

**An-Najah National University
Faculty of Graduate Studies**

**Urban Sprawl in the Shade of Urbanization
and planning Legislations: Case Study of Um
Al-Sharayet District, Al-Bireh City / Palestine**

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**This Thesis is Submitted in Partial Fulfillment of the Requirement
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University, Nablus, Palestine.**

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Dedication

In the name of God, the most gracious, the most merciful

All praise be to God for all the achievements in my whole life and to be surrounded with grate family and friends where words are inadequate to express my feelings especially toward my family's endless support and trust in my journey, whether in U.A.E or Palestine. I dedicate all my efforts, achievements and my thesis to my Parents, my husband, my sister and brother, my amazing grandmothers, my uncles and aunts, my family in law, my friends and every single person who hosted me in Palestine. I am really grateful to every single person who supported me in every single tinny step, until I achieved my intention and goal. Thank you all for being the bright side of my life.

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Thanks for all the faculty members of Urban and Regional Planning at An-Najah University because I learnt from them a lot and I tried to make use of all the things I was taught from them in this thesis.

الإقرار

أنا الموقعة أدناه مقدمة الرسالة التي تحمل العنوان:

Urban Sprawl in the Shade of Urbanization and planning Legislations: Case Study of Um Al-Sharayet District, Al-Bireh City / Palestine

الزحف العمراني في ظل التحضر و تشريعات التخطيط:

حالة دراسية حي أم الشرايط، مدينة البيرة / فلسطين

أقر بأن ما اشتملت عليه هذه الرسالة إنما هي نتاج جهدي الخاص، باستثناء ما تمت الإشارة إليه حيثما ورد، وأن هذه الرسالة كاملة، أو أي جزء منها لم يُقدّم من قبل لنيل أية درجة أو لقب علمي أو بحثي لدى أي مؤسسة تعليمية أو بحثية أخرى.

Declaration

The work provided in this thesis, unless otherwise referenced, is the researcher's own work, and has not been submitted elsewhere for any other degree or qualification.

Student's name:

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التاريخ:

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Abstract

Urban transformation of the Palestinian cities is a consequence of urban sprawl which is created by urbanization and the cumulative statutory laws since Ottoman period until Palestinian Authority period which led to expand cities and create irregular and fragmented forms as well as shortage in lands, especially agricultural land, where urban sprawl affected directly the agricultural land availability and land values.

This thesis aims to explore the relationship between urbanization and statutory laws in creating urban sprawl as a process, and the risk of this random expansion on the Palestinian lands and the consequences of urban sprawl, and investigate the conditions as well as obstacles facing the Palestinian planning process, in addition to analyze and interpret the process of urban transformation change of the Palestinian cities “the case study of Um Al-Sharayet District”.

The thesis methodological approach is deductive, descriptive, analytical, and historical based on data collection and case study where quantitative and qualitative methods are used. This thesis concludes, that urban sprawl is caused by the rapid uncontrolled urbanization and lack of community awareness and the lack of building control due to

organizational weakness, in addition to deficiency and shortages in urban planning laws, where the current statutory planning laws don't respond to current challenges. For the sake of the urgent need for land and the strong ideology between land and Palestinians, the thesis recommend producing new mechanisms to protect the agricultural lands, and to upgrade their values to enhance the agricultural economic sector, and producing new sustainable urban planning strategy by considering the social, economic, physical, environmental and administrative pillars to have a healthy urban development, in addition to empowering master plans and detailed plans which have to be updated, and spreading public awareness, which all would pour in the basin of Palestinian community and national benefit.

Keyword: Urban Sprawl, Urbanization, Statutory Laws, Al-Bireh, Um Al-Sharayet.

Chapter One

Introduction

Chapter One

Introduction

1.1 Introductory Background:

We shape our cities; therefore they shape us.

Cities forms are created cumulatively and affected by planning, politics, control, resources and topography which all of these combined together to affect the urban transformation and development patterns. Form borders and boundaries are not only those affected by geography but also politics, so it is more about statutory laws more than physical boundaries (Suisman D, Simon S, Robinson G, Anthony C, and Schoenbaum M 2005). However, the world started to change in the 19th century due to “urbanization” which created by the migrations of people from rural areas to urban areas because of Industrialization (Bekele H 2005). After cities centers became congested in developed countries, people started to move outskirts of the cities and created what is called decentralization.

Decentralization in USA and developed countries created Urban Sprawl which is characterized by low density development, dis-connectivity, less concentration, less compactness, less diversity and less proximity in development and planning than city center. Decentralization created urban sprawl in developed countries, while urbanization in developing countries led to urban sprawl (Ottensmann J, 1977). Urbanization in developing countries started in 1950, and caused by the need for better job opportunities so rural-urban migration started to appear

in developing countries. Although urban sprawl in developed countries came from “preferences” of people to move away from centers of cities, while on the other hand, urban sprawl in developing countries came from a “necessity” to search for better jobs (*Bekele H, 2005*).

The following graph shows the conceptual model of the thesis (Figure 1.1).

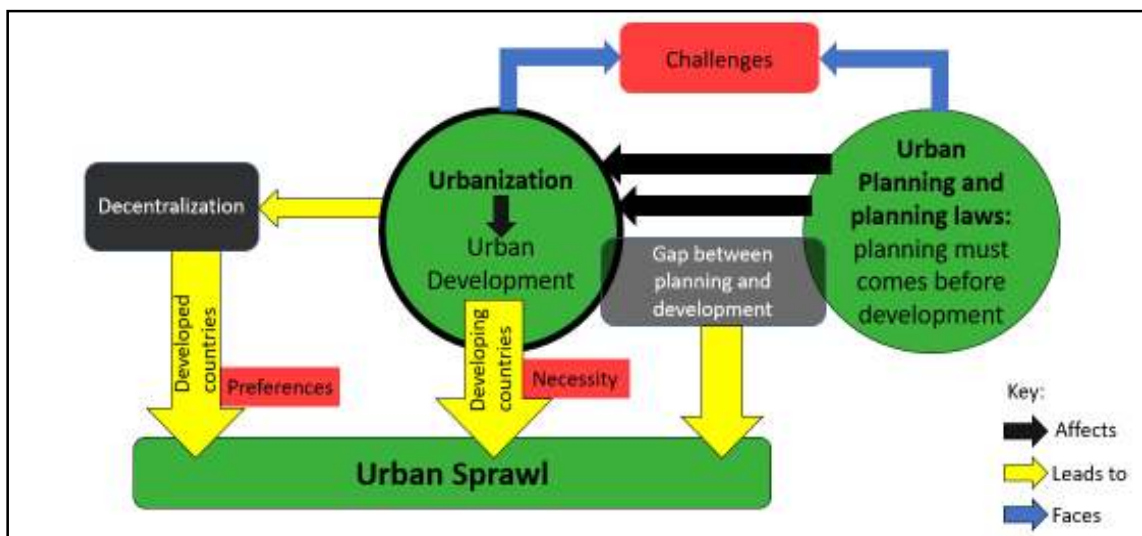


Figure (1.1) Thesis conceptual model – (Author, 2017)

The rapid growth due to migrants and natural growth in urban areas of developing countries, raised the call of urban developments, which these developments were not well managed due to land allocation, planning techniques, and insufficient infrastructure and services (*Bekele H, 2005*). Urbanization and urban sprawl in developing countries are somehow similar to Palestinian situation, but Palestine has one more unique dimension which is the urban planning system because it is a result of previous accumulating statutory laws and controlled by external forces in addition to the lack of local bodies power (*Abdelhamid A, 2006*) (*Terenzi*

A, 2014). Statutory laws came as a result of succession of different administrations and governments were ruled Palestine in different periods, which are Ottoman Period (1850-1917), British Mandatory Period (1917-1948), Jordanian Period (1948-1967), and Israeli Occupation Period (1967-1994) which all created their own laws to serve their needs and to impose control over land (*Abdelhamid A, 2006*). Oslo Peace Agreement in 1994 came up with the most cruel land classifications which imposed more control over Palestinian lands until nowadays, which divided lands into three main zones; Zone A, Zone B, and Zone C, which created fragmented and irregular cities forms as a result of urban sprawl (*Abdelhamid A, 2006*). Within the beginning of Palestinian Authority in 1994, a slight economic recovery in Palestinian cities, especially Ramallah which led to rural-urban migrations and internal migrations from other cities, so as a result, cities started to expand over agricultural lands which threatened Palestinian lands, natural vegetation and hydrological systems. At the beginning of Intifada II in 2000, Israel increased colonies construction and constructed the Separation Wall in 2003 which didn't leave many alternatives to where Palestinian cities can expand, which made the form of cities more and more fragmented (*Abdelhamid A, 2006*).

The uniqueness and complexity of the geopolitical Palestinian condition as well as the lack of Palestinian administrative bodies and Palestinian planning authority to control urban sprawl, affected the form of urban spaces. The separation between Palestinian lands is due to Israeli colonies, Separation Wall and geopolitics limited the Palestinian vision

continuity of urban expansion and development (*Abu Helu M, 2012*). The demand for better infrastructure and maintaining the agricultural lands in addition to the rapid growth created the main pillars of challenges that face Palestinian planning authorities. So, Palestinian cities have fragmented and irregular forms especially with all of these obstacles in addition to the lack of land that can be devoted for future urban expansion.

1.2 Problem Statement

Since urbanization started in West Bank and the migration of Palestinians from rural areas to urban areas where it faced the first wave of urbanization in 1948, which is considered a little bit earlier than other developing countries. The phenomena of urbanization increased with the coming of Palestinian Authority in 1994, where urban developments increased as well as cities enlarged. Although, urban infrastructure wasn't sufficient to handle those developments and the rapid urban growth. Recently, many of the problems in the Palestinian cities had been exacerbated, where are highlighted by the scarcity of Palestinian land and rapid urbanization (*Shaheen L, 2013*).

The succession of different governments those ruled Palestine and accumulation of different statutory laws, until the coming of Palestinian National Authority and the Oslo Peace agreement in 1994, more load were put on the availability of Palestinian lands due to the divisions into Zone A, Zone B, and Zone C, where Zone C of no Palestinian control over, present the highest percent of vacant lands on the West bank which inherent

Palestinians to expand vertically in many cases (*Terenzi A, 2014*). So when most of vacant lands, Palestinians have no role to develop, as well as the rapid urbanization with the old cumulative statutory laws, played a major role in creating urban sprawl, which influenced and caused the dramatic change of the urban transformation and the city form. The policy of land confiscation from Palestinians to build Israeli colonies, bypass road and the Separation Wall as well as the geopolitical constraints as well as the Palestinian political instability and the poor updates on statutory laws created a fragmented and irregular urban transformation of Palestinian cities (*Shaheen L, 2013*).

Palestinians need lands which is a life need for them, however urban sprawl not only changed the city form, but also posed a major threat on agricultural lands due to urban expansion over agricultural lands and rural areas of Palestine, where for example, rural areas population percentage in Palestinian Territories has dropped from 25 percent in 1990 (*Terenzi A, 2014*) to 16.7 percent in 2015 (*Palestinian Central Bureau of Statistics, 2015*) and all the surrounding villages within 15 kilometers away from the city center transformed into suburbs (*Terenzi A, 2014*). This did not only affect how well lands are exploited in terms of protecting what is left from them, but also it is about the danger of destroying agricultural lands in terms of economy, ideology, diversity and Palestinian ecosystem, especially when cities expanded over agricultural lands, affected the urban transformation of the cities not only by fragmented forms, but also have the type of the urban transformation, to have for example residential urban

transformation as the maximum type over land rather than protecting the agricultural lands and their values.

So, the urban forms and ecological complexities will be unbalanced, and we can notice that agricultural lands in Palestine are decreasing which is an alarming sign for the future Palestinian generations. Thus, protecting land, proper land use development, and convenient land exploitation as well as updating the statutory laws and enhance urban development in a way that protect the city form are the most important issues to get over the problems caused by urban sprawl which can be solved by understanding the process of urban sprawl. Moreover, understanding the biggest challenges in the face of the reduction of urban sprawl which are “Prior needs” and the need of “economic viability” (*Bekele H, 2005*).

The case of Um Al-Sharayet is not only facing urban sprawl problems, but also have lost all its agricultural lands, with no opportunities for future expansion, in addition to the lack of services and efficient infrastructure systems. Although the case of Um Al-Sharayet has its own uniqueness and it is mentioned in the following chapters, but it is necessary to highlight that many other Palestinian districts and cities may reach to the alarming rate of Um Al-Sharayet in terms of urban sprawl.

1.3 Objectives

- Explore the relationship between urbanization and statutory planning laws in creating the phenomena of urban sprawl, and the risk it on the Palestinian Territories lands.

- Investigate the conditions and obstacles facing the Palestinian planning process and explore the driving forces which led to urban sprawl.
- Analyze and interpret the process of urban transformation change of the Palestinian cities and the land uses especially for the case study of Um Al-Sharayet District, and consequences of these changes.

1.4 Thesis Questions

The thesis tend to answer the following questions:

- What is the process that causes urban sprawl, particularly in Palestinian Territories – West Bank?
- How urban sprawl in the West Bank affected the urban transformation of Palestinian cities?
- To what extent the previous planning laws and the mixture of statutory laws affected the Palestinian planning scheme.

1.5 Thesis Hypotheses

This thesis tries to prove the following hypotheses. First, power relations, statutory laws and urbanization played the major role of creating urban sprawl which transformed the Palestinian territorial urban transformation and became one of the consequences of urban sprawl. Second, the cumulative planning laws strongly affected Palestinian planning scheme, with no modifications or even creating new suitable

Palestinian planning laws. Finally, geopolitics, occupation and other socio-economic factors obstruct the Palestinian planning process to control urban sprawl and planning development process.

1.6 Plan and Methodology

1.6.1 Plan

The plan of this thesis is based upon the following three frames:

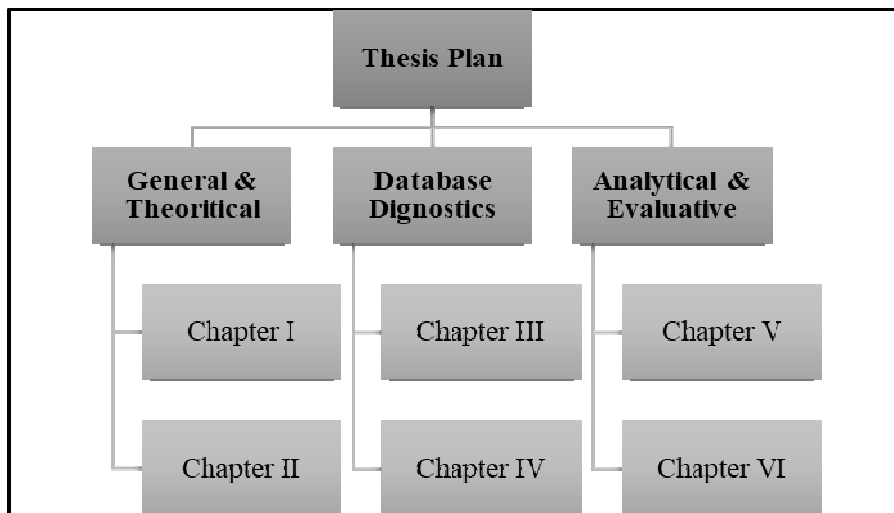


Figure (1.2) - Thesis plan diagram – (Author, 2017)

Each chapter is introduced briefly in the following section (**1.7 thesis structure**).

1.6.2 Methodology

According to the nature and the problem of the study and each frame of thesis plan, the methodology used research approaches in undertaking each frame. These approaches are: historical, descriptive, analytical and deductive approaches. The thesis has two main methodological steps: data collection, case study.

- **Data collection:**

Data collection has two main categories, primary data and secondary data that will be sufficient for the analytical study. Primary data are interviews “with Al-Bireh City Municipality, Ministry of Local Government, planners and professionals in the private sector” discussions, modifying and creating some maps, and on site observations. Secondary data are summarized by previous studies and reports, maps and photos, which are used mainly in the literature review. Thus, both of qualitative and quantitative research methods are used for data collection and analysis. Qualitative research methods are mainly here in-depth interviews, on-site observations, maps, photographs and previous studies, while quantitative research methods here are only in reviews of records and numeric information. Data collection can provide better understanding of the study and the case study.

