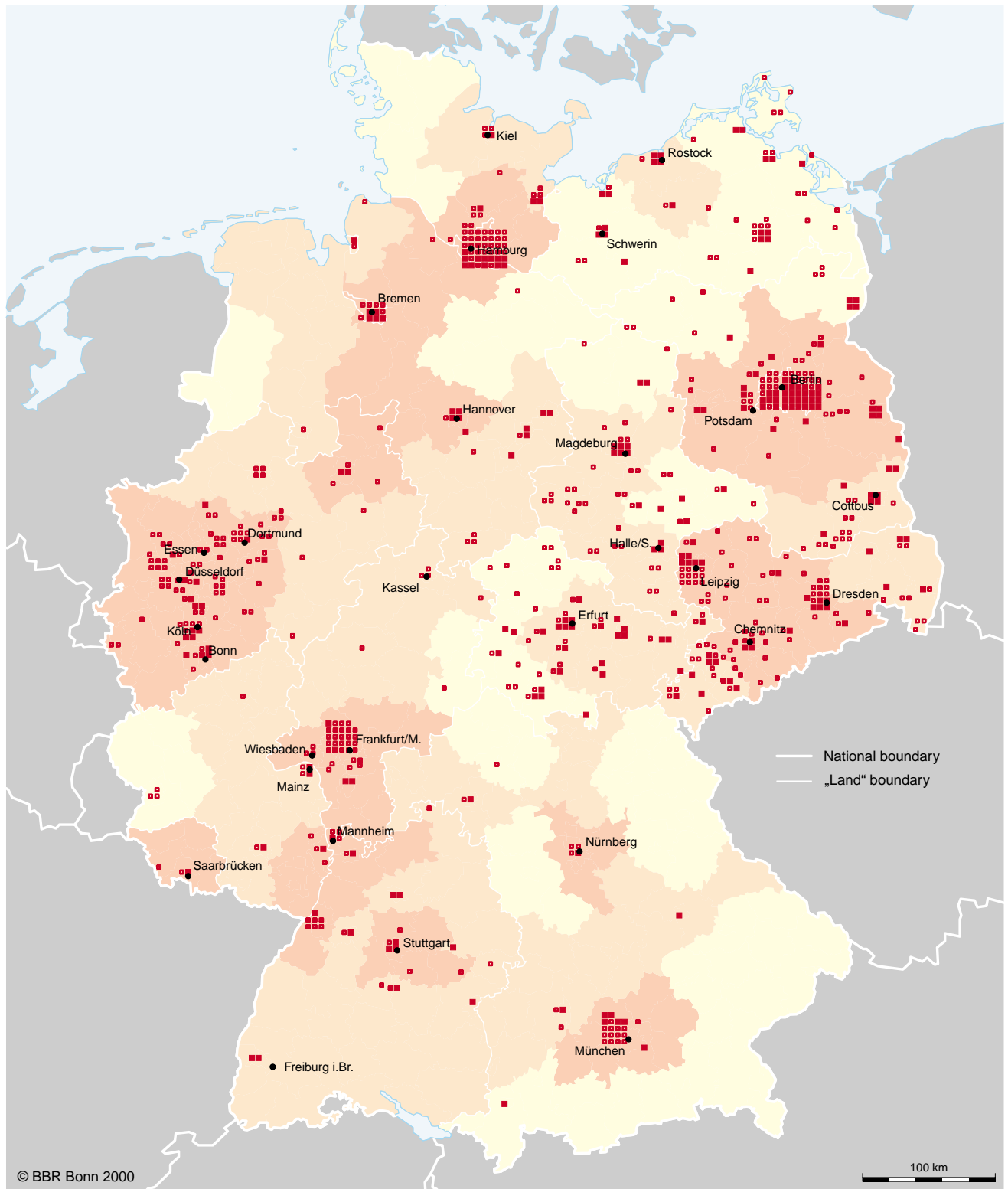
With the advent of the large housing estates since the Second World War, an independent type of area has emerged, which considerably shapes the structures and appearances of our cities and municipalities. These settlements are very important for the urban developments in our cities and they make an important contribution to the supply of housing. In Western Germany about every 15<sup>th</sup> private household lived in such residential areas and in Eastern Germany it is even every 5<sup>th</sup> household.

In the German Democratic Republic the large housing estates were sought-after for a long time, since the new buildings were relatively well equipped in comparison to the neglected areas of old buildings. The popularity of the new housing estates led to broadly-mixed social structures. In contrast, in Western Germany large housing estates one-sided social structures emerged

- In addition, not all owners are willing to sell brownfields. An agreement on the price is made more difficult by the fact that the potential buyers and the owners of the plots of land make differing assessments of the utilisation possibilities of the old buildings or the rehabilitation of existing waste deposit sites.
- Finally, there is great competition from favourably-priced land in the urban fringe, which makes reuse of inner-city areas more difficult.

Today stretches of brownfields, which have in the meantime been reactivated, are now either used for residential purposes, other commercial uses, often offices, mixed uses or green areas. The transition to new uses or

Figure 24  
Locations in Germany with Large Housing Estates



**Settlement structure**

- Agglomeration areas
- Urban areas
- Rural Areas

**722 known large housing estates**

- 1 000 to less than 2 500 flats
- more than 2 500 flats

Source:  
ExWoSt-Documentary of the BBR 1995  
Spatial Monitoring System of the BBR



Cologne-Chorweiler: Area Centre from the 1970s

at an early stage because of one-sided occupation connections.

#### *Significance for Urban Policy*

The ideological origins of the large housing estates go back to the “New Construction” of the period between the two World Wars: functional separation, light, air and sun, green spaces, mobility, constructional and urban usefulness. These maxims achieved almost universal significance. They were taken up across the borders of the societal systems with the intention of improving large sections of the population. With the industrialisation of the construction industry new technical and economic conditions emerged which promised to find a quick solution to the problems of

providing housing after the war. In the mid-1950s this type of construction had to a great extent established itself for new urban building projects: large housing estates were now built in both the German Democratic Republic and the Federal Republic of Germany and in several other countries.