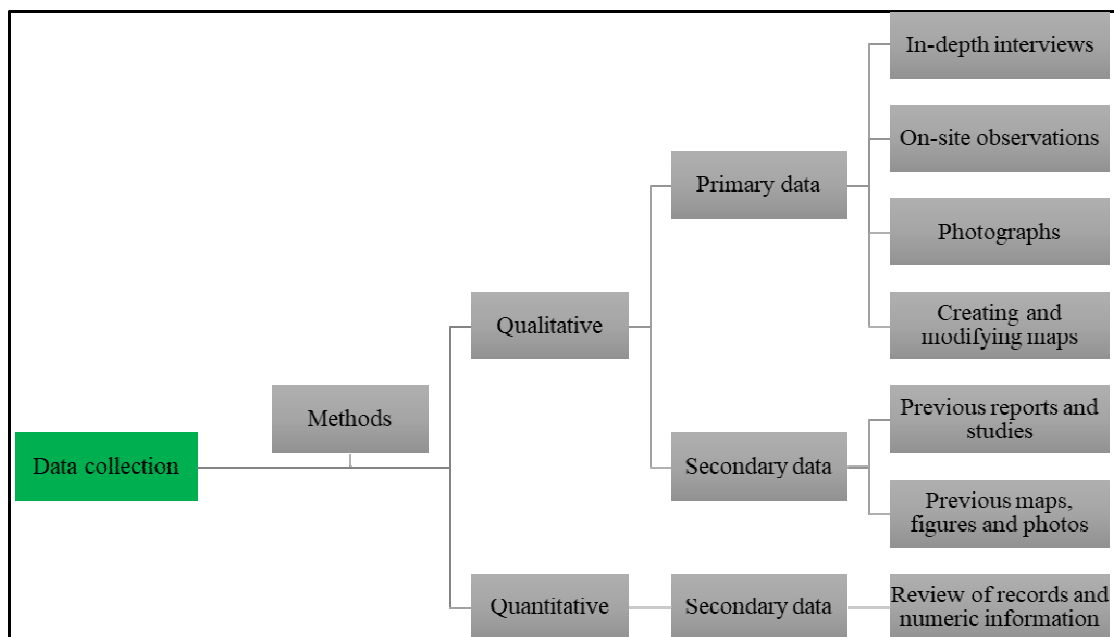


Figure (1.3): Methodological data collection flowchart – (Author, 2017)

- ***Case Study:***

The case study tries to cover, document and analyze the case of Um Al-Sharayet District in Al-Bireh city. It paves the way for better understanding and analysis for the Palestinian situation in general, and Um Al-Sharayet district in particular.

Al-Bireh was chosen because of its geographical location which faced a rapid population growth due to the Jerusalemites migrations, rural-urban migration and the coming of Palestinian Authority administrative bodies which based in Ramallah in 1994 until nowadays, where Ramallah is very close to Al-Bireh. It has a reasonable accessibility for the researcher and relatively good information sources. Um-Al Sharayet District, has its own characteristics and present a form of the Palestinian urban sprawl where the rapid migrants movements and natural growth of Um Al-Sharayet when property-owners started at the beginning to expand in low-density areas which later on created fragmented settlements, and then became more congested in an unplanned and informal patterns fragmented urban forms and somehow insufficient infrastructure, where the impact of politics and statutory planning laws, in addition to migration and urbanization directed and strangled the expansion of Um Al-Sharayet as well as the rest of Palestinian cities.

- ***Difficulties and challenges:***

There is limited information about the case of Um Al-Sharayet in addition to limited computerized data in terms of maps where many things

doesn't have plans for it like the building violations map which it is supposed to show the location of building violations and the percentages of them. Moreover, in terms of on-site observations, were an obstacle, due to the sensitivity of Um Al-Sharayet location and the residents' composition, where most of them refused to answer or even to collaborate in collecting data because they don't trust questioner and they have doubts and fears from the intentions of the questions. Many of them didn't accept to capture photographs for their buildings maybe because they are having building violations or unlicensed building uses.

1.7 Thesis Structure

The scheme of this thesis is basically divided into five main sections which are; introduction, literature review, Al-Bireh historical development, Um Al-Sharayet: a district evolution in the context of the urban development of Al-Bireh, the case study of Um Al-Sharayet and finally recommendations and conclusion. *Chapter I* is the introduction, which gives a general idea about the thesis and to highlight the main concepts of the thesis, where *Chapter II* and *Chapter III* of literature review covers the collected previous studies and findings regarding the thesis title as well as all the founded and related concepts. *Chapter IV* of Al-Bireh urban development gives an introductory and overview of the thesis's case study with some connected reasons between Al-Bireh and Um Al-Sharayet which influenced the created phenomena of Um Al-Sharayet District. The case study is analyzed in *Chapter V* of Um Al-Sharayet: a district evolution in

the context of the historical urban development of Al-Bireh, which gives a description and analysis for the urban sprawl phenomenon of Um Al-Sharayet District where all the previous studies, maps, photographs, interviews and observations are used for discussing and analyzing the case study, and thus all the findings and results are used in *Chapter VI*, in a trial to give some recommendations as well as a final conclusion.

Chapter Tow

Literature Review Part I:
Urbanization and Urban Sprawl

Chapter Tow

Literature Review Part I: Urbanization and Urban Sprawl

2.1 Why Urbanization?

The populations of countries all around the world are becoming increasingly urbanized (*McGranahan G and Satterthwaite D, 2014*) (*Brown L, Gray R, Hughes R and Meador M, 2005*). Urbanization is a phenomena happens only in urban settlements which it's also compromise the population migration from rural locations to urban ones, as well as the transition of rural and landscape areas into urban settlements and neighborhoods (*McGranahan G and Satterthwaite D, 2014*).

The reasons and degree of urbanization vary from country to country and from time to time, but still the world urbanization has major shared causes between the different countries. This section covers the different trends and concepts of urbanization and its unique situation in developed, developing countries and Arab world, as well as urbanization in Palestinian Territories where it is mixture of urbanization characteristics between developing countries and Arab world as well as unique Palestinian urbanization characteristics. At last, a discussion about the impacts and consequences of urbanization on city planning and in terms of advantages and disadvantages, especially when it becomes a threat and causing urban sprawl but it is not the only outcome of urbanization, although urban sprawl is increasingly becoming an issue that is associated with urbanization no matter where it takes place in the whole world (*Bekele H, 2005*).

2.1.1 Urbanization Concept and Trends

Through history, most of humans were living in rural areas (*Hutter M, 2015*) (*Bekele H, 2005*), where in 1800 about 97 percent of the world's population were living in rural areas (*Pacione M, 2009*) (*Hutter M, 2015*), as well as the creation of totally new cities which was between 1750 and 1800 period and considered as the new urbanization period (*Pacione M, 2009*). Selective places and town planning created as cities which remained on a limited scale (*Khamaisi R, 1997*) until the industrial revolution which took place between eighteenth and nineteenth century (*West E, 1978*)(*Pacione M,2009*), which led to a radical change in urbanization, where subsequently, villages become big cities and towns (*Khamaisi R, 1997*) (*Pacione M,2009*).

Urbanization can be defined as the increase in the proportion of the population living in areas that have been defined as urban areas (*AbuHafeetha M, 2014*) (*Dyson T, 2011*), and it also refers to the transformation of land use from rural lands which most of them are for agricultural use, to urban land for urban uses like housing projects (*Brown L, Gray R, Hughes R and Meador M, 2005*) (*McGranahan G and Satterthwaite D, 2014*). Although the previous two definition are so basic, a more comprehensive definition is needed and can better describe urbanization, which is: the process of increase of total population ratio in urban settlements, where cities are considered the place of producing diverse social life, better services, and job opportunities which lead to

city's expansion, multiplication and conversion of spaces from rural land uses to urban land uses (*AbuHafeetha M, 2014*).

So, industrial revolution considered as the main reason behind urbanization, which caused the movement of rural-urban migrations, and cities considered as producers for social benefits and services compared to rural areas in that time, in addition to employment opportunities as a result of industrializations and commercialization, and these are considered as the main shared reasons behind urbanization but every country has these causes in a different time frame and in different rates, which will be discussed in the following parts in details. Urbanization led to further expansions in metropolitan cities like London for example, and created new cities like Glasgow and Manchester. (*McCatty M, 2014*) (*McGranahan G and Satterthwaite D, 2014*). The trend of urbanization where by creating urban areas or moving from rural to urban, began to change in the first decade of the 20th century which led cities to grow in physical sizes and numbers of new cities (*Bekele H, 2005*). But it is not always the case because in many cases urbanization created slums and informal settlements, not only cities (*McCatty M, 2014*) (*McGranahan G and Satterthwaite D, 2014*).

However, migrant populations shift back and forth between urban and rural areas (*McGranahan G and Satterthwaite D, 2014*), and it is not a fixed one direction only to cities, specially that many population moves from urban areas to rural but with transforming villages to cities or small

urban settlements (*Cohen B, 2006*). Moreover, population's rural-urban migration is consisted of two main types; internal migration and international migration where both of them contribute and affect urban growth (*Bhatta B, 2010*).

Internal migration is the rural-urban shift of population within the country, while international migration is the migration of labors from other countries, illegal migrants, and refugees those who escape from natural disasters or wars (*Bhatta B, 2010*). Furthermore, pull factors and push factors play a key role in the interpretation of internal or international migration (*AbuHafeetha M, 2014*) (*Bhatta B, 2010*).

Push factors are those conditions coming from the original place of individuals or groups where it pushes them to leave the place a search for a place which is more secure economically or searching for a place with welfare (*Bhatta B, 2010*) or displacements due to wars or even political persecution (*Bhatta B, 2010*) (*AbuHafeetha M, 2014*), or displacements to escape from natural disasters, discrimination or in many rural places where migrants shift due to social stigma (*AbuHafeetha M, 2014*). On the other hand, pull factors are the conditions in the new places where they entice groups and individuals shift there, because these places offer better services of education, entertainment and health, employment opportunities and more welfare in cities more than rural area (*Bhatta B, 2010*) (*AbuHafeetha M, 2014*).

So basically these push and pull factors affect rural-urban migrations in first role and as a result affect urbanization which lead to leave rural

areas to go to cities, or leaving cities to rural areas and convert these rural areas into new cities and expansions, and both factors can be found in anyplace in the world of developing or developed countries and can be changed within time and upon each country's conditions. Although In all cases and all over the world, recently the urban population in the world is growing and increasing faster than the natural population growth and the whole population growth is expected to increase specially due to the expansion of existing cities (*Brown L, Gray R, Hughes R and Meador M, 2005*) and the whole urbanization rate all over the world between 1950 and 2010, has changed from less than 30 percent to more than 50 percent in all over the world (*United Nation, 2012*)(*Glaeser E, 2014*), where urbanization rate and trend is raising rapidly now (Figure 2.1), and these high urbanization rates created new cities, expansions and sometimes slums, especially in developing countries with an alarming rate because they are not able to compete with the rapid urbanization rates (*Bekele H, 2005*) (*Bhatta B, 2010*).

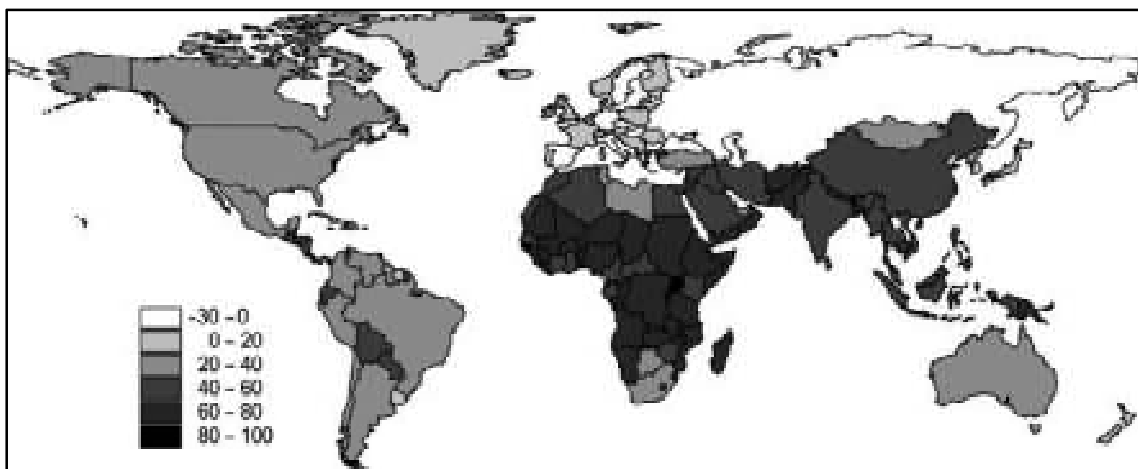


Figure (2.1): Projected percentage increase in urban population 2000–2030- (*Bekele H, 2005*)

The rapid urbanization rate all over the world will definitely affect the urban areas, where these urban areas will expand on rural areas and rural land use will be transformed into an urban land use and lead to the most dangerous consequence of the rapid urbanization (*Brown L, Gray R, Hughes R and Meador M, 2005*), causing urban sprawl all over the world, where sprawl is increasingly becoming an issue that is associated with urbanization no matter where it takes place (*Bekele H, 2005*).

Although urbanization had been hit the whole world, but the pattern of urbanization and the causes behind it in developed and developing countries are contrasting, and urbanization did not occur in the same chronological context for both. Urbanization process started in developed countries first, which caused by industrial revolution and then followed by suburbanization, while urbanization's process in developing countries came after 1950 which is came as a result of the independence of colonialism and the rapid demographic growth; which is rural-urban migrations and natural population growth (*Bekele H, 2005*) (*Pacione M, 2009*).

But, there is general agreement on the attributes of general characteristics of urbanization around the world in terms of demographic changes and centralized economy in certain areas like cities which is spatially limited in a certain geographic space, and the urbanization change of people's lifestyle who have moved to urban areas (*Lupala J, 2002*) and urbanization firstly caused by industrial revolution which didn't only affected villages and rural areas but also existing cities. At the end,

urbanization's causes differ from time to time and from country to country (*AbuHafeetha M, 2014*) and created slums, crowded areas, informal areas and socio-economic problems which are major consequences of urbanization in developed and developing countries.

2.1.2 Urbanization in Developed Countries

In nineteenth century, rapid urbanization was one of the most important phenomena in the field of urban planning, in developed countries of Europe and North America the urbanization is caused by “industrialization” (*Bekele H, 2005*) (*McGranahan G and Satterthwaite D, 2014*) (*Dyson T, 2011*) (*Mondal P, 2015*), where human population growth increased from one billion to seven billions during that time which hits the highest growth rate was ever recorded in the urban history (*Terenzi A, 2014*).

Urbanization arrived in these countries to an unprecedented rates in the past two decades, as cities become more numerous and larger like never before, when urbanization increased as a result of industrialization and the development of transportation and telecommunications globally and the positive political environment which is free of conflicts (*Cohen B, 2006*). Accordingly, those incentives migrations led to increase the rate of population growth in the cities at the expense of the rate of population growth in rural areas where it has led to a decreasing significantly (*Dyson T, 2011*).

Industrialization had also the major impact on the economy of developed countries, it caused the biggest shift of economy from an agricultural and farm rural economy to an industrial urban economy which defiantly caused rural-urban migration (*Dyson T, 2011*)(*Pacione M, 2009*) all over these countries and cities in various rates. Therefore, urbanization was simultaneous with the economy's process of change and development where industrial activities increased rapidly and the establishment of factories and cities became magnets for labors and provided job opportunities in the time when the industry became the most important and influential than agriculture and thus become cities motives and incentives for growth (*Henderson J, 2014*). For that, good economy “if found” is the main reason behind urbanization either in developed or developing countries.

Moreover, cities provide better infrastructure, services and amenities, which work as magnet for investors and private sectors which leads to accelerated urban population growth rates (*Freire M, 2006*). Easy transportation and job opportunities stimulated continuous series migrations and contributed with population shift from rural, not only to urban centers, but also the surrounding areas around cities, which also made the city expand and become larger than before (*McGranahan G and Satterthwaite D, 2014*) (*Cohen B, 2006*) (*Bekele H, 2005*).

During the 19th century, the urban population increased dramatically in the industrial cities which suffered from inadequate infrastructure and

insufficient services, with the appearance of informal settlements which had almost no services and no infrastructure of sanitation or even water supplies (*Pacione M, 2009*) as well as deterioration in services and life conditions in cities, in which prompted to slowing the pace of urbanization, and the middle class migrants who choose to shift from the center of the city to outside and cities expanded (*Cohen B, 2006*) and created new phenomenon appeared which is suburbanization in 1950 (*Cohen B, 2006*) (*Mondal P, 2015*) when cities began to relatively lose population and people began to go outside the cities and on the edges (*Mondal P, 2015*).

2.1.3 Urbanization in Developing Countries

Before 1950 and the independency of most of developing countries, Britain and France were the two strongest colonial countries and experienced planning not only in Britain and France but also exported their acts to their colonies in developing countries, not to develop these countries, but to impose control and to dominate those countries as well as developing only colonies where French and English people live in developing country (*Khamaisi R, 1997*).

They transferred also their planning legislation to serve their ambitions and to impose more control, where either by using the same urban legislation between colonial countries and colonies (*Khamaisi R, 1997*) or by practicing urban bias in that time. For example, Algeria was a French colony which France practiced its own planning legislations and used similar urban legislations in the same general in their colonies in

Algeria, while this is not the same situation in British colonies, where Britain in that time didn't not give that attention that much to urban legislations that would improve the hazard situation of those developing countries specially while many infrastructure and housing problems appeared in large cities in developing countries as well as lack of services and sanitation systems due to the rapid pace of urban growth. All of these reasons, led Britain to create additional and separate colonies for only British colonizers in that time (*Khamaisi R, 1997*). Therefore, unlike developed countries, industrialization didn't strongly cause urbanization in developing countries, where here it seems there are stronger factors and strongly correlated links between urbanization and institutional factors with politics which affected developing countries (*Henderson J, 2014*).

In developing countries, urbanization began in 1950 which was due to population growth after the end of World War II when most of these countries gained independence and the migration from rural areas to the city in a way to find better opportunities of jobs and better life standards which stimulate cities' expansion (*PacioneM, 2009*) (*Bekele H, 2005*) (*Mondal P, 2015*) (*Mohammadi J, Zarabi A, Mobaraki O 2012*).

However, the pace and rate of urbanization increased extraordinarily after 1950 and cities of developing countries were growing faster than cities in developed countries(*McGranahan G and Satterthwaite D, 2014*) (*Pacione M, 2009*) and new cities created in a very short time (*FreireM, 2006*), especially when independent developing countries wanted to experience the taste of practicing their power of independence.

But here is the puzzle which is about the reasons behind urbanization in developing countries doesn't have a direct relation with industrialization specially they are poor countries with poor economy which is about low levels of Gross Domestic Product and low Per Capita Income, and the industrial sector is just in the very primary stages and concentrating on light industries. For that, some argue that urbanization doesn't have that strong a sturdy link with income change but more related to politics (*Henderson J, 2014*), others argue that nowadays there is a more sturdy link between income and urbanization pace in some developing countries specially after 1960s, (*Glaeser E, 2014*) (*Lupala J, 2002*). For instance, due to Oil Revelation in Gulf Cooperation Council (GCC) countries, has been dramatically accelerated the pace of urbanization in all of the GCC countries and attracted many people from all over the world to move to those countries (*UN-Habitat, 2012*).

Actually, urbanization in developing countries caused by a mixture of economic, political, governmental and institutional factors, especially where each developing country has its own situation till nowadays. Moreover, emigration played a major role in urbanization but in a different form, where usually informal migrants tended to live large villages which became urban or in semi-urban areas but not in a fully urban areas (*McGranahan G and Satterthwaite D, 2014*).

So upon these causes, the urban population in developing countries increased from 300 million in 1950s, and reached up to 1.3 billion in 1990

and expected to reach up to 3.5 billion by 2020 and the cities of those developing countries are unpredictably growing due to migration and natural population growth (*Lupala J, 2002*).

However, the growth of unregulated and unpredictable in developing countries, faces various challenges which worsen the situation of urbanization, where the poor infrastructure, services and transportation, as well as stinginess of resources, are all not enough to cope with the needs of rapid urbanization's population (*Bekele H, 2005*) (*Freire M, 2006*) (*Cohen B, 2006*) (*Pacione M, 2009*). Moreover, many of these countries suffered from cruel social and political entities and structures which added more complexity to the situation (*Freire M, 2006*) as well as the lack of planning systems and improper allocation of land (*Bekele H, 2005*). As a result, many of urban population in developing countries suffer from health diseases due to the inadequate infrastructure, sewage systems and solid waste disposals, as well as deficient access to pure water for drinking (*Cohen B, 2006*). Probably these challenges facing urbanization since 1950s in developing countries until nowadays, which appear only in economically poor countries with low pace of economic growth (*Dyson T, 2011*), where these countries are unable to cope with the pace of rapid urbanization.

So in countries with lack of productivity, urbanization and economy here is not about productive cities but rather with consuming cities (*Henderson J, 2014*) (*Pacione M, 2009*) and such cities with only

consumers, made the economy based on services sectors, and here come the challenges of urbanization in developing countries, where expansion of cities need good economy (*Pacione M, 2009*) to provide adequate infrastructure, sewage systems, services as well as more management of urban population growth with creating cohesive planning scheme and structure and make cities productive not only consumers for a better life for all (*Freire M, 2006*).

2.1.4 Urbanization in Arab World

Arab World, as it is part of developing countries, affected by the same general factors which affected urbanization in developing countries. The same of what happened in other developing countries during the colonial era from developing only the colonies there (*Khamaisi R, 1997*), repeated as well in the Arab World where colonies in that era expanding and spreading, and reflecting the upper-class European architectural styles and wide avenues with bigger district and multi-storey buildings, while expansion of these colonies came at the expense of residential areas where many of them were converted into business areas and offices (*UN-Habitat, 2012*).

After most of Arab countries got their independence, the actual impact of urbanization in terms of the interactions of physical and social have begun especially after the second half of the twentieth century, where the independent Arab countries sought to create an Arabic identity of urbanization with cities of Arabic authenticities (*Miller C, 2007*). It's worth

mentioning that, until the mid of twentieth century, most of the Arab world areas were have a rustic rural character but in the present days most of Arab World has become urbanized (*Miller C, 2007*).

Although, the independent Arab countries nationalized large spaces of land and reformed them, as well as re-controlled and possessed the land owned by the previous colonial countries which the independent Arab countries used these lands for the allocation of land for expansion and services, especially with an increase in the annual rate of urban growth from four to eight percent in the period between 1960s and 1980s (*Kharoufi M, 1996*), but the public land reserves which are allocated for public services, became decreasing, while the inability to accommodate the demand for land and the provision of services are increasing as a result of the rapid urban population growth in urban areas and the increase of urban expansion in all the Arab world cities (*Kharoufi M, 1996*).

Thus, the annual urban population growth rates reached its peak in 1970s but decreased in the period of 1980s (*Kharoufi M, 1996*) (*Miller C, 2007*), to reach a rate of only two to four percent only (*Kharoufi M, 1996*). Although, Arab World countries registered as unprecedented urban expansion of cities as a result of urbanization (*Kharoufi M, 1996*), and this expansion coincided with the rapid pace of population growth, as the political dimension has played a major role by constituting independent post-colonial states, and concatenation of conflicts not only in the region but also in the World of Globalization (*Miller C, 2007*). After those Arab

countries were completely constituted, a new wave of urbanization emerged because of economic developments, and the major role of migration due to either the Oil Revolution in GCC countries which attracted migrants, or due to conflicts and wars in some countries of Arab World which pushed immigrants to become displaced (UN-Habitat, 2012) (*Schäfer K, 2013*).

Economic migrants tended to move to the capital cities or to the dominant economic centers, while spreading to other areas and villages started since the mid of 1970s (*Kharoufi M, 1996*) (*Miller C, 2007*), where displaced migrants due to wars and natural disaster chose slums to live in (*UN-Habitat, 2012*). In 2010 refugees counted 7.4 million in the Arab world, and 9.8 million of internally displaced persons (IDPs) who remained within their countries' borders, and 15 million international economic migrants to other Arab countries (*Schäfer K, 2013*). So, Arab world became one of fastest countries in the pace of urbanization (*Miller C, 2007*) (*Schäfer K, 2013*) (*Abou-Korin A, 2011*), where from 1970 to 2010 the rate of urban growth reached up to 400% with 56 percent of population live in cities in 2010 with 357 million residents, and expected to increase up to 646 million residents by 2050 as well as 68 percent of population expected to live in cities and urban settlements by the year 2050 (*Schäfer K, 2013*).

In terms of economy, many of these countries to prove themselves in the globalized world, they transferred their economies from agricultural based economy into an industrial and services economy for the sake of

attracting private sectors and investors, which is exactly what happened in Maghreb countries (Algeria, Libya, Morocco, Tunisia and Mauritania) where they also changed their land allocations and relied on banking systems to provide better financial facilities (UN-Habitat, 2012). Moreover, the GCC countries played a major role in the international migration which attracted migrants due to the economic revival as a result of Oil Revolution in those countries (*Miller C, 2007*). While most of Mashriq countries (Egypt, Iraq, Jordan, Lebanon, the Occupied Palestinian Territories (OPT) and Syria) have economic activities which are intensive in either capital cities led to internal rural-urban migrations (*UN-Habitat, 2012*).

Countries like Jordan and Lebanon accepted international migrants like Palestinian and Iraqi refugees (*Miller C, 2007*), and more recently Syrian refugees. So the successive of past and even recent conflicts and wars particularly in Mashriq countries and the Southern Tier (Djibouti, Somalia, Sudan and Yemen), which made urbanization accelerated in some countries at the expense of other countries and worsening the situation of controlling this rapid urbanization as well as the internal immigration to flee from natural disasters or even conflicts if displaced people couldn't immigrate internationally (*UN-Habitat, 2012*). As a result, immigrations happen in different pace and locations upon the situation of the country they would immigrate to (*Miller C, 2007*). Parallel to the expansion of cities and creating new planned neighborhoods for high-medium class, there was unplanned settlements and informal housing which contained up to 50% of the urban population in many of Arab world countries (*Miller C, 2007*).

These unplanned informal settlements and slums are caused by the lack of land that cannot accommodate the rapid growth due to the internal migrations, or due to the lack of registered titles of lands, and the lack of affordable housing, while the refugee camps created as a result of international migrations and suffer not only from bad living conditions, but also from social trauma in many cases (*UN-Habitat, 2012*). Either informal settlements or refugee camps, they suffer from inadequate infrastructure, sewage systems and housing specially in countries like Mashriq countries which are not that much rich economically, the situation is worsen with the migrants who fled from wars (*UN-Habitat, 2012*) (*Miller C, 2007*).

Although Arab world countries have rapid urbanization, but most of them suffer from lack of job opportunities specially with 53 percent of the urban population is young and under the age of 25, there's a magnificent demand for jobs, so here unemployment became a ghost hangs over the region and the youth are pushed to look for jobs elsewhere and thus to immigrate nationally or internationally (*UN-Habitat, 2012*). For example, GCC countries have been receivers for the educated or skilled professionals from Mashriq countries, while Marshreq countries had been receivers and exporters, receivers of less skilled workers and refugees, but exporters of the well educated professionals (*UN-Habitat, 2012*).

As a result, the rate of urban population growth is much higher than the rate of national population growth (*Kharoufi M, 1996*) which added

more load on the shoulders of Arabs governments specially when they don't have sufficient capacity and ability to keep pace with the rapid urbanization process which is really critical in terms of planning for the coming generations (*UN-Habitat, 2012*). These critical challenges are harsher in a country that is still not independent neither politically nor economically, with no absolute sovereignty over "land" which is the most important factor for expansion and growth which the case of Occupied Palestine.

2.1.5 Urbanization Impacts and Consequences

Urbanization brought many benefits of economic, cultural, social and lifestyle developments (*McGranahan G and Satterthwaite D, 2014*) (*Wilson S, 2015*) (*Bhatta B, 2010*) specially during the 19th and 20th centuries, urbanization and industrialization were strongly affected the economy and job opportunities which led to massive rural-urban migration, while nowadays and due to globalization developing countries are experiencing the same situation of flourishing in job opportunities which also led to rural-urban migration for those who are looking for job in cities (*Bhatta B, 2010*), and as a result, the demographic transition is the most influential reason of urban growth in all countries (*Shaheen L, 2013*) (*Dyson T, 2011*).

Although, cities became more congested with spread of diseases where governments were not able to upgrade sewage and water systems to cope with the high populated areas in that time in addition to the lack of

housing as well as the spread of social problems (*Khamaisi R, 1997*) (*Wilson S, 2015*) (*Cohen B, 2006*) (*Bhatta B, 2010*) (*McCatty M, 2014*) (*McGranahan G and Satterthwaite D, 2014*). On the other hand, rapid continuous immigrations and rapid urban growth are the major driving forces to unmanaged and unplanned urban expansion all over the world and especially in developing countries (*McCatty M, 2014*)(*Cohen B, 2006*) where open and public space are becoming less and we ended up with cities of stones only (*Pacione M, 2009*).

All over the world, informal settlements and shanty towns started to appear in parallel to the high migration rates and lack of affordable housing (*McCatty M, 2014*) (*McGranahan G and Satterthwaite D, 2014*), where only in developing countries 30 to 70 percent of settlements are informal settlements in irregular pattern, which are either authorized or unregistered or not approved from government to be a part of the development in the government's agenda (*Lupala J, 2002*). Because Arab world is a part of developing countries, the informal constructions here are also either unregistered properties or constructed over agricultural or sensitive environmental areas as a result of unmanaged urbanization, which led to "urban sprawl" and to enormous problems which related to crimes and unsafe social environment due to the high congestion rates in cities which in many cases are difficult to control which exaggerate conflicts, social problems and rural poverty (*Schäfer K, 2013*)(*Cohen B, 2006*)(*McCatty M, 2014*) (*McGranahan G and Satterthwaite D, 2014*)(*Wilson S, 2015*)(*Bhatta B, 2010*)(*UN-Habitat, 2012*).

Moreover, rapid unplanned urbanization have other consequences like climate change, excessive consumption of water sources which also will affect the biodiversity and ecosystems all over the world (*Wilson S, 2015*) (*McGranahan G and Satterthwaite D, 2014*) (*Brown L, Gray R, Hughes R and Meador M, 2005*) (*Cohen B, 2006*) as well as harmful consequence on environment causing degradation and drought (Schäfer K, 2013). Thus, urban sprawl cause excessive consumption of resources and destruction of open and agricultural lands (*Bhatta B, 2010*) due to the conversion of agricultural lands into urban lands which harms environment and ecosystems (*AbuHafeetha M, 2014*)(*Shaheen L, 2013*)(*Freire M, 2006*).

2.2 Urban Sprawl and Beyond

The phenomenon of urbanization and its consequences played a major role in changing the urban transformation of cities and population settlements, where urbanization in developed countries caused suburbanization where urban cities became congested and many health and social problems appeared, so suburbanization “which can be also called decentralization” considered in that time as a solution by pushing the population outside cities, but those expansions where not well managed and resulted “urban sprawl”. In the other hand, in developing countries the urbanization itself was the main cause behind the urban sprawl where the rapid urbanization was unmanaged and unplanned. Thus, after 1950, *suburbanization* appeared in developed countries which created sprawl,

while *urbanization* appeared in developing countries which led to urban sprawl (Ottensmann J, 1977) (Al-Tarawneh W, 2014). As a result, urban sprawl is closely associated with urbanization regardless the different countries' characteristics, (Bekele H, 2005).

Despite the importance of urban sprawl phenomenon, but still there is no consensus or general agreement upon the definition of what urban sprawl is. But basically, urban sprawl can be defined as “*a pattern of land-use or land cover change in which the rate at which land is converted for development exceeds the population growth rate over a specified time period*” (Bekele H, 2005), while others defined urban sprawl as the conversion of large amount of lands from agricultural lands into urban lands of low density development where density is considered as the tool to measure sprawl (Anthony J, 2004) and others defined it as a scattered and inefficient urban growth (Mohammadi J, Zarabi A and Mobaraki O, 2012) (Al-Tarawneh W, 2014).

Urban sprawl is also defined as the land use as urban area of low density, lack of continuity with the already existing urban fabric, low concentration levels where developments spread evenly, lack of compactness, lack of centrality, multi-nuclei development patterns, low levels of mixed land uses, low levels of proximity where the different land uses are not close to each other (Anthony J, 2004) (Bekele H, 2005) (Shahraki S, Sauri D, Serra P, Modugno S, Seifolddini F and Pourahmad A, 2011) (Mohammadi J, Zarabi A and Mobaraki O, 2012) (Al-Tarawneh

W, 2014). These definitions are completely fit to the developed countries urban sprawl, but to some extent it is not completely matching the urban sprawl in developing countries, although there is no specific definition for urban sprawl in developing countries. For that, the discussion in this section is discussing urban sprawl in developed countries more than the urban sprawl in developing countries because not much studies were about developing countries, and the lack of resources, where the sprawl phenomenon considered as a recent phenomenon in developing countries compared to developed countries, and thus more data is available on developed countries rather than developing countries.

Wherefore, urban sprawl's indicators vary according to regions and territories, including exaggerated land consumption an instrumental change in cities' urban transformation and cities expansion as well as commanding the variations in the land-use patterns (*Al-Tarawneh W, 2014*) (*Bekele H, 2005*) (*Bhatta B, 2010*) which strongly affected the urban transformation of these cities. Urban sprawl caused by unplanned land-uses with insufficient urban laws and land policies and the concentration on roads investments and socio-economic factors (*Bekele H, 2005*). As a result, urban sprawl is considered one of the main global challenges of the Twenty-First Century (*Mohammadi J, Zarabi A and Mobaraki O, 2012*) specially due to its consequence in terms of the dramatic loss in the agricultural lands which became an alarming phenomena for the whole world, either if the countries are developed or less developed (*Al-Tarawneh W, 2014*) (*Adaku E, 2014*)

(Gadakh B and Jaybhaye R, 2015) (Mohammadi J, Zarabi A and Mobaraki O, 2012) (Wilson B and Chakraborty A, 2013).

2.2.1 Urban Sprawl Concept and Trends

Spatially, urban sprawl is considered as a dynamic phenomenon *(Hasse J and Lathrop R, 2003) (Gadakh B and Jaybhaye R, 2015)* and has been one of the most important consequences of rapid urbanization since the World War II in the shape of suburbs *(Nechyba J and Walsh R, 2004)* in developed countries like USA, Canada and European countries during 1950s, while currently the wave of urban sprawl reached many developing countries, which reached large, medium and even small cities all around the world *(Shahraki S, Sauri D, Serra P, Modugno S, Seifolddini F and Pourahmad A, 2011) (Mohammadi J, Zarabi A and Mobaraki O, 2012).*

Basically, Urban sprawl term is used to describe the geographical expansion for the sake of particular developments at the expense of agricultural lands *(Stan A, 2013)*, where many agricultural lands were converted into other urban land-uses *(Anthony J, 2004) (European Environment Agency, 2006)*. Urban sprawl is also defined by scattered separated new land developments and urban land-uses *(Ottensmann, J, 1977) (Gadakh B and Jaybhaye R, 2015)*. Urban sprawl have basic forms and development patterns which are considered as the characteristics of urban sprawl and they are either caused by physical terrains, or unsuitable planning or the lack of control over urban developments *(ARIJ, 2004)*.