The new housing estates were primarily built as large-scale projects with more than 1,000 flats by a few large owners – i.e. by state, non-profit-making and cooperative housing construction carriers on the basis of uniform urban construction concepts. Today in the whole of Germany there are over 720 of these types of big housing estates. They have more than 2.3 million flats and account for approximately 7 % of the entire housing supply. There are more than 380 settlements with a total of 1.5 million flats in Eastern Germany alone; this makes up approximately 22 % of the Eastern German housing supply.

In the large cities the very large housing estates in the urban fringe have shaped recent urban development: for instance housing estates such as Marzahn and the Märkische Viertel in Berlin, Leipzig-Grünau or Munich-Neuperlach, with well over 10,000 flats, are the same size as independent towns. In many small and medium-sized towns the large housing estates dominate the entire urban development. Here they often have a greater proportion of settlement area and flats than areas of self-owned houses – for instance in Schwedt with over 90 % and in Hoyerswerda with about 80 %.

#### *Status within the Urban Renewal Process*

After this type of area became increasingly subjected to public criticism and flats were left empty in large West German housing estates, at the beginning of the 1980s the “improvement of large housing estates” emerged as a new field of action for urban renewal; first areas became the object of experimental housing and urban policy and the promotion of urban policy. These projects were mainly still aimed at subsequently overcoming defects and compensating for deficits which had already arisen during the conception or realisation of these areas.

After German reunification the “urban-policy further development of large new housing estates in Eastern Germany” was anchored in experimental housing and

Leipzig-Grünau: Modernised Residential Buildings in Housing Complex 1





urban policy and in the promotion of urban renewal. Here the main focuses of development and promotion range from preparatory investigations and overall plans through projects for improving housing and for the expansion of the social and cultural infrastructure right down to consulting and participation measures. Since 1993 the Federal Government, the Länder and the municipalities have promoted urban planning measures in 165 large Eastern German housing estates and invested over DM 1 billion of public funds for this purpose.

To complement the urban planning measures the pace of the constructional and technical renewal was stepped up. With support from a special promotion programme from the Reconstruction Loan Corporation the housing owners have now renovated and modernised approximately 40 % of the existing housing in large housing estates. Through the district-related combination of urban planning and housing construction measures it was possible to make noticeable improvements to housing and living conditions here.

#### *Current problems and future challenges*

Despite all successes in urban renewal the large housing estates still have structural problems which also cause many-facetted follow-up problems for these areas themselves, for the neighbouring urban and countryside regions and for the entire city. The function of the large housing estates is still one-sided in its concentration on a residential purpose. Frequently these large housing estates have absolutely no functional and shaping integration. The existing supplies of space for housing, supplies of goods and services and leisure do not take adequate notice of the changed social and demographic requirements. The homogenous large forms make it more difficult for residents and visitors to gain an overview or orientation in these areas or identify with them. Therefore great efforts are still necessary over a period of many years for the structural and urban renewal of the large housing estates.

In addition, the social stabilisation, the environmentally-compatible and economically-viable further development of the large housing estates is increasingly becoming an important part of sustainable urban development. Following phases of subsequent improvement and further

urban development, now the future-oriented development of the large housing estates into independent and multi-functional urban districts with spatial proximity between living, working, education, supplies of goods and services is on the daily agenda. The most important challenges of the future include: function supplementations, urban spatial integration, development of the community, the commitment of citizens and the solidarity between the social groups and generations, as well as a future-oriented, socially-compatible and district-compatible solution to the problems of empty flats.

### **5.5 Development of New Urban Districts**

During the 1980s there were very different emphases in urban development in the two German states. In the German Democratic Republic the districts with old buildings continued to be neglected and new large housing estates were still built or existing ones were expanded. In the Federal Republic of Germany inner-city development and renewal of existing buildings had taken priority over expansion of urban expansion. However, since German reunification an increased number of new building projects have been planned and realised in Eastern and Western Germany. Such new urban districts are arising in Hamburg – Allermöhe West, Berlin – Karow Nord, Potsdam – Kirchsteigfeld, Bremen – Hollerland, Freiburg – Rieselfeld.

#### *Large urban construction projects – urban districts with a new character*

At the beginning of the 1990s the opening of the borders in Central and Eastern Europe triggered off a large-scale migration to Germany and migrations of people from Eastern Germany to Western Germany. This meant that housing requirements generally increased in Germany as a whole and in Western German urban regions in particular. This development was increased further by growing demands for living space per person.

Federal Government policy reacted to these changes by increasing the promotion of housing construction, in particular through tax incentives. Consequently there was a sudden huge increase in new building

*Since the beginning of the 90th the need for housing has grown. Therefore new urban districts have developed in the urban fringes in some German cities.*