For that, urban sprawl forms (Figure 2.2) are considered as part of the characteristics of urban sprawl which are four main forms (Figure 2.2): low-density, strip, scattered, and leapfrog development (*Pendall R, 1999*)(*Adaku E, 2014*)(*Bekele H, 2005*)(*Anthony J, 2004*). Although these characteristics cannot be considered as measurements because what is important in about urban sprawl forms is not the patterns of development themselves but the impacts and the directions of these patterns (*Pendall R, 1999*).

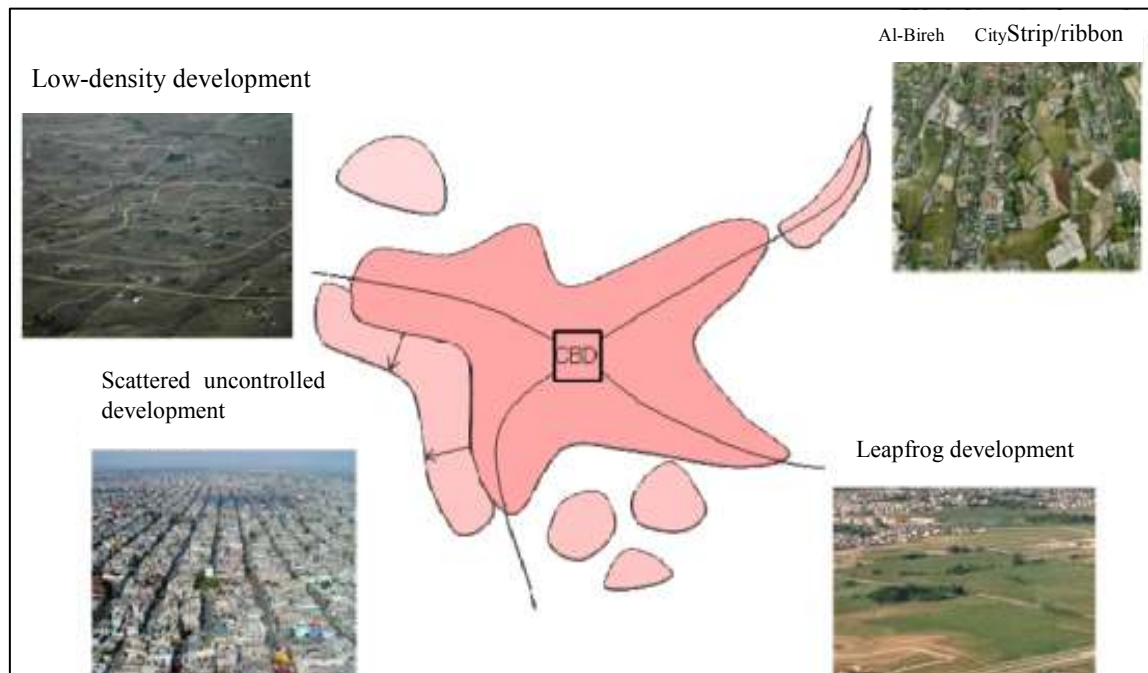


Figure (2.2) Forms of Urban Sprawl - (*Owusu G, 2013*)

Low-density pattern refers to the low rise buildings in large plots due to the cheap land costs in the suburbs; strip development refers to the allocation of settlements align with the transportation or river arteries; while the scattered uncontrolled development refers to the unmanaged and unrolled outward expansion caused by the weakness of zoning and planning and policies; and last the leapfrog refers to the unsustainable

jumping developments which ignore the greenbelts and growth boundaries (*Owusu G, 2013*) where all of these sprawl forms led to uncontrolled and exaggerated consumption of lands specially the agricultural lands where the unmanaged urban growth, didn't only caused huge loss of agricultural lands (*Bekele H, 2005*) (*Pendall R, 1999*) (*Brunner A, 2012*), but also increased pollution and excessive consumption of resources, which increase health and social problem, and became a challenge for the whole world especially for developing countries (*Al-Tarawneh W, 2014*) (*Bekele H, 2005*) (*Pendall R, 1999*).

For that the Influential forces behind urban sprawl played a major role in creating the urban sprawl characteristics and forms. These forces are: *physical, socio-economic and political factors* as well as the interactions of these forces together, lead to the urban sprawl phenomenon (*Bekele H, 2005*).

- ***Physical Factors***

The unsuitable physical terrain like the wetlands, water bodies, mineral lands and rugged terrain, lead to urban sprawl (Figure 2.3) (*Al-Tarawneh W, 2014*) (*Bhatta B, 2010*). Therefore, new developments try to avoid these unsuitable geographical terrains due to the high cost for that settlements try to avoid these places due to the high cost to be incurred for infrastructure services supplies, and prefer agricultural lands which are easier to supply services and lower in cost (*Al-Tarawneh W, 2014*).

It's worth mentioning here, that the unsuitable geographical terrains obstacles are difficult to overcome for that many settlements ignored these terrains and scattered around in an unmanaged way because nothing could be done, but overlooking these terrains as shown above in (Figure 2.3) (*Bhatta B, 2010*).



Figure (2.3:) Unsuitable physical terrain prohibits continuous development - (*Bhatta B, 2010*)

- ***Socio-economic factors***

They played a major role in the dynamism urban sprawl and the movement of urban population in the whole world (*Adaku E, 2014*), especially when it is related to housing issue, where the lack of affordable housing in urban areas pushed the population to move out from the city centers and create their settlements in the countryside and forming suburbs (*Bhatta B, 2010*) (*Al-Tarawneh W, 2014*) (*Anthony J, 2004*). Although, wealthy people moved to countryside not because they are pushed to move,

but they preferred to move and have bigger houses with backyards. For both poor and wealthy people, the land values also played an important role in sprawl with the distribution and uses of land which can form the type of development and expansion (*Ottensmann, J, 1977*).

Thus, there's an inverse relationship between rates of urban sprawl and land prices, where the lower price of the land is, the more urban sprawl occurs (*Pendall R, 1999*). Especially in developed countries, people were able to buy their private cars while private automobile became dominance in the transportation, and the rise of cars ownership with the rapid constructions of roads increased suburbanization and resulted sprawl and facilitated the movements between neighborhoods and the separate zones of residential, commercial or offices zones (*Nechyba J and Walsh R, 2004*) (*Anthony J, 2004*) (*Bhatta B, 2010*) (*Bekele H, 2005*).

- ***Political Factors***

The separation of socio-economic operations from urban planning bodies due to the conflicts of interest, as well as the lack of coordination between them and the lack of centralized and organized powers and planning control resulting regulations problems and affect the decision-making process and the output of laws (*Al-Tarawneh W, 2014*) (*Anthony J, 2004*), especially when there's lack of clear land regulations, parallel to the excessive land zoning regulations, where the lack of clear land regulation created illegal and irregular forms of expansion, while the strict land zoning and lack of clear land-use regulations which created illegal and

irregular settlements, the strict land zoning regulations has created totally separate land-uses (residential, offices, commercial, industrial, and other land-uses) which resulted low density expansions which at the end all together created urban sprawl (*Bhatta, 2010*)(*Al-Tarawneh W, 2014*) (*Zeković S, Vujošević M, Bolay J, Cvetinović M, Miljković J and Maričić T, 2015*)(*Anthony J, 2004*).

Therefore, the land-use laws have heavily impacted rural areas and their structure, starting with the development of rural residential buildings and ending with urban sprawl and the loss of large tracts of rural and agricultural lands (*Al-Tarawneh W, 2014*). Moreover, the lack of coordination between the different governmental and institutional of planning in developing countries are contributed to inflate the rate of urban sprawl (*Owusu G, 2013*), especially when their decisions are not matching with the future needs and demands for urban development (*Bhatta, 2010*) (*Al-Tarawneh W, 2014*). Due to the lack of coordination and the loose of governmental planning control especially in countryside, the situation became worse by the residents' ignorance of legislations and regulations within the absence of planning control in developing countries (*Al-Tarawneh W, 2014*). Specially in developed countries, urban sprawl is widely considered as low-density, scattered exclusive land-uses (*Bekele H, 2005*)(*Hasse J and Lathrop R, 2003*)(*Adaku E, 2014*) (*Gadakh B and Jaybhaye R, 2015*)(*Anthony J, 2004*)(*Siedentop S and Fina S, 2008*)(*European Environment Agency, 2006*), as well as the high rates private car ownership (*Mohammadi J, Zarabi A and Mobaraki O, 2012*)

and the increase of residential areas with separate land-uses at the suburbs, are considered as the main characteristics of urban sprawl in the developed countries.

Although there are many similarities between urban sprawl in developed and developing countries like the danger of sprawl on agricultural lands, but not all of the terms of urban sprawl in developed countries are applicable in developing countries which have different factors and characteristics, and for here comes the difficulty of generalizing the forms and characteristics of urban sprawl in all over the world (*Wilson B and Chakraborty A, 2013*), and this is essential to know in the case of looking for remedies of sprawl, the solutions those proposed in developed countries cannot be applicable in developing countries and the following sections are going to highlight the sprawl in developed and developing countries in details. Although the references on urban sprawl in developing countries considered few due to the lack of data compared to developed countries.

2.2.2 Urban Sprawl in Developed Countries

As discussed in the previous part, the movement of suburbanization and decentralization boomed during 1950s, which are two sides of the same coin where the development moved outward the city centers and created new outskirts in the countryside which created urban sprawl.

Although, historically, cities expansions and developments were related to population growth, it is not the case in urban sprawl and the

population growth is not related to sprawling anymore, and the population chose to look for new lifestyles, so they moved away from city centers and created low-density settlements which are the suburbs (*European Environment Agency, 2006*). For that, decentralization and urban sprawl which considered as intensive dispute between planning bodies, researchers, decision makers, and the general public (*Owusu G, 2013*).

Regardless the population growth, all urban sprawl forms can be either low-density residential land-use development, or like edge cities which basically considered for offices and as business districts which aligned to transportation routes, rivers or parks , or scattered with discontinuity in development, or at last can be in the form of enclaves like leapfrogs over agricultural and rural lands while leaving adjacent lands totally empty, which considered as a serious indicator of the unmanaged and irregular urban growth (*European Environment Agency, 2006*)(*Nechyba J and Walsh R, 2004*) and any of the urban sprawl forms can occur regardless the size of the city (*Shahraki S, Sauri D, Serra P, Modugno S, Seifolddini F and Pourahmad A, 2011*) (*Mohammadi J, Zarabi A and Mobaraki O, 2012*).

In the last decades, inner cities were the core of many problems, starting from poverty, unemployment, congested settlements, health, environment and social problems of drugs, crimes and other safety problems which pushed people specially families to move out to the periphery of cities specially due to the low prices of agricultural lands

(*European Environment Agency, 2006*) to find better air quality, more green areas, better schools for their kids, less crimes and more safety, less noise and bigger households which suburbs act like magnets specifically for families (*Nechyba J and Walsh R, 2004*) (*European Environment Agency, 2006*). So, the consumers preferences caused urban sprawl (*European Environment Agency, 2006*) (*Shahraki S, Sauri D, Serra P, Modugno S, Seifolddini F and Pourahmad A, 2011*) (*Mohammadi J, Zarabi A and Mobaraki O, 2012*) (*Bhatta B, 2010*) (*European Environment Agency, 2006*) in addition to the preferences for local taxes and more amenities such as backyards with swimming pools, and more open spaces (*Nechyba J and Walsh R, 2004*) (*European Environment Agency, 2006*). The rising of living standards for residents is as a result of the economic growth due to globalization which resulted in increasing the private cars ownership and the massive roads constructions as well as the drop of fuel costs especially in USA and caused decentralization (*European Environment Agency, 2006*).

Moreover, the economic growth, rapidly increased the establishment of new factories industries and the shift of the old ones outside the city centers, because factories mostly need huge spaces, as well as housing for the employees of the countryside factories where the prices of rural agricultural lands are low compared to urban lands which consumed more rural lands excessively in uncontrolled patterns (*European Environment Agency, 2006*) (*Bhatta B, 2010*). As a result, this caused urban sprawl which is excessively consuming from agricultural lands around 3,000 sq.

Km per year in the developed countries (*Gadakh B and Jaybhaye R, 2015*) due to uncontrolled and unmanaged expansions as a result of the weak land-use planning regulations and the poor enforcement in the countryside as well as the poor implementation of the existing plans as well as the lack of coordination between planning bodies, government and lack of collaboration between them and the citizens (*European Environment Agency, 2006*).

Although the economic growth which increased the income disparity between population which created decentralization, but instead of considering the decentralization as a solution for urbanization problems, it also created unresolved equation which is urban sprawl's impacts of more social problems where obviously, sprawling cities dismantle the structure of the society and community into two parts, according to socio-economic factors; where the first part considered as very crowded and contested places in the city exclusively for the poor, and the second part considered as areas with low-density scattered settlements in the periphery of the city exclusively for high-income people and the final composition of the city become a heterogeneous combination between the segments of society (*Bhatta B, 2010*).

Governments in developed countries recognized that urban sprawl poses more harms than benefits and considered as unsustainable, so United States of America as well as many other developed countries imposed sets of regulation and proposed a range of development solutions, such as New

Urbanism and Growth Management but it seems these were not effective enough so urban sprawl is still exist in United States of America and many other developed countries and will continue in the future if there is no powerful implementation (*Brunner A, 2012*).

So, if this is the case in developed countries, then the situation can be worse in developing countries due to the lack of powerful planning control and lack of policies which is considered as one of the most influential causes of urban sprawl.

2.2.3 Urban Sprawl in Developing Countries

Although the rapid urbanization created slight economic progress in many developing countries (*Gadakh B and Jaybhaye R, 2015*) but still the economy is weak to attract investors and developers to inner cities (*Martine G, 2011*), and poor to expand vertically, for that expanding horizontally is more dominant because they rural lands are cheaper where many of these horizontal expansions occurred in unmanaged way which created urban sprawl (*Bekele H., 2005*).

However, lower land prices outside the city played an important role in creating the phenomenon of urban sprawl in developing countries (*Owusu G, 2013*) (*Shahraki S, Sauri D, Serra P, Modugno S, Seifolddini F and Pourahmad A, 2011*) as it attracts investors and developers to buy outside the city in addition to the poor urban planning systems and the weak economic market which led to dramatic widespread speculation in

land prices, so developers chose the areas those are between the inner city and rural areas and they seek to buy these lands because they think the prices will rise in the future due to the speculation of these lands as a result of their proximity to city center and the rapid population growth (*Owusu G, 2013*). Thus, urban sprawl in developing countries created a unique character of city structure (Figure 2.4), which the city is consisted of the city center which is congested, suburban areas, and peri-urban areas (*Brunner A, 2012*).

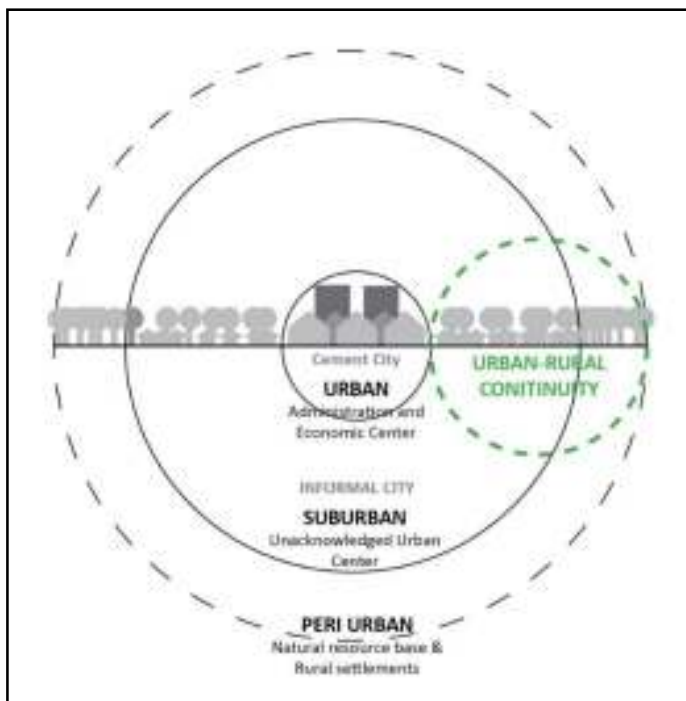


Figure (2.4): Schematic Diagram Urban Structure of a Developing Country's City (*Veríssimo C, 2014*)

The suburban areas and peri-urban areas are considered as forms and they also considered main contrasting urban sprawl types (*Brunner A, 2012*), because the first form “suburban areas” is characterized by scattered low density residential areas with luxurious commercial services but not mixed land-uses created for wealthy people and served by streets for

private automobiles only instead of public transportation (*Torres H, 2011*) (*Brunner A, 2012*), while the other form is “peri-urban areas” which only poor people move to these areas (*Torres H, 2011*)(*Brunner A, 2012*) which are located between the city and rural areas and characterized by lower density than the city center but higher than suburbs and mixed land-uses (*Torres H, 2011*), irregular forms and informal land-uses (*Larson R and Varol N, 2003*) (*Torres H, 2011*) (*Brunner A, 2012*), and the whole peri-urban areas suffer from poverty in terms of poor infrastructure, insufficient accessible roads, degradation of life conditions with inadequate basic services (*Bhatta B, 2010*) (*Torres H, 2011*) (*Brunner A, 2012*) (*Larson R and Varol N, 2003*).

However, where most of these informal settlements and land uses in developing countries can be found in the inner city and in the peri-urban areas which considered as the periphery of the city (*Torres H, 2011*) (*Bhatta B, 2010*) and considered as consequences of rapid urbanization in the shape of urban sprawl (*Bolay J, 2004*) (*Moreno E and Mboup G, 2011*). Actually in developing countries, between 25 to 75 percent (*Bolay J, 2004*) and one out of three urban residents live in illegal and irregular settlements (*Moreno E and Mboup G, 2011*), which means the majority of urban sprawl form is in the shape of slums that are located in peri-urban areas.

The poor urban planning systems in these countries and the lack of authorities to predict the future expansions, and the lack of implantations enforcements led to excessive urban sprawl in addition to the exclusive

land-uses policies which were taken from developed countries as they are because of colonization, separating the lands into separate land which are not suitable for the case of developing countries in addition to the unsuccessful and ineffectual enforcement of these land uses on the ground (*Bhatta B, 2010*) (*Al-Tarawneh W, 2014*) (*Brunner A, 2012*) as well as the lack of physical and financial resources with the absence of clear strategic plans, where all of these have worked on creating urban sprawl in developing countries (*Freire M, 2006*).

As a result, urban sprawl varies between developing and developed countries, although it is created because of decentralization in developed countries, but urban sprawl in developing countries is created by urbanization (*Ottensmann J, 1977*), where most of cities are continued sprawling until nowadays an unplanned and irregular patterns and the sprawl increased due to the continuous rapid urbanization (*Abu Helu M, 2012*) (*Shahraki S, Sauri D, Serra P, Modugno S, Seifolddini F and Pourahmad A, 2011*). However, urban sprawl increased after the construction of highways and transportation routes (*Shahraki S, Sauri D, Serra P, Modugno S, Seifolddini F and Pourahmad A, 2011*), where the urban sprawl in developed countries followed transportation routes, but the difference here is in developed countries the transportation routes are planned but in developing countries the transportation routes themselves are not planned and the sprawling settlements became more unsystematic and random patterns (*Bekele H, 2005*)(*Shahraki S, Sauri D, Serra P, Modugno S, Seifolddini F and Pourahmad A, 2011*).

Moreover, urban sprawl in developing countries is not always characterized by low-density suburbs (*Martine G, 2011*)(*Freire M, 2006*), and automobile privatization like the developed countries, and not caused by the preferences for new lifestyles of people to move out of the city to the periphery of the city (*Martine G, 2011*). Although, rich people in developing countries moved outside for their preferences but they are little portion compared to the poor population, because the majority of developing countries while one out of five live below the national poverty line (*Larson R and Varol N, 2003*). Thus, the majority of people in developing countries did not move to the suburbs for luxurious lifestyles like in developed countries (*Bekele H, 2005*) (*Bahatta B, 2010*) where the poor population pushed to move out to get the necessary needs of spaces specially there is no more space enough for the population in the inner cities due to the rapid unmanaged urbanization and limited housing options for them, so here the population growth has it is impact in sprawling cities of the developing countries but not the sole main cause of urban sprawl (*Brunner A, 2012*) (*Adaku E, 2014*) (*Gadakh B and Jaybhaye R, 2015*).

The inadequate services, unplanned expansion, and informal settlements caused by urbanization are basic features of urban sprawl in developing countries which are shared with the Occupied Palestinian Territories because it is already part of developing countries (*Abu Helu M, 2012*). Although the Palestinian situation is considered a unique situation in the world especially due to the political situation and the planning practices

which were controlled by external forces for a long period not by Palestinians themselves (*Abdelhamid A, 2006*).

2.2.4 Urban Sprawl Impacts and Consequences

Although the forms and causes of urban sprawl in the world vary between countries, but most of the world's countries share the same consequences of sprawl but in varied rates. The urban sprawl around the world has serious losses (*Bhatta B, 2010*) but also decentralization has positive consequences mostly in developed countries. Decentralization caused higher economic outputs when cheap land is opened for factories for example, and created more opportunities for employment as well as better sanitation and infrastructure services where these rich countries can afford for new better infrastructure, in addition to provide better lifestyles compared to city center (*Bhatta B, 2010*) (*Owusu G, 2013*). Moreover, decentralization provided better houses with bigger spaces, private backyards and better schools as well as the suburbs have lower crime rates and better air quality and lower in noise and pollution compared to city center (*Owusu G, 2013*).

On the other hand, the rapid urban growth outside cities went out of the governments' control, including developed countries governments, due to the lack of urban planning development and the loose control over urban growth which resulted urban sprawl and considered as a harmful phenomenon which excessively consume land, energy, water, and other natural resources (*Bhatta B, 2010*) (*Mohammadi J, Zarabi A and Mobaraki*

O, 2012) in addition to the dramatic loss in open spaces and agricultural lands which considered one of the most dangerous consequences of urban sprawl (*Nechyba J and Walsh R, 2004*). As a result, a major negative tendency towards urban sprawl has been appeared in the late of Twentieth Century (*Brunner A, 2012*), due to the harmful costs of urban sprawl at the economic, environmental, and social levels (*Bhatta B, 2010*) (*Shahraki S, Sauri D, Serra P, Modugno S, Seifolddini F and Pourahmad A, 2011*).

- ***Economic costs***

Services and infrastructure for the low-density scattered urban developments are very high in expenses compared to inner cities (*Siedentop S and Fina S, 2008*) (*Bhatta B, 2010*) (*Owusu G, 2013*) which means more schools, police stations, fire stations, hospitals, wires, cables, pipes, and more waste and recyclables collection services (*Bhatta B, 2010*), as well as a high cost must be paid to provide roads and highways (*Bhatta B, 2010*)(*Al-Tarawneh W, 2014*), to cope with the high rates of private car ownerships and other vehicles which are essential in low density developments (*Al-Tarawneh W, 2014*). As a result, higher costs of services and infrastructure led to higher tax burdens (*Nechyba J and Walsh R, 2004*) (*Bekele H, 2005*) (*Owusu G, 2013*).

- ***Environmental costs***

Sprawl imposed a major threat on availability of land and other natural resources (*Bekele H, 2005*) (*Al-Tarawneh W, 2014*) (*Hasse J and*

Lathrop R, 2003)(Larson R and Varol N, 2003) (European Environment Agency, 2006). Urban sprawl also destroyed many wetlands and woodlands for the sake of expansion which caused a major loss in the wildlife habitat (*Bekele H, 2005) (Bhatta B, 2010) (Brunner A, 2012) (Al-Tarawneh W, 2014) (European Environment Agency, 2006)* which as a result changed the ecosystems patterns (*Al-Tarawneh W, 2014*), in addition to the loss of farmlands, open spaces and agricultural lands (*Bekele H, 2005)(Bhatta B, 2010)(Owusu G, 2013)(European Environment Agency, 2006)* where these lands were converted into urban lands (*Bhatta B, 2010) (Brunner A, 2012) (Al-Tarawneh W, 2014)*).

So the conversion of agricultural lands into urban lands led to dramatic consumption and changes in the soil properties and reduced its capacity to perform its fundamental functions (*European Environment Agency, 2006*) which affected the national food security due to the reduced food productions (*Bhatta B, 2010) (Brunner A, 2012) (Al-Tarawneh W, 2014)*. Urban sprawl also excessively consume raw materials, natural resources and energy (*Bekele H, 2005) (European Environment Agency, 2006) (Mohammadi J, Zarabi A and Mobaraki O, 2012)* in addition to producing pollution and energy wastes (*Martine G, 2011) (Larson R and Varol N, 2003) (Nechyba J and Walsh R, 2004) Bhatta B, 2010) (Al-Tarawneh W, 2014)*, and affecting air quality (*Nechyba J and Walsh R, 2004) (Bhatta B, 2010) (Al-Tarawneh W, 2014) (Owusu G, 2013) (European Environment Agency, 2006)* as well as greenhouse gas emissions due to the increased travel distances and lengths as well as the

increase in fuel consumption of the large number of private cars(*Nechyba J and Walsh R, 2004*) (*Bekele H, 2005*) (*Bhatta B, 2010*).

These emissions are contributed in climate change where temperatures becoming higher (*Bhatta B, 2010*)(*European Environment Agency, 2006*) (*Mohammadi J, Zarabi A and Mobaraki O, 2012*), and so urban sprawl leads to higher temperatures (*Bhatta B, 2010*)(*Al-Tarawneh W, 2014*) and threaten the natural and rural environments (*European Environment Agency, 2006*) (*Mohammadi J, Zarabi A and Mobaraki O, 2012*) and increased the rates of river and coastal flooding (*European Environment Agency, 2006*) and also affects water quality and quantity (*Bekele H, 2005*) (*European Environment Agency, 2006*) (*Al-Tarawneh W, 2014*)(*Bhatta B, 2010*) while all of these will affect the overall life style of people (*European Environment Agency, 2006*) (*Mohammadi J, Zarabi A and Mobaraki O, 2012*) and we can say it may threaten the future generations' lives.

- ***Social Costs***

Most of social problems here are in developed countries where urban sprawl leads to inhomogeneous community structure and imbalances (*Bekele H, 2005*) *Shahraki S, Sauri D, Serra P, Modugno S, Seifolddini F and Pourahmad A, 2011*) (*Al-Tarawneh W, 2014*). Suburbs are pulling only rich people to bring them away from poor people to separate between poor and rich people as well as between rich and middle class people, which create inequality and segregations (*Bekele H, 2005*) (*Al-Tarawneh W,*

2014), as well as social spatial isolation between the rich community itself due to low-density developments where houses are far from each other (*Bekele H, 2005*) (*Al-Tarawneh W, 2014*). However the backyards for the houses of suburbs increased the community disintegration, where for instance instead of going to public parks where people could meet and interact, the backyards tend to prevent the interaction between neighbors (*Al-Tarawneh W, 2014*). As a result, the low-density developments and the low population density will lead the residents to lose their sense of community (*Bhatta B, 2010*) (*Nechyba J and Walsh R, 2004*) where not only social problems appear clearly in developed countries but also urban sprawl made people less active not only socially, but also physically and people became fatter and sicker (*Al-Tarawneh W, 2014*). Although most of the mentioned urban sprawl cost are concentrating on the developed countries case at the expense of developing countries due to the lack of references about urban sprawl in developing countries, but in general urban sprawl costs are more harmful in developing countries especially in Palestine where the case is worse.

- **Summary**

Urbanization affected the urban transformation all over the world, however urbanization in developed countries is different from urbanization in developing countries in terms of driving forces and influences. In developed countries, urbanization was followed by suburbanization which means moving from city to suburbs where people preferred to move and

this created the phenomena of urban sprawl which is in these countries considered as a low-density urban development with low levels of mixed land uses and have efficient infrastructure. In developing countries, urbanization created urban sprawl, where necessities pushed people to move from rural to urban areas, however the unmanaged urbanization and uncontrolled urban development created urban sprawl in these countries which is not similar to developed countries where here the development could be high density or scattered in addition to insufficient and inefficient infrastructure and services. Developed and developing countries share certain urban sprawl costs and have their unique urban sprawl costs for each. Thus, this chapter is to highlight the major terminologies of the thesis and to give the theoretical background that would produce better understanding for the case of thesis specially because Palestine is considered part of developing countries and there are commonalities between urbanization and urban sprawl in Occupied Palestinian Territories and developing countries, however Palestine consider as a unique case specially that it is still under occupation. For that, the Palestinian unique case will be discussed in the next chapter where new dimensions and influences resulted urban sprawl like geopolitical conditions, rapid uncontrolled urbanization, and cumulative statutory planning laws, where here comes the major impact of the gap between the urban planning and planning laws and the urban development.

Chapter Three

Literature Review Part II: Urbanization, Urban Sprawl and Statutory Planning Laws in Occupied Palestinian Territories

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3.1 Urbanization in Occupied Palestinian Territories

In developing and Arab world countries, the pace of urbanization is very high in line with the high population and urban growth which considered as a challenge that face the countries of weak economy and unmanaged growth, where cities are expanding as well as new cities are born due to the rural-urban migration to seek for jobs and enhanced lifestyles (*Shaheen L, 2013*) (*Terenzi A, 2014*) as well as urban bias and urban poverty are well noticed in developing countries (*AbuHafeetha M, 2014*), where Palestine has the same challenges that face developing and Arab world countries, because it is already considered part of both of them. But still Palestine has its unique situation that is not similar to any case in this world, and face more difficult challenges not because only the rapid pace of urbanization and population growth, but also because the occupation with no scarcity over land and resources, as well as the significant geo-political fragmentations (*Shaheen L, 2013*) (*Terenzi A, 2014*).

Palestine is a special case and it has been dominated by Consecutive external and foreign forces across history (*Khamaisi R, 2010*). Therefore the area followed and relied on these foreign city centers while most of the cities and regions of the historical land of Palestine has historical and religious values for all monotheistic religions; like Jerusalem and

Bethlehem and became a point of attraction for the economic the administrative structures for foreign powers without any Palestinian sovereignty over land (*Khamaisi R, 2010*).

The first wave of rapid urbanization in Palestine occurred 1948 Al Nakba, when Palestinians especially from the coastal cities were displaced from their homes, and left to West Bank, Gaza, Lebanon, Syria and Egypt. West Bank faced a very high rapid urbanization where many of these Palestinian refugees moved to West Bank and lived in refugees camps near from main cities. Although these refugees did not win the land, but they were expanding in informal forms of urban transformation and became somehow difficult to distinguish the boundaries between camps and other nearby non-camps settlements, until refugee camps had no choice to expand horizontally, they started to expand vertically. Thus, refugee camps is considered as an integral part of many Palestinian cities in West Bank (*Khamaisi R, 1999*).

With the beginning of Israeli occupation in West Bank, Israel started to construct colonies since 1967 (*Abu Helu, 2012*), which imposed many limitations over Palestinian transportation and movements to protect those planted colonizers, as well as imposed restrictions over Palestinian's settlements expansions, and thus, the rural-urban migration of Palestinians decreased during 1970s with only little concealed Palestinian rural-urban migrations due to the Israeli- Arab war in 1967 and the Israeli occupation. As a result, the Palestinian population growth was directed towards villages

so villages carried the highest population of Palestinians where small rural settlements which are small to the extent of 92 percent of these settlements have less than 20,000 persons, and so these small settlements were characterizing the image of Palestinian settlements (*Khamaisi R, 1999*).

In 1994, the cities of Palestinian population started to become more dense and the built-up area rapidly increased, concurrently with the establishment of Palestinian National Authority (PNA) which led since that time to a rapid urbanization in Palestinian cities and accelerated the pace of rural-urban migrations from Palestinian villages to Palestinian cities as well as immigrations from one Palestinian city to another Palestinian city (*Abdelhamid A, 2006*) (*Terenzi A, 2014*) and the high natural population growth rates in addition to the Palestinian returnees how came to West Bank after the establishment of Palestinian National Authority (*Khamaisi R, 2006*).

Moreover, the pace of urbanization was very rapid due to the slight economic recovery after the establishment of PNA in Palestinian cities (*Abdelhamid A, 2006*) (*Abu Helu M, 2012*) like Ramallah for example. As a result cities started to expand over agricultural lands which threatened Palestinian lands, natural vegetation and hydrological systems (*Abdelhamid A, 2006*), where in 1996 Ramallah Urban lands increased from 28.33 km² to 44.66 Km² in 2000, while the agricultural lands decreased in the period between 1996 and 2000 from 75.15 km² to 45.70 km² , while 13.9 km² of the total agricultural lost areas in that period “29.45 km²”, where due to the

conversion of agricultural lands into urban lands as a result of slightly political stability and the role of donors and private sector investments in Ramallah (*Raddad S, 2015*).

At the beginning of Intifada II in 2000, Israel increased colonies construction and constructed the Separation Wall 2003 which didn't leave many alternatives to where Palestinian cities can expand, which made the urban transformation of cities to become more and more fragmented (*Abdelhamid A, 2006*). During Intifada II 2000, Palestinians lost control over Palestinian cities and were controlled by Israelis "basically politically" (*Abu Helu M, 2012*).

Many checkpoints were planted between the Palestinian cities in West Bank and became like gated cities which opened and closed upon an order from Israeli government, so many Palestinians who were working in Ramallah and live in Jenin for example, faced obstacles to reach their work, so they chose to stay and live in Ramallah during Intifada II, which is similar case to students in universities in Nablus or Ramallah for example, they chose to leave their cities and villages to live next to their universities instead of standing everyday on checkpoints and spending hours and hours by passing through alternative road to reach their universities when the cities of the West Bank are closed. So this caused more rapid urbanization to some cities like Nablus and Ramallah which absorbed large numbers of Palestinians from other cities, whether they are employees or students.

In the year of 2007, the rate of urban population increased to reach up to 56.6 percent and the urban population continued to increase and reached 71.7 percent, which proves that Occupied Palestine Territories (OPT) has a high rates of urbanization as well as a rapid pace of urbanization (*Abu Helu M, 2012*). Moreover, in OPT not only the urban population grew, but also the total population which increased from only two million people in 1990 and increased to reach up 4.42 million until 2014 in West Bank and Gaza Strip, which expected to reach six million persons by the year 2025 (*Terenzi A, 2014*).

Despite the fact that population growth is a fortune, especially in situation of Palestine and the struggle for identity, but this rapid increase in light of the Palestinian conditions became a challenge due to the inadequate resources, lack of convenient policies, in addition to land scarcity and well as land fragmentations due to the Separation Wall, checkpoints (*Terenzi A, 2014*). Israeli colonies added more challenges in terms of Palestinian cities expansion. Actually, these colonies are increasing more and more in OPT and Israeli settlers' population is increasing by 5.5 percent per year in West Bank, with increasing of checkpoints and bypass roads to basically serve Israeli settlers by cutting areas from the Palestinian lands which led to closed Palestinian settlements with challenges of expansion as well as fragmented communities (*UN-Habitat, 2012*) in addition of inadequate housing and insufficient services due to the deficiency to cope with the rapid Palestinian growth in a limited land with inadequate sources and limited economy.