**Chart 8**  
A Selection from 25 New Urban Districts in the 1990s

Construction measure	Size (in ha.)	Number of housing units	Inhabitants	Jobs	Construction time
Berlin-Karow Nord	80	4,819	10,000		until 1999
Berlin-Buchholz West		2,800			until 1999
Berlin-Altglienicke		1,520			until 1999
Berlin Rudow Süd/Trapez		1,710			until 1999
Berlin Weiße Taube		1,166			until 1997
Berlin-Marzahn Eisenacher Straße		1,200			until 1999
Falkensee-Gartenstadt Falkenhöh	35	1,350	current. 2,700	no info.	1,080 housing units completed
Stahnsdorf-Schwarzer Pfuhl	33	1,100	current. 250	no info.	100 housing units completed, constr. until 2002
Potsdam-Kirchsteigfeld	60	2,500	4 420	industry envisaged	1994 – 2000
Brandenburg housing and industrial estate Görden	84	1,175	3,000	no info.	no info.
Bernau housing and industrial estate Viehtrift	14	2,500	4,500	no info.	realised
Bernau residential park Friedensthal	22	1,700	current. 800	no info..	454 housing units completed
Bernau-Barnimer Park	24	1,200	current. 1,020	no info.	567 housing units completed
Wildau residential park Röthegrund	24	1,050	current. 1,200	no info.	600 housing units completed
Wustermark residential and service centre An der Siedlung	31	1,150	1,840	no info.	800 housing units completed
Borkwalde	56	1,500	current. 1,200	no info.	1991 – 2000
Hannover-Kronsberg	70	3,000	7,000	2,000 to 3,000	until 2000; in the long term expansion to 150 ha.
Hannover-Steinbruchsfeld	40	1,200	3,500	mixed area with group of shops	until 2005
Bremen-Hollerland (Horn-Lehe West)	22	1,400			1996 – 2002
Bremer-Weidedamm	17	1,100	3,000		1997 – 2003
Hamburg-Allermöhe-West	120	5,750	10,000		after 1995
Münster Gievenbeck-Südwest	93	2,300	4,000		1997 – 2003
München-Messestadt Riem	556	7,000	16,000	13,000	1996 – after 2005
München-Panzerwiese	100	3,000	5,800		1997 – after 2005
München-Freiham	292	11,000	22,000	6,000	after 2000

Source: Own investigations of the BBR

activities. Many communes supported this development through a generous allocation and development of new building areas. Consequently a new characteristic emerged for big urban construction projects.

These new urban districts generally grow in the urban fringe or in the hinterland of large cities (for instance in the metropolitan region of Berlin). They primarily provide

a supply of housing, frequently in combination with publicly promoted and privately financed housing. They are each based on an overall urban construction concept; often they are realised by a project carrier (private investor, city or development carrier). The new urban districts usually cover an area of 30 to 50 hectares, with 1,000 to 2,000 flats; in individual cases they can cover areas of over 100 hectares with several thousand flats. Investments of billions are ploughed into such projects over periods of 10 or more years.

#### *New urban districts – new qualities?*

Currently lessons are being learnt for the new urban districts of the 1990s from the experience gained with the old large housing estates. Hence, during the planning phase more sophisticated and differentiated processes for involving the public and coordination between those participating in the project (for instance planning workshops in Viernheim-Bannholzgraben) and the improvement of the urban construction design (for instance

Potsdam-Kirchsteigfeld:  
Small-Unit Building  
Structure and Varied  
Architecture



the design committee in Bocholt-West) were carried out. Also a structure with smaller units and a greater variety of ownership and carrier structures is aimed for. Hence this is also linked with a departure from homogenous big forms and a trend towards a more varied architecture (for instance Potsdam-Kirchsteigfeld).

In many cases improved local public passenger transport networks are created and more favourable prerequisites for pedestrians and cyclists. Further urban-ecological issues are taken into consideration – amongst other things, in the form of low-energy construction methods, coupled heat and electricity generation in the proximity of the consumers, renewable energies, decentralised sewage treatment and waste recycling.

Furthermore, differentiated supplies of housing and utilities are created. Through the district-related combination of different forms of ownership and financing in building multi-storey blocks of flats – and partly also in the case of single-family homes (for instance in Hamburg-Allermöhe) the spectrum of forms of flats is being greatly expanded. Apart from this, efforts are being made to provide the districts with social facilities and local supply facilities at an early stage (for instance in Freiburg-Rieselfeld).

An important feature of the new urban districts is that they have relatively compact building structures. In contrast to the open and less monotonously constructed residential areas in smaller municipalities and in the urban hinterland, they achieve a comparably high density with storey area figures of 1.0 to 1.2. In this way they make an immediate contribution to restricting the growth of settlement areas. In Freiburg, in connection with the more dense new building district, 2/3 of the Rieselfeld district has been subjected to landscape preservation and is hence protected in the long-term against being used for building purposes.

#### *Conflict between covering requirements and protecting resources*

Compared with older large housing estates and more recent owner-occupied dwellings, in the new urban districts increases in urban construction qualities and contributions to more varied social structures and a slowing down of the



Freiburg-Rieselfeld:  
Compact Urban District  
with a Tram Link, Services  
and Shops

consumption of resources can be observed. Nevertheless, even in these cases two important requirements for sustainable urban development remain to a great extent unfulfilled: on the one hand, every new urban expansion project – no matter how compact it is – uses up additional areas of landscape and, on the other hand, settlements are being established which once again are primarily residential.

Meeting the growing requirement for residential space conflicts with the objective of protecting resources. In view of these conflicting interests, future estimates of requirements have to be constantly checked. In retrospect it can be ascertained that the immigration has in recent years remained below earlier expectations. Also in Eastern Germany the amount of living space per person has not approached the level of Western Germany at the pace frequently expected at the beginning of the 1990s. Not least, it must be taken into account that numerous cities and regions – particularly in Eastern Germany – have existing housing which remains empty.

General conclusions from acute bottlenecks and general statements on trends should not be placed as an absolute criterion above competing objectives such as protection of resources. Instead, priority should be given to a type of planning for new urban districts which is generally restrained, has stable time schedules, is adapted to local conditions and provides regional balance.

Despite all caution regarding estimates of future requirements, larger new building projects in individual regions will still remain a reality for a long time to come. It is

*A great part of retail trade has shifted from the inner-city to the urban fringe and to the hinterland in the last years.*

therefore all the more important to enforce environmentally-compatible and urban-compatible requirements. In so far, new urban districts should be conceived to contain functional, social and structural variety. In connection with this a district development in small spatial units and chronological steps is necessary. This entails both varied forms of owner and carrier as well as small plot structures. In contrast to the rigidity of homogenous large-scale structures, such conditions allow a successive adaptation in different areas of the urban districts to the changed requirements, requirements for use and types of behaviour.