As a result, the living conditions are declining in West Bank (*Abu Helu M, 2012*) (*Bekele H, 2005*) and the raise of urban poverty where inadequate infrastructure, sewage systems and the dense built up areas even in villages as well as lack of road access and insufficient housing (*AbuHafeetha M, 2014*)(*Abu Helu M, 2012*) (*UN-Habitat, 2012*), while Ramallah for example doesn't have urban poverty which has better infrastructure and better urban services compared to other Palestinian cities in West Bank, where from here comes the urban bias between Palestinian cities with the coming of Palestinian National Authority. However, urban bias in Palestine exceeded the rural-urban bias interactions and reached to the level of urban-urban bias interactions in term spatial distribution of developments and this bias can be noticed between Ramallah and other Palestinian cities.

This urban bias created by Palestinian National Authority due to its selection of Ramallah as administrative center of Palestinian National Authority, which means "attraction of investments" and thus the Palestinian National Authority concentrated on attracting all the mega projects to be implemented on Ramallah at the expense of other West Bank cities, as well as big infrastructure, and construction projects with all the kinds of building types "commercial, residential, industrial, services and public buildings" which cannot be found all of these privileges in one cities rather than Ramallah (*Abu Thaher S, 2007*). As a result Palestinians of other West Bank cities moved to Ramallah because the PNA created as the

focal point in West Bank which faced rapid urbanization trends which faced increase of urban lands and decline of agricultural lands.

As a result, urban bias and urban poverty which has some indications like insufficient housing, which push people in West Bank resorted to construct houses without licenses, randomly and in unmanaged and unplanned way due to the shortage of housing and land vacancies with increasing in the Palestinian population (*AbuHafeetha M, 2014*) (*Abu Helu M, 2012*) (*UN-Habitat, 2012*), which led to unmanaged and unplanned urban expansion (*Abu Helu M, 2012*). Moreover, after the longtime of occupation, Palestinian cities need more management and effective revolution and developments (*AbuHafeetha M, 2014*), although Palestinians mostly have only virtual control over land but they don't have efficient power to control the development and expansion (*Cohen B, 2006*). The uniqueness and complexity of the geopolitical Palestinian condition as well as the lack of Palestinian administrative bodies and Palestinian planning authority to control urban sprawl, affected the form of urban spaces.

Occupation played also a role in the unmanaged urbanization, where the separation between Palestinian lands due to the Israeli colonies "since 1967", Separation Wall "since 2003 which extracted 15 percent of the West Bank agricultural lands", and Oslo land classifications "in 1993" which will be discussed in the coming parts in details, (*Abu Helu M, 2012*) (*Shaheen L, 2013*) (*AbuHafeetha M, 2014*), where they all affected the

development of West Bank cities where large portions of devoted Palestinian lands for future expansions were either extracted for the purpose of Israeli colonies or the Separation Wall or upon the Oslo land classifications where these devoted Palestinian lands for future expansions were classified as Zone C where Palestinians have no planning or governing role over these lands in West Bank (*AbuHafeetha M, 2014*). All of these Israeli practices, limited the Palestinian vision continuity of urban expansion and development and created Palestinian disconnected settlement enclaves (*Abu Helu M, 2012*) (*Shaheen L, 2013*) and caused uncontrolled city expansion which added more stress on urban services and losses in agricultural lands (*AbuHafeetha M, 2014*).

As a result, the demand for better infrastructure and maintaining the agricultural lands in addition to the rapid growth created the main pillars of challenges that face Palestinian planning authorities. So, Palestinian cities have fragmented and irregular forms especially with all of these obstacles in addition to the lack of land that can be devoted for future urban expansion (*Shaheen L, 2013*) which as a result caused urban sprawl. So challenges are more stiff specially when Palestinians don't have sovereignty over land where "land" is the pillar of growth and expansion, and from here comes the importance of managed expansion even within all of these obstacles, for the sake of protecting what is left from the land for future generations.

3.2 Urban Sprawl in Occupied Palestinian Territories

Palestine faced many challenges of sustainable development throughout contemporary history as a result of the interaction between geopolitical factors, and lack of sovereignty over land which result deficiency of governments and decision-making bodies, and all of these affected the Palestinian urban spaces and created uncontrolled and “*un-harmonized*” urbanization where Occupied Palestinian Territories faced rapid urban growth at the expense of rural growth which since 1990, rural population has dropped from 32 percent to 25 percent (*Terenzi A, 2014*). The uncontrolled urbanization resulted cities in Occupied Palestinian Territories marked by urban sprawl and the which appeared during the Israeli Occupation when Palestinian cities in West Bank started sprawling in 1967 exactly when Israel “*new physical fact*” which are Israeli colonies and bypass roads which controlled and limited the Palestinian expansions (*Abu Helu, 2012*).

However, urban Sprawl in Palestinian Territories can be seen in two main forms, one of these forms is, developments those are created by property-owners in low-density areas those are lower in prices than city center which later on created fragmented settlements. While the other form is, those settlements on the outskirts of Palestinian cities which came as a result of the well planned Israeli colonies and Palestinian has no choice but expand there, while those Israeli colonies are strangling and directing the expansion of Palestinian cities (*Abu Helu M, 2012*).

Although the increase of population growth is not considered as the main cause of urban sprawl in developed, developing countries nor in Palestine, but it is a factor (*Abu Helu M, 2012*). While geographical, historical, political, and institutional and administrative factors are the main causes and driving force which led to urban sprawl in Palestine, especially in West Bank.

- ***Institutional / Administrative factors***

In 1994 the Palestinian Authority was established, and it was attempting to prove itself but it faced many challenges, including the challenge to balance between economic capitalism goals, and the goal of establishing a Palestinian state. Since the nineties, in terms of urban sprawl, Palestinian National Authority has two main directions; the first is linked to Israeli side as Israeli colonies are surrounding Palestinian cities and limit the Palestinian cities expansions and these colonies separated between the Palestinian cities, so these colonies are considered as one of the main reasons for urban sprawl in the West Bank, while on the other hand, the second challenge is linked to Palestinian side, where the lack of Palestinian planning expertise and capacity as well as the scarcity of available land, and the absence of controlling laws of expansion where many people took the advantage in that period and got the benefit from the emerging of the new Palestinian authority and people started expansion at the expense of agricultural lands which increased the creation of urban sprawl (*Abu Helu M, 2012*).

Palestinians have nothing to do in terms of planning decision at the level of Israeli colonies, however at the Palestinian institutional levels and lack of planning capabilities, the Palestinian authority found that the Private sectors and NGOs can help in the planning process but unfortunately most of these are lack of the capabilities and professionals to control, handle, restrain and even monitor the rapid urban growth and urban sprawl (*Abdelhamid A, 2006*) (*Abu Helu M, 2012*) and the absence of a complete master plans so Palestinians were building their settlements in informal and irregular forms specially with the absence of Palestinian municipal control which increased the uncontrolled urban expansion, and threatened agricultural lands as well as archeological sites (*Abdelhamid A, 2006*) (*Abu Helu M, 2012*) (*Terenzi A, 2014*).

At the end, the instability of the political situation of Palestine and the succession of different governments with varied policies, in addition to the rapid urbanization in recent decades and the absence of efficient planning control with clear laws, where all of these are contributed to lead for the uncontrolled irregular urban expansions in the form of sprawling settlements (*Terenzi A, 2014*)(*Abdelhamid A, 2006*). As a result, role of the informal sector emerged and increased while the formal employments and functions decreased, and those contributed to the increase the informal and irregular sprawling settlements, which led to harmful consequences for society and the environment (*Abu Helu M, 2012*).

In overall, Palestinian Territories has similar consequences to those in developed and developing countries, where the uncontrolled urban

expansion put more loads on services and infrastructure (*Abdelhamid A, 2006*) (*Abuhafeetha M, 2014*) and threaten the agricultural lands (*Abdelhamid A, 2006*)(*Abuhafeetha M, 2014*). In West bank, urban sprawl is responsible for many damages in the environment where rural areas are expanding more and more to become urban areas and threaten the agricultural lands until the rural areas are described as “vanishing landscape” (*Abu Helu M, 2012*) which cause harmful damages to natural resources and vegetation (*Abdelhamid A, 2006*) (*Abu Helu M, 2012*) (*Abuhafeetha M, 2014*). For that, most of the countries have common objectives to control the informal developments, to protect and preserve agricultural and farmland lands, and to reduce energy consumption, while still even in developed countries did not achieve their objectives because they didn’t fully controlled urban sprawl which considered a challenge to achieve the goal of sustainability (*Anthony J, 2004*) which is also responsible for the changes in the cities forms and urban transformation (*Larson R and Varol N, 2003*).

Although, urban sprawl is a very intricate phenomenon which is very difficult to control and limit it (*Brunner A, 2012*), unless governments embrace and consider the approach of realistic planning, realistic regulations and policies as well as governments must be fully aware of the market directions and national awareness (*Zeković S, Vujošević M, Bolay J, Cvetinović M, Miljković J and Maričić T, 2015*). In Palestinian Territories, the political instability in addition to the lack of land sovereignty and the cumulative previous policies, add more pressure on the planning and

governmental bodies to control and manage the urban expansions to have better transformation and sustainable land uses (*Abdelhamid A, 2006*).

At the end to control urban sprawl, it's important to enhance the coordination between the planning bodies, governments, the public and stakeholders, in a trial to have enhanced combination between planning laws and policies parallel to successful and powerful implementations of these laws (*Bhatta B, 2010*). But to what extent it is difficult to have successful implementation and enforcement in Palestinian Territories which is under occupation in addition to the lack Palestinian's scarcity and the lack of land. Here comes the uniqueness of Palestinian case and the importance of controlling urban sprawl as much as possible to save what left from land for future Palestinian generations as well as the importance of policies and its influence on the urban sprawl phenomenon, and will be discussed in the next part **(3.3 Statutory Planning Laws and Policies Role: Power and Space)**.

- ***Historical factors***

They are represented by the succession of previous administrations of Ottoman, British Jordanian, Egyptian and Israeli governments, as well as the variation and mixture of planning laws and regulations those come in conjunction with the coming of each new government, which each one of these administrations issued new regulations and laws and used some of the enacted laws from previous administrations only those serve its interests and to impose more control over land and territory, and these cumulative

rules of previous administrations are all caused the creation the current Palestinian mixture of rules and regulations which affected the current schematic structure of the Palestinian territory as well as the Palestinian planning and development (*ARIJ, 2004*) (*Abdelhamid A, 2006*)(*Abu Helu M, 2012*).

As a result, we can say that the current Palestinian planning system is a mixture of rules, laws and regulations of the previous successive administrations According to the following chronological order: Ottoman Empire laws (1850 – 1917), British Mandate laws (1918 –1948), Jordanian laws in the West Bank (1948 – 1967), Egyptian administration and orders in Gaza (1948 – 1967), Israeli military orders for the West Bank and Gaza (since 1967) and last, the orders issued by the Palestinian Authority “since 1994” (*Abdelhamid A, 2006*). These are going to be discussed in details in section **(3.3 Statutory Planning Laws and Policies Role: Power and Space)**.

Thus, historical and political factors can explain more the instability of Palestinian political situation and the planning situation due to the different output laws for each government that ruled Palestine and considered as the main sole of urban sprawl here (*Abu Helu M, 2012*)(*Abuhafeetha M, 2014*).As a result the Palestinian planning and development went through several phases since the Nineteenth Century which are affected and controlled by successive external administrations and forces on Palestine, until we had the present territorial and planning structure in Palestine (*Terenzi A, 2014*).

- ***Geographical factors***

Geographical factors are highly affected and created the form of the Palestinian expansions where terrains considered as obstructive for continuous urban expansion which resulted different forms and urban transformations of urban settlements in Palestine which are: linear, radial, concentric, and tree-shape forms (*Abu Helu M, 2012*) (*Abdelhamid A, 2006*).

- ***Political factors***

West Bank started sprawling with the beginning of 1967, concurrently with the new Israeli physical constructions of colonies and roads which were erected in West Bank since 1967 (*Abu Helu M, 2012*) (*Terenzi A, 2014*) and political factors played a major role since that time specially with the rapid Palestinian population growth, and limited availability of the land due to Israeli occupation and unmanaged Palestinian urban development, in addition to the planning decision of policymakers which resulted urban sprawl in Palestinian cities (*Abdelhamid A, 2006*). As result, the dominant form in Palestinian cities is urban sprawl where Palestinian cities are expanding in unmanaged way and in irregular forms especially after 1994 (*Abu Helu M, 2012*), and these expansions are over agricultural lands in cities like Tulkarm and Qalqiliya.

A major influential cause occurred in 1994 which resulted urban sprawl and controlled the Palestinian expansions due to Oslo Agreement

which divided the West Bank into three categories and classification of land as Area A, B and C , whereas Palestinians have the security, political planning development responsibilities in Areas A, while Areas B have Palestinian planning responsibilities but with Israeli political control and security, but Palestinians don't have any political, security or planning responsibilities over Areas C which fully under the Israeli control, and as a result Areas C considered the most critical category because they are located between the Areas A and B (*ARIJ, 2004*)(*Abdelhamid A, 2006*) (*Abu Helu M, 2012*).

Moreover, Areas C include Israeli settlements, military sites, agricultural lands, biodiversity areas, forests, important archeological sites, and the majority Palestinian villages, where Areas C cover around 60 percent of West Bank where the majority of West Bank is not under the Palestinian control, with only 18 percent for Areas A, while 22 percent of the West Bank is considered as Areas B, where most of the Palestinian population of West Bank live in Areas B (*ARIJ, 2004*). However, the Oslo Agreement made the availability of land for Palestinians to expand is very limited specially most of the vacant lands are in Areas C, where it is not allowed for Palestinians to expand, in addition to housing shortages where every 6.4 persons live in the same house unit in West Bank and Gaza Strip, and thus Palestinians were pushed to expand vertically rather than horizontally, or Palestinians have to expand over what left from the agricultural lands and resulted irregular forms (*Terenzi A, 2014*).

From 1996 until the beginning of Intifada II in 2000, the Palestinian Territories had a slight economic growth and recovery which caused rapid development and excessive expansion of the Palestinian cities in irregular forms at the expense of natural and agricultural lands (*Abdelhamid A, 2006*).

In 2000, with the beginning of Intifada II, Israeli government increased the construction of colonies in West Bank, and constructed the Separation Wall in 2003 to protect these colonies and added checkpoints around the Palestinian cities (*ARIJ, 2004*) (*Fields G, 2010*) which created a fragmented Palestinian territory as shown in the next page in (Figure 3.1), where Palestinians were prevented from moving freely to their houses, work and between the Palestinian cities (*Fields G, 2010*).

As a result, geopolitical factors in West Bank which are; Israeli colonies, Separation Wall, bypass roads, land expropriation and Oslo Agreements of land classifications are all played the primary role in urban sprawl by imposing challenges and obstacles to strangle the Palestinian urban expansion (*Abdelhamid A, 2006*) (*Abu Helu M, 2012*) (*Abuhafeetha M, 2014*). These imposed geopolitical facts actions strengthened, in addition to the one sided Israeli planning strategies during the occupation period created an uncontrolled rapid urbanization and urban sprawl and pushed refugees or rural migrants to build illegal houses over any available random land without any permission (*Abdulhadi R, 1990*)(*Abdelhamid A, 2006*) (*Abu Helu M, 2012*) specially when more than 90 percent of the

Palestinian remaining lands are not under the full Palestinian control which add more pressure on the potentials for expansion (*Abdulhadi R, 1990*).

During Intifada II, the unstable political situation created the urban sprawl and caused many harmful consequences on environment, agricultural and archeological lands as well as excessive consumption of resources which are already limited by Israeli occupation (*Abdelhamid A, 2006*), as well as the detrition of services and overloaded infrastructure due to the limited potential to expand of a high density population (*Abuhafeetha M, 2014*), which all translated into the only option for Palestinian to expand over agricultural and rural areas which caused many harmful consequences and affecting the transformation as a whole specially with the absence of proper urban planning which all led to urban sprawl (*Abdelhamid A, 2006*) (*Abuhafeetha M, 2014*).