### 5.6 New Shopping Centres and Large Leisure Facilities

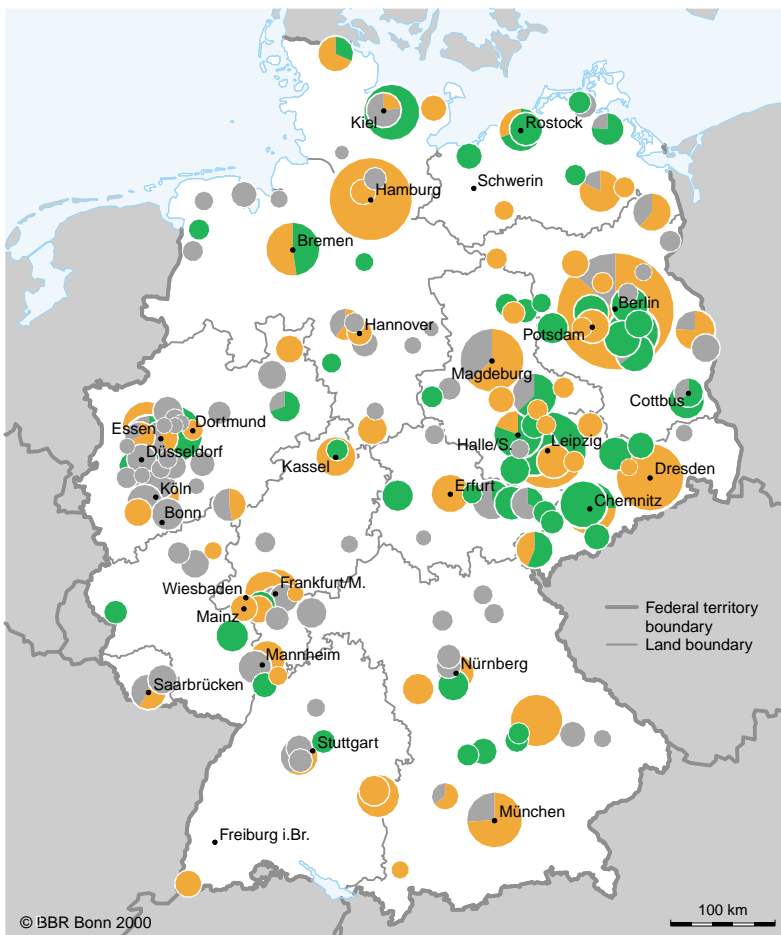
Until the 1970s the city centres in Western Germany were the obvious shopping centres. The high-quality/expensive retail trade was concentrated here, the biggest proportions of sales areas were located here and the biggest turnover in the retail trade

was made here. In addition, in the larger cities there were urban subcentres with a further concentration of retail trade. These retail trade locations grew up with the residential and working areas over decades and are more or less integrated in the urban district.

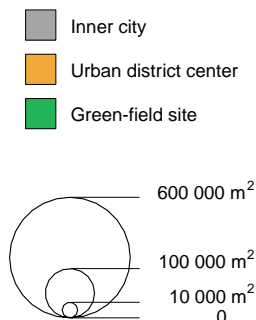
#### *New Locations in the urban fringe and in the hinterland*

The special importance of the inner-cities and the urban district centres for retail trade has been changing since about 30 years in Western Germany, whilst this change has been taking place at a tremendous pace in Eastern Germany since reunification. In Western Germany hypermarkets have been located in the urban fringe since the 1960s. These mainly supply foodstuffs. Since the end of the 1970s so-called specialised discount stores were established there, too. These are specialist stores with large self-service shopping areas, specialised in a particular assortment of goods (for instance furniture

Figure 25 Shopping Centres in Germany



Total rented space in shopping centres with more than 10 000 m<sup>2</sup> rented space according to location



Data basis: EHI Shopping-Center-Report 2000

Municipalities, Status 1.1.1998

stores or do-it-yourself stores). The accumulation of hypermarkets and different specialised discount stores is leading to the emergence of new small shopping centres in the urban fringe and in the hinterland, which are mostly located on greenfield sites and are not integrated in the traditional city structures.

In addition, over the past few years so-called shopping centres with several thousand square metres have been emerging in the urban fringe and in its hinterland – and now also in the inner-city. These are uniformly planned, built and administrated “ready-made” shopping centres with several retail trade facilities. They are often linked by a roofed shopping street, a shopping mall, are easy to reach by car and have a large supply of parking spaces.

In recent years gastronomy, leisure and entertainment facilities have also been integrated in these shopping centres. So-called urban entertainment centres are new forms of spatial concentration of varying uses in a uniform supply concept. Here shopping is combined with leisure activities. Numerous shops in the usually roofed centres are complemented by experience gastronomy and entertainment facilities. The more shopping-oriented CentrO in Oberhausen and the entertainment-oriented SI Stuttgart International are the two best examples of such new types of forms for supplying goods and services outside the existing centres.

A new form of large-scale projects in retailing are the so-called factory outlet centres. These are an association of several manufacturers, who sell their brand-name articles in a building facility concentrated on one building or set of buildings. Currently about 30 of these centres are being planned. A first factory outlet centre is being built in Zweibrücken. This new sales form represents a further danger to the inner-cities.

Generally in the leisure facilities, too, parallel developments to the retailers facilities have also been observed over the past few years. Multiplex cinemas, musical theatres, fun and experience swimming pools or halls for big events have been emerging as new big facilities, which are often also located in the urban fringe or in their hinterland.