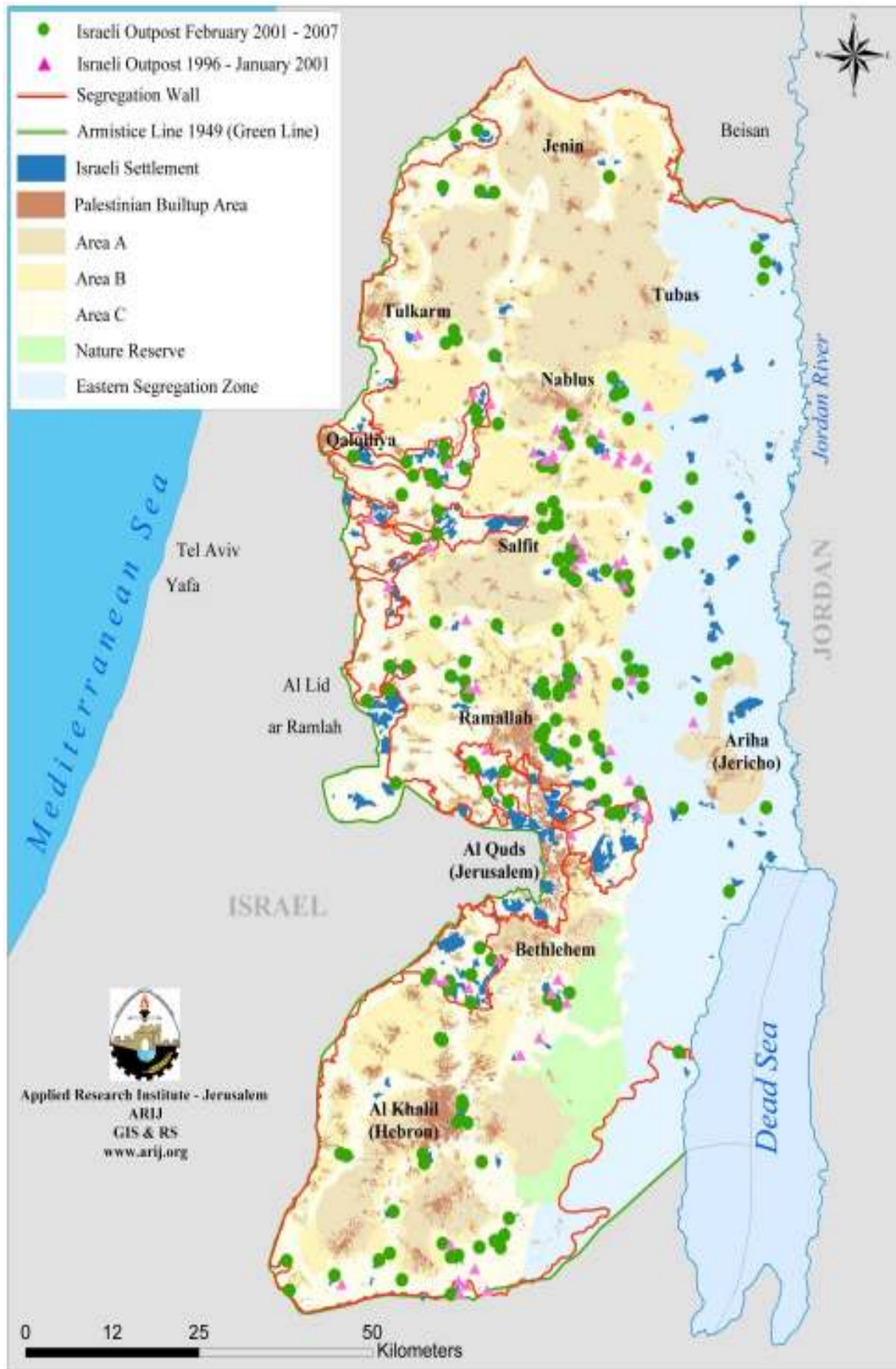


Figure (3.1): Geopolitical map of the West Bank - (ARIJ, 2008)

3.3 Statutory Planning Laws and Policies Role: Power and Space

Legislations and policies are considered as tools to manage the human lives which are either imposed by power of regimes from up bottom, or by desire from bottom up, while generally, the human activities are controlled by “imposing” legislation where people must obey and in charge to follow (*Khamaisi R, 1997*). Urban planning is influenced by governments and planning legislations as well as political and economic stability/instability in all worldwide countries (*UN-Habitat, 2012*) and the importance of statutory planning systems and the intervention of governments and municipalities became more and more important to solve the immersed physical and socio-economic problems which increased with the growth of cities, towns and slums (*Khamaisi R, 1997*).

Statutory planning systems have a major role in making urban areas more organized and better areas, however uncontrolled or incorrect urban planning laws lead to urban sprawl. Thus, many legislations and planning bodies created many problems instead of solving them, and they are considered as the main driving forces of creating urban sprawl, and many of legislations and the uncontrolled urbanization led to major losses of agricultural lands and the degradation of people lives due to urban sprawl. However, because each country has its own policies and statutory planning laws, for that it is difficult to generalize the impact of statutory laws role in creating urban sprawl.

In developed and developing countries the restrictive land use policies, variation development regulations and the variation of urban

services among local governments led to discontinuous development where the completely separate land use developments increased the isolation, and dependence automobile to serve separated land uses as well as the increase of urban sprawl, where mixed land-use policy can reduce urban sprawl and fight its consequences (*Bhatta B, 2010*).

In developed countries, land policies are affected by governments through Financial Policies which are related to governing and organizing the property taxes, providing subsidies and incentives. Likewise, governments are responsible for the supply and provision of land according to land zoning in addition to supplying services and adequate infrastructure (*UN-Habitat, 2012*). These governments focus on coordination between land use policies and the investments for the new developments in a way to decrease “urban sprawl” which is considered as a complicated task for governments which enacted policies to encourage sustainable developments and smart growth (*European Environment Agency, 2006*). But until nowadays, informal settlements are still existing in many developed countries as result from urban sprawl (*UN-Habitat, 2012*), however policies must provide more guidelines for urban expansion and developments (*AbuHafeetha M, 2014*).

While the governments of developed countries are able produce job opportunities, sufficient housing, services and infrastructure to urban settlers (*McGranahan G and Satterthwaite D, 2014*), the developing countries cannot provide efficiency of services for the urban population in

cities (*AbuHafeetha M, 2014*) so they use policies to decrease the pace of rapid “urbanization” (*McGranahan G and Satterthwaite D, 2014*) and try to decrease not only rural-urban migrations, but also the refugees from contested cities and countries of continuous conflicts which played a major role in the uncontrolled urbanization due to the political instability and wars. As a result, poverty, very bad life conditions, increased the number of refugees and in turns increased the number and size of slums which accounted to 90 – 95 percent of the total urbanization in countries like Lebanon, Iraq, Sudan, and Somalia (*UN-Habitat, 2012*).

So, policy makers and governments of developing countries, seek to manipulate and monitor the immigrations through the enactment of laws and policies, and put more efforts on the consequences and impacts of these policies to reduce pace of rural-urban migration (*AbuHafeetha M, 2014*) by pushing urban settlers to other smaller and new cities (*McGranahan G and Satterthwaite D, 2014*). Many of developing countries also considered speculation in prices which resulted in the withholding of land for development which caused urban sprawl, discontinuous development (*Bhatta B, 2010*) and lack of availability of lands since.

However, the lack of available lands and the landownership policies put more restrictions on land expansion and supply which lead to high land prices especially in the center of cities (*UN-Habitat, 2012*) which is exactly what happened in Palestine especially because it is part of developing countries. As a result, planning systems all over the world, led to excessive

loss of agricultural lands especially in developing countries which are weak in the scope of planning for future developments and expansions (AbuHafeetha M, 2014). Planning systems and proper planning policies are not important without the successful implementation and planning policy enforcement which they all must match with each other, because *“unsuccessful enforcement of land-use plans is one of the reasons of sprawl in developing countries, since the enforcement is often corrupt and intermittent in these countries”* (Bhatta B, 2010, pg. 26).

In Palestine, the situation is more complicated and unique because all the planning practices were monitored and experienced from foreigners not from the native Palestinians (Abdelhamid A, 2006). Statutory planning laws and policies played the major role of controlling people and spaces but not to manage the people's urban activities and these statutory laws considered as instruments of power on space and to control development. Especially, when the development of statutory planning in West Bank came as a result of succession of different administrations and governments were ruled the West Bank in different periods and can be divided into five main phases, which are Ottoman Period, British Mandatory Period, Jordanian Period, Israeli Occupation Period, which all created their own laws or altered laws to serve their needs and to impose control over land, and latest is Palestinian National Authority Period (Abdelhamid A, 2006) (Khamaisi R, 2006) (Khamaisi R, 1997)(ARIJ, 2004), which all formed the planning experience in Palestine.

3.3.1 Ottoman Period (1850-1917)

Ottoman regime didn't have a particular structured planning system in Palestine which is considered a part of the Empire, but Ottoman regime managed the needs of urban and rural areas of the Empire, as well as urban and rural developments and land-use based on Islamic law which are directed by central and local systems by imposing different regulations but not legislations (*Khamaisi R, 1997*) while legislation for Urban Planning in Palestine started by promulgation of the Provincial Municipalities Law of 1877, which under this law twenty-two municipal councils of major towns and villages were established (*Abdelhamid A, 2006*).

Moreover, the role of Ottomans highly affected the landownership laws not only in Palestine, but also the whole Middle East and North Africa specially in Mashriq countries, and these landownership laws were based on the Ottoman Land Code of 1858 AD, which classified the lands into five categories of landownership and tenure (*Sait S and Lim H, 2006*) (*UN-Habitat, 2012*) and which are; "Mulk" which are those privately owned land, "Waqf" land owned by religious endowments and for charitable Islamic uses, "Metruka" lands for public use of roads for example or lands of common pastures, "Miri" cultivated land which it is owned by the state and "Mewat" is the dead uncultivated land (*Fruchtman J, 1986*) (*Coon A, 1992*) (*Abdelhamid A, 2006*) (*Sait S and Lim H, 2006*) (*UN-Habitat, 2012*). The land classification to one private and four public land categories, in addition to rare private lands, except in existing urban areas, are all point

out that this law is only to control over public lands restrict developments (*Khamaisi R, 1997*) (*Fruchtman J, 1986*) (*Abdelhamid A, 2006*).

As a result of landownerships laws and especially with the establishment of building permits system in Palestinian urban areas (*Coon A, 1992*), it became necessary to register the lands and so an Ottoman law was provided for the registration of land. The land ownership registration was enforced by the seal of the court (*Fruchtman J, 1986*) (*Sait S and Lim H, 2006*) (*UN-Habitat, 2012*), either on proof document of ownership or a document of transfer of ownership or a document of witnesses which confirm the transfer of ownership “Hujja” which means “proof”, and this has become a followed mechanism of land registration (*Sait S and Lim H, 2006*) (*UN-Habitat, 2012*). “Hujja” is related to the registration of ownership as well as the property transactions between buyers and sellers while registration of property itself can be considered inaccurate because in Ottoman period due to the weak surveying tools and lack of accurate maps of the properties and though they were registered by description only (*Sait S and Lim H, 2006*).

However, most of these lands remained unregistered, while some of those registered were either registered inaccurately or had misinformation or villages registered under the communal ownership “Musha’a” which divided between families according to informal allocation of land which constantly changing, although, the mechanism of land registration is considered as a complicated mechanism which also caused major

perplexity to land rights of ownership (*Fruchtman J, 1986*), and considered as money and time consuming mechanism for people in that time (*UN-Habitat, 2012*).

Therefore, the complexity of land registration process and incorrect registration strongly affected urbanization which together increased the pressures over expansions and environment in the shades of urban poverty, rapid population growth and scarcity of secure land tenure which increase the fear of evacuations for residents (*Sait S and Lim H, 2006*). All of these resulted in non-registration of many properties and illegal construction and informal settlements in the past and up to our present days (*UN-Habitat, 2012*) which played a role in creating urban sprawl later on. The Ottoman system and regulations remained the base and the most part in force which were used by British Mandate, Jordanian rule and later on by Israeli Occupation (*Fruchtman J, 1986*) (*Khamaisi R, 1997*), specially the Land Code which is still valid although with some minor modifications (*Khamaisi R, 1997*).

3.3.2 British Mandatory Period (1917-1948)

With the emergence of the term “Town Planning” in 1906, the first statutory urban planning act was issued in Britain in 1909 to control the growth of the British cities and resolve the consequences of the Industrial Revolution which caused environmental, social and urban problems, and Britain also imposed its own planning system on its colonies and exported the statutory planning laws to these colonies, as is the case of Palestine,

which was under British Mandate since 1917 (*Khamaisi R, 1997*) (*Abdelhamid A, 2006*). So here lies the flaw in exporting British statutory planning laws which didn't suit the Palestinians, because the urban industrial British cities are totally different from the semi-urban, rural agricultural areas in Palestine (*Khamaisi R, 1997*).

After the Military Mandate in 1917, the Civil Mandate began in 1920 and started to impose the British statutory planning system in Palestine (*Khamaisi R, 1997*) (*Abdelhamid A, 2006*) and Palestine experienced for the first time urban legislations, which used two main tools to control the Palestinians developments, which are; building permits and outline plans (*Khamaisi R, 1997*) which the local and central organization levels prepared construction plans, building permits and roads (*Abdelhamid A, 2006*).

Based on Ottoman law of buildings permits for towns, British Mandate followed the same system (*Coon A, 1992*) where in Palestinian towns, municipalities have the authority to control the physical development in these towns in addition to the authority to issue building permits, and these roles of these municipalities considered as the local planning commission's function (*Khamaisi R, 1997*) (*Abdelhamid A, 2006*), while Palestinian villages didn't have municipalities of local commission nor any governmental body to implement the plans or to obtain building permits, although these villagers are required to register their lands while they continued to build without building permits (*Khamaisi R, 1997*).

For planning and managing the development constructions and roads, the British Mandate issued two major planning orders which the first one is considered the first Town Planning Order in Palestine which is Ordinance 1921 and under this ordinance, plans and schemes for the Palestinian towns were prepared and approved (*Fruchtman J, 1986*) (*Coon A, 1992*) (*Khamaisi R, 1997*) like Jerusalem, Nablus and Tulkarm (*Coon A, 1992*) to control and restrict the land-uses to subject the land to the development control of towns, where the new “erection of buildings and the laying out of streets” must follow those plans as the scheme permitted (*Fruchtman J, 1986*). The second town planning order is Ordinance 1936 came up with a new planning level which is regional level (*Coon A, 1992*) (*Khamaisi R, 1997*) (*Fruchtman J, 1986*), where outline plans were only prepared for all the towns and some villages in West Bank but approved (*Coon A, 1992*), while these plans affected directly and indirectly the development and land-use in West Bank (*Khamaisi R, 1997*).

After the Arab-Jews War in 1948, Britain announced its end of the Mandate in Palestine, and Palestine was divided into three political entities “Israel, West Bank and Gaza Strip”. State of Israel was established on the major part of Palestine, the second part was appended to Jordan and called West Bank, while the third part was under the Egyptian administration and called Gaza strip (*Khamaisi R, 1997*) (*Abdelhamid A, 2006*).

3.3.3 Jordanian Period (1948-1967)

During this period, Jordanian regime was based on the Mandate statutory planning laws and plans, while the new planning legislations were

either amended the Mandate laws or replaced them (*Khamaisi R, 1997*) (*Jarbawi A and Abdulhadi R, 1990*). British Ordinance 1936 remained in force in West Bank until 1955, where the Jordanian regime amended the Ordinance 1936 order and issued Law No. 31 in 1955 for Towns and Villages constructions and planning, where nothing much changed from Ordinance 1936 (*Abdelhamid A, 2006*)(*Coon A, 1992*)(*Jarbawi A and Abdulhadi R, 1990*) but it caused significant change in the affairs of municipalities at that time until 1966 when Jordan had the full planning authority over West Bank, which consequently issued Temporary Planning Law of Towns, Villages and Buildings No. 79 in 1966 (*Tarrad M, 2014*) (*Abdelhamid A, 2006*) (*Coon A, 1992*).

The Jordanian Law No. 79, defined the planning structure in West Bank as High Planning Council, District, and Local planning committees and determined their functions, in addition to allowing the local Palestinian to participate and to be represented in each level of the planning structure (*Abdulhadi R, 1990*) and this was the first chance for Palestinians engineers and local Palestinian organizations to practice planning and to gain experience in this field even if it is considered as an inchoate experience. However, Law No. 79 increased the power of High Planning Council which increased the centrality of planning decisions where anything must go back to this council which had been used later by the Israeli occupation to control over the whole planning process by the centrality based on this Jordanian law (*Jarbawi A and Abdulhadi R, 1990*).

Moreover, during the Jordanian era, “town plans” were drawn after making many physical and demographic surveys to put in consideration the expected needs of Palestinians in West Bank (*Abdulhadi R, 1990*) but unfortunately these surveys didn’t give the expected results where the towns plans didn’t consider the developments and the demand on land and the future demands on the social and economic levels, and these plans restricted the urban development didn’t ensure the allocation of adequate space to expectations future expansions, while the Jordanian regime basically followed the British Mandate in most of its laws and trod the same Mandate path of controlling and restricting urban development in West Bank (*Jarbawi A and Abdulhadi R, 1990*) (*Abdelhamid A, 2006*). On the other hand, no “village plans” were prepared except for “Taybeh” village in Ramallah until 1967 which this village was already preparing to move to meet the requirements to become a city (*Jarbawi A and Abdulhadi R, 1990*).

Building permits were granted by the local committees “municipal councils” to expand within the town or municipal plans boundaries, while for the expansion outside the municipal boundaries during it was either by the indulgence of Jordanian organization departments terms of granting building permits over agricultural land surrounding towns and villages, or by constructing without prior building permits as a result of the indulgence authorities Jordan toward the issue of illegal construction in the areas because the Jordanian authorities were aware of the absence of responsive

town plans to the real need of population growth and development of the social and economic situation (*Jarbawi A and Abdulhadi R, 1990*) .

Although, the Jordanian planning regime made a favor in protecting the rights of the Palestinian lands as the government had started the registration of land, but this had not been completed while only 38 percent of West Bank lands were registered, and not all of these lands had issued deeds because of the 1967 War which interrupted the process of registration (*Coon A, 1992*) and ended the Jordanian rule by Israeli occupation of West Bank (*Khamaisi R, 1997*) (*Abdelhamid A, 2006*).