Neubrandenburg:  
Shopping Centre on a  
Greenfield Site

#### *Numerous causes*

The causes for the changes in retailing and also in the leisure sector are multi-faceted. On the one hand, these changes are caused by a structural change of the retail trade and the leisure sector. Both sectors have lost their small-and-medium-sized structure. The concentration amongst suppliers in the retailing trade has brought about an increase in the sales areas. Today the supply is provided by shops which are branches of big chains and by shops with large areas. The economically-viable minimum size has grown in recent years from 50 to 700 square metres of sales area. Also the specialist discount stores have a great requirement for space, which is easier to realise in the urban fringe or in its hinterland. The new size of the trading companies is often difficult to integrate in the small-scale inner-cities. Standard solutions are required from the suppliers. Large shopping centres in the urban fringe or outside the cities are the result. In 1997 in the Ruhr region 48 % of the retailing businesses and 54 % of the sales areas were on greenfield sites.

The causes of the development in the urban fringe are, on the other hand, also to some extent connected with the suburbanisation process. A great part of the population has moved from the inner-cities to the hinterland, and the retail trade has followed. This trend is being intensified by the increased mobility and the changed shopping habits of the customers.

With the new, mostly large-scale forms of shopping centre the retail trade is moving out of the city area. The basic local supply of goods is jeopardised. In addition, part of the

*The task is to strengthen retail trade in the inner-city and in urban-district centres. Locations in the urban fringe being not integrated should remain an exception.*



Freiburg: Pedestrian Zone and Environmental Combination

purchasing power is being drawn out of the inner-cities and the urban-district centres. Also the location of leisure facilities in the urban fringe and in the hinterland of the cities weakens the inner-cities. In competing with these offers the inner-cities are losing certain assortments in the retailing trade, which were previously typical for their offers. The inner-cities are losing their attractiveness in the leisure sector.

In recent years numerous activities have been developed to retain the retail trade as a use of the city. There is a general consensus that integrated urban construction locations should be supported and further developed. Retail trade locations in the urban fringe, which are not integrated, should be the exception and require a special justification.

Bremen: Traffic Calming



## 5.7 Creation of Urban-Compatible Transport

Today cities are places with a high concentration of transport. They threaten to suffocate with car transport. Car transport causes waste gases, burdens the residents of the cities with noise, consumes non-renewable resources, takes up valuable space and causes numerous deaths and injuries. Transport – in particular the car transport – jeopardises the quality of the city. Street areas are becoming increasingly unattractive – they are losing their residential quality.

In the 1950s and 1960s communal transport planning in Western Germany was extremely car oriented, even though a great deal of journeys were still made on foot, with the bicycle or with the bus or train (in 1960 this was over 60 %). Problems of growing transport were solved by expanding the infrastructures. Road building measures had a high status. The cities were developed according to the requirements of the motorist. Today many people make many of their journeys by car. Together with the growing commercial transport, this increasing car transport causes growing problems for the cities, which can no longer be solved by building additional roads.

### *Adapting the transport to urban structures*

At the beginning of the 1970s, and then particularly in the 1980s, communal transport policy in Western Germany underwent a change. The notion that transport has to adapt to urban structures and not vice-versa has become more accepted. Strategies of relocating transport to urban-compatible means of transport are becoming the leading guidelines for a communal transport policy. A shifting from passenger car transport to local public passenger transport and non-motorised transport (pedestrians, cyclists) is linked to this strategy. An increase of the proportion of transport (modal split) in favour of this "environmental network" (local public passenger transport, cyclists, pedestrians) is being strived for – even if the lessening of the transport burden often remains limited.

Apart from the shifting of the existing transport, the acceptable arrangement of car transport – for example through traffic calming measures play an important role in an urban-compatible transport policy. This

started with the creation of pedestrian zones in the inner-city. Such measures, which were initially isolated measures in predestined locations, became supplemented in the 1980s by comprehensive transport calming measures across broad areas. The aim is to achieve a better balance in street space between the different means of transport. Previous areas devoted to car transport are becoming areas where car transport is restricted. In this way these areas are being won back for use by pedestrians, cyclists or local public passenger transport. A more attractive design of the road areas and an improvement of the green areas are an important contribution here. These constructional re-shaping of the streets frequently goes hand-in-hand with the creation of special zones where the speed limit is reduced to 30 km per hour. Such concepts improve the possibilities for using the streets for purposes other than car transport. Automobile transport is forcibly reduced in these transport-calming zones, more transport is intended to be diverted to buses, trains and trams. The remaining automobile transport at the same time has to be organised in a more environmentally-compatible and urban-compatible way.

Measures for transport calming are closely linked with a controlling and restricting regulatory policy for car transport. This includes the comprehensive and area-wide parking space concepts for the inner-cities or urban-district centres, which does, however, enable goods transport, loading of cars and deliveries by car and favour residents. Nevertheless, they aim to reduce customer and visitor car transport through parking fees and a restriction of parking space.

In Eastern German cities transport underwent a far different development until reunification. The inner-city car transport had a much less dynamic progress and, on the other hand, local public passenger transport was very well developed. Even though some of the measures for transport calming were adopted in the Eastern German cities, car transport has now reached the Western Germany level.

#### *Avoiding transport*

Since the beginning of the 1990s it has become evident that a promotion of the environmental transport network and an

environmentally-acceptable handling of transport has not been able to reduce car transport sufficiently. Today another additional objective of communal transport policy is now therefore transport avoidance. This is aimed at reducing the distances travelled and the amount of transport. This strategy is linked with the catchphrase "city of short distances". Urban policy and transport policy are intended to be linked more closely with each other. Dense and mixed urban structures could contribute towards shortening distances travelled and diverting motorised transport to non-motorised transport. However, this often overlooks the fact that transport is not only a result of the settlement structures. However, without accompanying measures from other political areas and sectoral planning and a fundamental change in lifestyles and consumer styles, the good prerequisites in the urban and settlement structures is worthless.

### **5.8 Securing and Developing Open Areas and Non-Built-Up Areas**

Since the 1970s the German population has become more sensitive to environmental problems, which are also reflected in urban development and urban construction. Through the expansion of nuclear power and the knowledge about forest dieback, ecological issues have increasingly become a focus of socio-political debate. In the cities and their hinterland it was above all noise and exhausts resulting from the increasing transport problems, together with the continuing growth of the

*The cities aim at concentrating transport on local public transport and non-motorised transport. Furthermore they aim to avoid transport and to reduce distances.*

Hamburg-Allermöhe:  
Greening in a New District



settlement areas, which led to an increase in the significance of ecological issues.

For decades the areas used for settlement and transport have grown by more than 80 hectares daily. In some years it was even as much as 150 hectares. In most cases the settlement growth has led to a far-reaching sealing of the surfaces of the land, which has consequences for the urban climate, water reserves, filtering of pollutants and the protection of species and the biotope. The continuing growth of areas used for settlement and transport has been debated since the 1980s under the catchphrase “landscape consumption” or “land consumption”. It is above all taking place in the urban fringe and in the hinterland of the cities at the cost of open areas and recreational areas in the immediate vicinity.

Traditionally non-built-up areas and open areas are the opposite terminology to settlement areas. Non-built-up areas is the land within cities which has not been built on – i.e. the gardens, back yards, parks and graveyards. As a differentiation to the non-built-up areas, the term open area is generally used in sub-regional and regional planning. This makes a differentiation between the empty non-built-up land, which is often used for agricultural purposes, and the towns and cities where the land has been built on.

In recent years the planning perspective with regard to open areas and non-built-up areas has changed. They are no longer just regarded as mere residual categories of urban and sub-regional planning but, instead, they have become important elements of urban and regional development. They have assumed an important complementing and supplementing function for the built-up cities. Planning of open areas is not just planning for nature conservation and land conservation but, rather, it monitors the relationship between settlement area and open area. It is not only for protecting the natural prerequisites for life but also for shaping the townscapes and landscapes, for preserving agriculture in the vicinity of the city and satisfying the social and cultural requirements of the people.

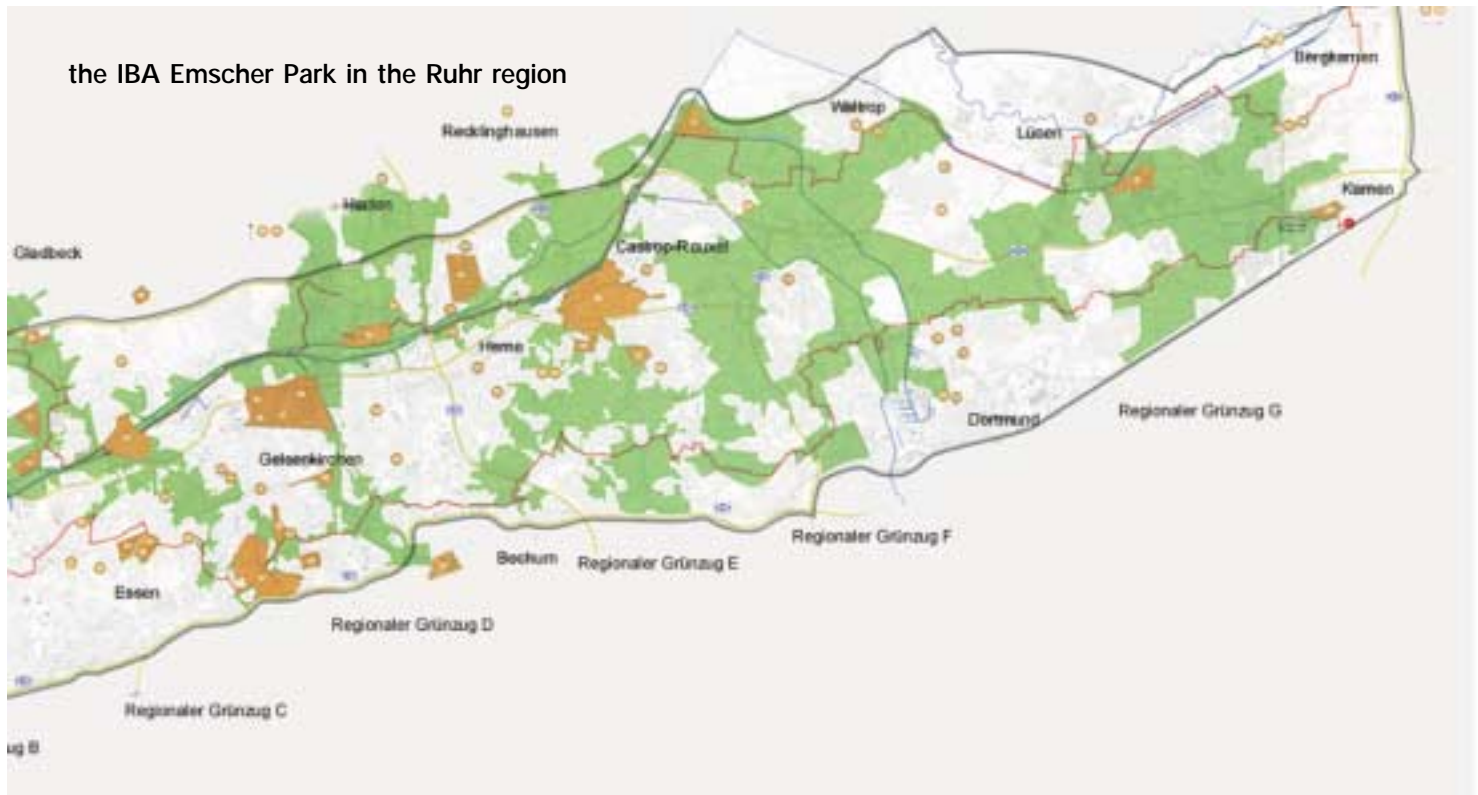
Open areas have an important ecological function, on the one hand. On the other hand, they also have important recreational functions. They are visible and tangible semi-natural landscapes in an increasingly urbanised landscape. Particularly in the



urban fringe and in the hinterland the use of open areas has in recent years led to unsatisfactory types of landscapes. The transition between city and countryside is no longer sharply defined and cannot be seen in clear edges to the cities. The cities are gnawing away at the edges and there are no clearly-defined open areas. “Cityscapes” have emerged.

In recent years non-built-up areas have also become increasingly important in planning law. The so-called intrusion and counterbalancing regulation, whereby avoidable intrusion to nature and landscape is generally not allowed or unavoidable intrusions have to be compensated for, has now found its way into the Federal Building Code. In addition, since the 1980s there have been initiatives at all government levels on protection regarding land and soil conservation. At the national level in the mid-1980s the soil conservation concept of the Federal Government made an important contribution towards making people sensitive to this issue. In some Länder there have been special reports on open areas since then. At the sub-regional level open areas and so-called biotope network systems have been charted, which aspire to move away from examining individual cases with regard to land use, and shift towards a greater network mentality in





**Figure 26**  
Green Belts in the  
IBA Emscher Park

Over a period of 10 years, from 1989 to 1999, the Land Government of North-Rhine-Westphalia, together with 17 towns from the Emscher Region and two rural municipalities, staged the International Building Exhibition (IBA) Emscher Park in parts of the Ruhr region. An important part of this structural programme is the concept of the Emscher Landscape Park. This involves the restoration and reshaping of an urban landscape which over the years and decades was used for industrial purposes and consequently disfigured by settlements, fragmented and destroyed. Earlier planning of open areas by the Settlement Association of the Ruhr Coal District were taken up, seven North-South green belts were further expanded and linked to a new East-West green belt to form a networked park system. Through the restoration of the landscape, the networking of isolated areas and the development of its ecological and aesthetic quality, the attractiveness of the residential and working environment of over 2 million people in the Ruhr Region is to be permanently improved.

open area policy. Green belts and green rings, regional parks and axes of open areas are clear evidence of these efforts.

The classical task of policy on open areas was to defend the existing open areas against settlement pressure. This was aimed at reducing the future consumption of open space. More recently, however, it is concerned with reactivating brownfields and also winning back open areas. In addition, its task is increasingly to qualify areas of open areas. This includes improving open areas, also in the form of parklands built specially for Federal Garden Shows and Land Garden Shows and through integrating leisure uses, such as golf courses, nature education trails, etc.

The Emscher Landscape Park was particularly important in the 1990s in the Ruhr region. Here, within the course of an international building exhibition, a comprehensive regional concept for open areas was promoted in an old industrialised and densely settled area. Whereas concepts for open areas initially tended to be defensive and aimed at the prevention of further settlement growth, in recent years they are increasingly conceived as independent and self-confident contributions to the shaping of urban areas. A more recent example comes from the Berlin hinterland. Here regional parks are being developed, which not only entail an ecological compensatory function but are also intended to act as a recreational area for the residents.

## 6 Future Challenges for Urban Development and Urban Policy

In the previous section a selection of urban policy tasks was presented. This involved “old” and at the same time “new” tasks for the development of cities – that is tasks which have not only occupied decision-makers and participants in urban development and urban policy in the past but will also occupy them in the future. In addition to these tasks, in the specialist debate on the city and urban planning practice new challenges are emerging for urban development and urban policy, which in the past were scarcely taken into consideration.

Thus, the urbanisation process, which has been going on for decades, is leading to far-reaching changes. There is already talk of the dissolution or even the disappearance of the cities. In the 21<sup>st</sup> century new structures are emerging in Germany, too, which do not comply with the traditional “closed” and “mixed” models of the compact city, with a clearly defined centre and hinterland which has correspondingly evolved. Many societal changes have an impact on the cities and in the coming years will lead to new challenges for the cities and urban regions.

The **globalisation** of the economy will considerably alter the underlying conditions for the development of the cities and local authorities in the next few years. Today investors do not only find a great number of locations at home but also comparably good location conditions abroad. The lifting of trade restrictions and the extremely rapid developments in information and communication technologies and in the transport sector have contributed towards making the procurement of goods and services over long distances technically possible and economically worthwhile. This means that today the cities not only have to hold their own at a regional and national level but also have to compete internationally on the world market. On the one hand, they are increasing their market opportunities. However, on the other hand, they are becoming increasingly subjected to pressure through global competition and are facing competition which takes place less between the core cities and their hinterland but, instead, between the cities and urban regions at national and international levels. The competition will,

on the one hand, increase the disparities between prospering urban regions and, on the other hand, intensify stagnation or even shrinking urban regions.

The **economic structural change**, the continuing trend towards the service and information society is important for the number and distribution of jobs in the cities and urban regions. The future of work and the related changes are particularly important for the further development of the cities. Technological changes and rationalisation measures and mergers which accompany these changes not only jeopardise jobs in the manufacturing sector but also – as illustrated by the banking sector – in the service sector. It will become increasingly difficult to create sufficient numbers of new jobs to replace those lost in the wake of the structural change. At the same time, in the wake of the individualisation process in society, additional people are flooding the labour market. Unemployment will remain a permanent problem in the cities.

The impact on the cities of the **new information and communication technologies** has not yet been adequately explained and is definitely ambivalent. On the one hand, it is argued that the cities are becoming “superfluous” because information can be obtained everywhere today. This enables a dispersal of economic activities and would mean that cities would become less important. A spatial dispersion of economic activities through the new information and communication technologies would require a concentration of management, monitoring and controlling tasks, which would promote the emergence of large centres. The new information and communication technologies could not replace a personal exchange of information and transfer of knowledge. This would mean that financial services and highly-developed company services would continue to be concentrated in the cities.

The **social polarisation** in German cities is growing hand-in-hand with the economic changes. In the past 15 years the gap between rich and poor has increased. Highly qualified activities in the growing service sector contrast with the cheap jobs with low qualifications in a polarised labour market. In the wake of continuing high

unemployment the number of people receiving social welfare assistance has multiplied. This has an impact on the social-spatial structure of the city. Whilst the German cities were socially mixed in the 20<sup>th</sup> century, in recent years urban districts with social problem situations have emerged, where the effects of continuing unemployment, underemployment and poverty threatens to generate social isolation and the exclusion from participation in social life. In Germany these urban districts are not yet ghettos. There is, however, a danger that if problem pressure exceeds a certain level, those inhabitants who can afford to do so will leave, and those who cannot freely choose their place of residence will remain. This can develop into a self-perpetuating trend. Here politics, industry and society are called upon to assume social responsibility and to ward off the danger of social disintegration.

With the growing rift between poor and rich, **public space in cities is losing its importance**. The important characteristic of the historical European city is its public space – the street, the square or the park – places where up to now a varied public life has taken place. Public space is increasingly losing this function. The inner-city retailing industry, which today is still often located along the streets and in squares, is increasingly moving into closed passageways, open marketplaces are being covered and access is being limited. Adventure complexes and theme parks, which no longer belong to everyone and which are no longer used by everyone, are being artificially created. Public space is being privatised. Even though building complexes constructed by private owners – such as shopping centres, venues for events and other leisure activities – are experienced as public space, in terms of concept and operation, commercial interests nevertheless dominate. Ultimately, the character of public spaces and urban variety are being challenged by the rights of private owners and, ultimately, by social exclusion.

Changes are also becoming apparent in the interaction between participants in urban development and urban construction. **Being a citizen of a city** is losing its importance. Local building owners, who have a direct interest in the fate of the city, are being increasingly replaced by

anonymous developers with little interest and commitment for the local townscape. This became particularly evident in Eastern Germany in recent years. Land owners, who are not local residents and regard their building purely as a means of making a profit, develop a limited identity with the location of their projects. As long as it doesn't affect their profits, they are not interested in its environs. In this way these investors differ from other investors – such as a few bigger housing construction companies, who regard their real estate as long-term capital investment. For such investors aspects such as the permanent satisfaction of the inhabitants with their housing environs or the social stability in the district also play an important role in maintaining the value of the real estate in the long-term. The land owners who themselves are residents in the district have an even greater interest in their environs. They are more willing to commit themselves in the district in the medium term or even in the long term.

Ultimately, the spatial unit of urban life is becoming greater and increasingly less tangible – **the region is becoming the city**. In the daily experience of an increasing number of city residents the different elements of the living-world unit of everyday life are becoming spatially further and further separated from each other. Places of work, residence and leisure are becoming increasingly further apart. This has consequences for the future of the cities. Whilst the inner-city previously had a predominant position, in more recent years it has been losing its role as a clear economic and cultural centre. Individual urban districts and hinterland municipalities are taking over important functions. New divisions of labour between core city and hinterland are emerging, as well as new divisions of labour between the individual parts of the urban region. Although there are still inner-cities which shape the identity of their respective regions, in the environs new polycentric urban structures are crystallising, which include a further region.

The notion of the compact, densely-settled and mixed city, which we associate with the European cities, today only applies to part of the urban area. The actual innovations in the urban region are today not just taking place in inner-cities but also on the periphery. Only a small part of the city still

corresponds with the traditional cultural expectation of the closed city with a historical ground plan. On the contrary, a great part of the city has expanded beyond the bounds of the centre. This area is the intermediate zones around the suburban space with subcentres and peripheries. The old notions of the city no longer match the reality of today. In the fringe of our cities they are disappearing.

However, a simple rejection of these developments is no longer sufficient for future urban policy. Not all demands placed on space can be secured in the centres and in the existing building substance of the cities. A supply of housing which intends to do justice the aspirations of families can scarcely be completely enabled within the city was which had already been built. Even if in purely quantitative terms there is sufficient space for industrial use in the existing building substance, this frequently does not correspond with the demand. Due to specific requirements demands for "bulky" uses, such as post distribution centres, do-it-yourself superstores or certain types of production plants, to some extent only locations in the fringe of cities are possible. The current qualities in the existing building substance of the core cities are only possible because such unpopular and bulky uses have been relocated to the fringe of the agglomeration areas.

Despite all future efforts to try and increasingly carry out the latest developments in the urban fringe and in the hinterland, **urban policy for inner-cities** is one of the outstanding urban planning tasks. The revitalisation of the inner-cities and the further reuse of brownfields and empty spaces between built-up areas – as described in the fifth section as a task which has already been practised for a long time in German urban development – has lost nothing of its immediate importance. Inner-city development should continue to be

practised, without, however, neglecting the new development – the active shaping of the urban fringe.

Urban development and urban policy today no longer function in terms of communal actors in politics and administration conceiving plans, which are then only implemented by private or public investors. On the contrary, it is evident that urban development is a result of numerous complicated negotiations between those providing the money and the participants who represent the common good in Germany. There is a new interplay between investors, land owners, project developers, communal administration and communal politics, Land administration and Federal administration. **New forms of cooperation** between public and private investors are emerging under the catchphrase "public-private partnership", because communal planning without feedback with the private investors remains ineffective.

The actors in the cities and municipalities want to preserve their right to influence developments. Not everyone should be allowed to build where he or she wants to. Protection of non-built-up areas, mixed use or the integration into public local transport are just a few of the public interests which the cities and municipalities represent. However, private projects require high flexibility and rapid possibilities of adapting to changed market requirements in order to be successfully implemented.

Hence, it remains a central issue how urban development in today's day and age can be influenced in the sense of a sustainable urban development, which not only takes into account the social and economic aspects but also the ecological aspects. After all, there is still a consensus in Germany that urban development should not just simply follow the rules of the game with regard to supply and demand but that the opportunities for shaping urban development have to be newly arranged.

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