3.3.4 Israeli Occupation Period (1967-1994)

Israeli Occupation used the statutory planning laws of both Jordanian and British planning systems, with little modifications on these planning systems where Israelis exploited the previous land laws to serve their interests at the expense of Palestinians and imposed more control over Palestinians developments in West Bank (*Abdulhadi R, 1990*) (*Khamaisi R, 1997*) (*Abdelhamid A, 2006*) (*Abu Helu, 2012*).

Within the beginning of Israeli Occupation in West Bank, the phenomenon of Urban sprawl was appeared in 1967 due to the Israelis' establishments of physical barriers of Palestinian developments of colonies and roads to serve these colonies (*Abu Helu, 2012*) where constructing colonies in West Bank started in 1967 (*Abdulhadi R, 1990*) (*Fields G, 2010*) (*Abu Helu M, 2012*) where these colonies increased in numbers and

expanded relentlessly until nowadays which are constructed over Palestinian lands and resulted in Palestinian lands shortage (*Fields G, 2010*) (*Abu Helu M, 2012*).

In 1968, Israeli government issued a military order of suspending and ceasing the Jordanian “land registration law” (*Coon A, 1992*) whereas the undeveloped private Palestinian lands are already rare, and with preventing Palestinians in that time for registering what remained of those lands worsen the situation. On the other hand, Israeli government maintained the Jordanian “building permits law” (*Khamaisi R, 1997*) which must be granted by the military governor of each town of West Bank (*Jarbawi A and Abdulhadi R, 1990*), where any absence of the building permits conditions of the Jordanian planning law is considered to reject issuing building permits (*Khamaisi R, 1997*) where building permits need a proof of landownership which already many of Palestinian lands were not registered and these permits are required for any type of construction and in any location in West Bank. For that the process of obtaining a building permit is considered very difficult, complicated, costly and disappointing (*Abdulhadi R, 1990*) (*Abdelhamid A, 2006*) because in most of the cases, these building permits were refused, and so Palestinians had no choice but to build without any permission, although in many cases those buildings were demolished later on by the Israeli government (*Abdelhamid A, 2006*).

Israeli Occupation issued Military Order 418 in the year 1971 which established the basis for planning authorities under the Israeli control

(*Jarbawi A and Abdulhadi R, 1990*) (*Abdulhadi R, 1990*) (*Abdelhamid A, 2006*) which caused extreme centralization in the planning process where the Higher Planning Council has all the powers all over West Bank and its municipalities, where the Higher Planning council have the power to reject, approve or suspend any plan or license (*Abdulhadi R, 1990*) (*Jarbawi A and Abdulhadi R, 1990*).

Subsequently, in 1979 Israeli government issued Military Order 783 where all the Palestinian councils were replaced by completely Israeli councils and thus Palestinians were prevented even from participating in decisions regarding the development of their own lands (*Abdulhadi R, 1990*) (*Abdelhamid A, 2006*). As a result, it's obvious that most of urban legislations were used by Israeli government to control and confiscate Palestinian lands in West Bank (*Abdulhadi R, 1990*) (*Shaheen L, 2013*) (*AbuHafeetha M, 2014*), and exploited for building Israeli colonies, military protected zones and bypass roads and this dismantled the West Bank into separate settlements with implanted colonies, and as a result West Bank has been stripped of holistic urban planning (*Shaheen L, 2013*) (*AbuHafeetha M, 2014*). With the beginning of Intifada I in 1987, the political stability played a major role in accelerating the Israeli efforts in implementing as much as possible of its plans specially the road network and colonies plans to tighten its hold on Palestinian lands (*Abdulhadi R, 1990*).

A new phase had been emerged due to Oslo Peace Agreement in 1994 (Figure 3.2), which as discussed before, the agreement divided the

West Bank into three land classifications; Area A, B and C (*Sha'at A, 2002*) (*Abdelhamid A, 2006*) (*Abu Helu M, 2012*) (*Shaheen L, 2013*).



Figure (3.2): West Bank division under Oslo Accords - (*The Elders, 2013*)

Area A is about only three percent of the total West Bank area, Area B is about twenty-four percent while the rest of West Bank are considered as Area C (*Sha'at A, 2002*). Actually, the geographical location of Area C is not placed haphazardly which dismantled the West Bank into fragmented settlements and made the idea of Palestinian continuity of urban planning is impossible which created unorganized, fragmented and irregular urban forms (*Abdelhamid A, 2006*) (*Abu Helu M, 2012*). Here, discontinuity is one of urban sprawl indicators and can be clearly noticed in the Palestinian situation. In addition to this, colonies' policy have affected heavily the

urban transformation of Palestinian cities, especially regarding the future expansion of West Bank cities, as well as the location of those colonies was not placed in vain since the beginning of Occupation (*Abdelhamid A, 2006*) (*Abu Helu M, 2012*).

Although Palestinian settlements were featured by scattered small rural settlements which suffered from insufficient infrastructure, and inadequate services with lack of water and sewage networks and poor life conditions (*Khamaisi R, 2010*). Even after the coming of Palestinian National Authority in 1994, nothing much changed due to the continuous Israeli land confiscations and the instable political situations as well as the fragmented Palestinian Territories which affected the urbanization and urban development (*Shaheen L, 2013*).

3.3.5 Palestinian National Authority Period (Since 1994)

Palestinian Territories suffered from the successive dominant external forces and rules until the establishment of Palestinian National Authority in 1994. The Palestinian National Authority in its early stages, just like the rest of new emerged states, considered unequipped and have lack of experience in urban planning (*Khamaisi R, 1999*).

Although, since the establishment of PNA, it has been reinforced the idea of decentralized governance through the composition of councils of municipalities and villages, when the local government issued in 1997 a provision stipulates that these councils have the powers to issue building

licenses and permissions (*UN-Habitat, 2012*) while these are granted powers of planning, organizing and building permits must be in coordination with the Higher Planning Council and Central Committee for Planning and Building (*Wafa Info, 2011*) ^[1] ^[2] as they are obliged to provide the services, infrastructure and clean water and they are responsible for urban planning and development and to prepare master plans, where these municipal councils are represented by 119 municipal councils and 251 village councils (*UN-Habitat, 2012*).

However, Palestinian systems didn't impose on municipalities to be adhered and fully committed to the issued regulations because municipalities have the right of issuing special provisions issued in how each municipality deems appropriate but the Jordanian law remains the basic reference and these special provisions are just to take into consideration the characteristics of each city ^{1, 2} while not all the Palestinian municipalities had the maximum benefit of this power. But during Intifada II in 2000, Palestinians lost control over Palestinian cities even of Areas A and B and were controlled by Israelis and so they increased the expansion and the number of colonies in West Bank, where these colonies are allocated nearby Palestinian settlements and extracted lands from Palestinians, which resulted in restricting and controlling the expansions of

¹ Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

² Personal Interview with Engineer Sounya Al Zubaidi, Directorate of Local Governance, Ramallah, 24th April 2016.

these Palestinian settlements at the expense of Israeli colonies (*Abdelhamid A, 2006*) (*Abu Helu M, 2012*).

Moreover, after the beginning of Intifada II in 2000, Israelis also started to construct the Separation Wall along the green line (Figure 3.3), where the wall extracted around 23.4 per cent of the total area of West Bank, which affected the development of Palestinians where most of the extracted lands are those dedicated for future expansions as well as agricultural lands (*Abdelhamid A, 2006*) (*Abu Helu M, 2012*), which imposed more challenges facing the Palestinian planning process and institutions and even controlling the urban expansion of Palestinian cities (*Abdelhamid A, 2006*).

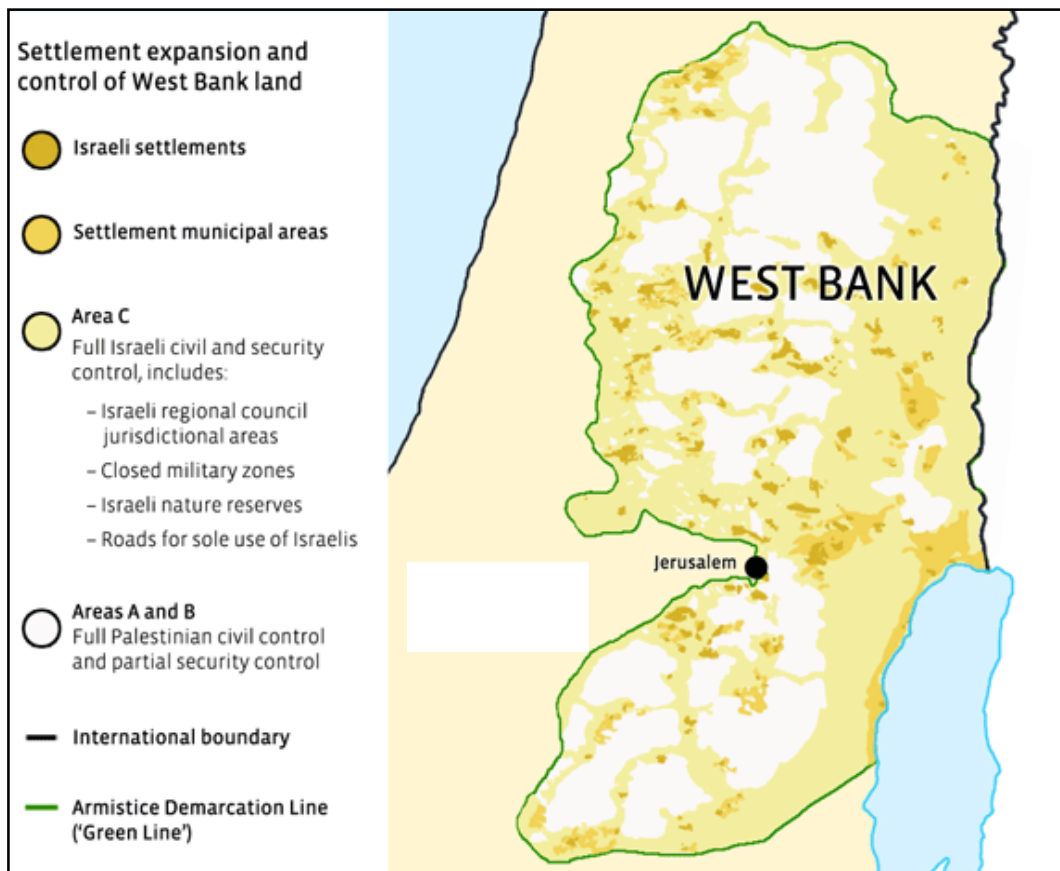


Figure (3.3): Colony expansion and control of West Bank Land - (*The Elders, 2013*)

Unplanned urbanization led to uncontrolled expansions which characterized the West Bank cities (*Abu Helu M, 2012*) due to the complicated geopolitical situation and the policy of land confiscation, Israeli colonies, bypass road and the Separation Wall (*Sha'at A, 2002*) (*Shaheen L, 2013*) (*Abu Helu M, 2012*), which played a major role in creating urban sprawl, which caused the dramatic change of the urban transformation and the city form by not leaving enough space for Palestinians to expand.

However, during the period 1994 and 2000, Palestinian National Authority started the institution-building process and considered the Jordanian laws are the basic reference for the planning as part of the status quo (*Wafa Info, 2011*), although Palestinian National Authority doesn't have a Legislative Council and as a result none of new laws can be authenticated and so there is only Palestinian provisions but not Palestinian laws and these Palestinian provisions are authenticated by the Council of Ministers¹ specially when the Jordanian laws don't meet the recent and future Palestinian needs as well as the special Palestinian situation and thus new provisions were developed ². All the provisions were based on Law No. 79 of the year 1966 and Law No. 28 of the year 1936, however the latest provisions are: "Building and Organization System within the Boundaries of Municipal Master Plans No. 5 in 2011" ^[3] ^[4] and "Building

¹ Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

² Personal Interview with Engineer Sounya Al Zubaidi, Directorate of Local Governance, Ramallah, 24th April 2016.

and Organization System outside the Boundaries of Municipal Master Plans 2016” which are authenticated by the Council of Ministers ¹.

Moreover, the political instability and the poor updates on statutory laws in addition to the lack of unified planning laws and regulations (*Sha’at A, 2002*) as well as the lack of effective power and sources of funding which are sufficient for pursuance of plans, laws enforcement and services supply (*Shaheen L, 2013*), and the deficiency of planning decision-making system as well as poor inter-sectorial collaboration due to the recent institutional experience in planning field (*Sha’at A, 2002*) (*Abu Helu M, 2012*) (*Shaheen L, 2013*), which all have been created fragmented and irregular urban transformation of Palestinian cities and the spread of uncontrolled urban developments in the cities, as well as the diffusion of urban sprawls within the landscapes and around the Palestinian cities (*Abdelhamid A, 2006*) (*Terenzi A, 2014*). However others think that the Jordanian law is not deficient but the problem is with implementation and the people who don’t follow the law ^[5] although efficiency must be related to implementation, whenever it cannot be implemented, then it is not efficient.

Thus, the new provisions didn’t solve the problem much, where according to “Building and Organization System within the Boundaries of Municipal Master Plans No. 5 in 2011” there are three main articles which are Article No. 58 “Reducing restrictions”, Article No. 59 “Cases of

¹ Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

allowing the reducing of restrictions” and Article No. 73 “Fees of infractions authorization” where these articles strengthen the influence of “under the status quo” which increased the unmanaged urbanization by transforming illegal acts into legal ones. However these provisions impose a different mechanism to deal with the offender due to the unstable political situation in addition to the lack of land where the law is unified but there is no unified implementation and execution policy¹.

As a result, Palestinians started to face a new dimension of urban sprawl factors as a result of institutional or administrative factors which are related to the mixture a previous statutory laws and planning regulations as well as the absence of unified and clear master plans and also the absence of strict regulations to control informal buildings which all led to irregular urban transformation and fragmented urban forms (*Abu Helu M, 2012*) while Palestinian Authority didn’t prepare or developed any regional plans due to the lack of independence and sovereignty, as well as the lack of awareness regarding the importance of urban planning among the public people and even the authorities (*Abdelhamid A, 2006*).

Moreover, competitors in Palestinian Territories “government and/or private sector” seek for their interest to meet the future expectations, but within the absence of master plan, these competitors hold all development expectations and demands, but with the conflict of interest the result is an uncontrolled, and unplanned Palestinian development (*Bhatta B, 2010*).

¹ Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

For that, Palestinian governmental institutions and community should collaborate to control the results of unguided urbanization and to limit from the uncontrolled expansions and to consider how serious the unmanaged urbanization and urban sprawl are and their negative impact in the short and long term (*Shaheen L, 2013*) where many cities succeeded in limiting urban sprawl by imposing efficient statutory laws and implementing them and working more on planning for future in line with reality, as well as considering smart growth and compact city which influenced governmental policies and planning practices. Moreover, Palestinian planning regime must consider the varied characteristics of cities in West Bank, where every city has its own case, for that although the major legislations must be unified, but some specific laws must be enacted for each city by its own municipality. Thus, the cumulative statutory planning laws in West Bank, must be renewed and updated upon nowadays and future Palestinian needs. Palestinians need lands which is a life need for them and one of the reasons behind their struggle.

- **Summary**

This chapter highlighted the uniqueness of the Palestinian situation in terms of urbanization and urban sprawl from other countries in the world, especially the political, administrative, and even historical factors and dimensions in addition to urbanization and the impact of occupation which played a major role in creating the phenomena of urban sprawl in Occupied Palestinian Territories. Palestinians were pushed to immigrate

from rural to urban areas and they are still pushed to immigrate because of necessity especially after the coming of the Palestinian National Authority in 1994, where Ramallah considered as the administrative center for West Bank and attracted the Palestinians basically to seek for job opportunities. So this affected not only Ramallah city but also the near areas and cities like Al-Bireh city which faced rapid urbanization waves not only due to its proximity to Ramallah city, but also to Jerusalem city and due to other political and municipal driving factors which the case of Al-Bireh city will be discussed in the next chapter which will give us a better illusion about the thesis case study “Um Al-Sharayet District” which is part of Al-Bireh city.

Chapter Four

Al–Bireh Urban Development

Chapter Four

Al-Bireh Urban Development

4.1 An Overview of Al-Bireh City

Al-Bireh City is a Palestinian city located within the borders of Palestinian territories, as shown in the next page in (Figure 4.1) that is originally a Canaanite city since the Thirty-Fifth Century BC “the year 3500 BC”, and from that time Al-Bireh remained habited with people for more than five thousand years (*Al-Bireh Municipality, 2014*). Al-Bireh City carries a Canaanite origins word “Bi’rot” that means “*The Wells*” attributed to the large number of water springs located in Al-Bireh (*Al-Bireh Municipality, 2014*) (*Al-Bireh Municipality, 2013*)(*ARIJ, 2012*), which most famous water springs in Al-Bireh are: Al-Qasa’ah, Al-Bireh, Um Al-Sharayet, Al-Jenan and Al-Malek (*Al-Bireh Municipality, 2014*) (*Al-Bireh Municipality, 2013*). However, others argue that the name of Al-Bireh City refers to Aramaic origins which was called “*Birta*” that means a castle or fortress, due to the large number of archaeological mounds like Tal Al-Nasbih (*Al-Bireh Municipality, 2014*) (*Al-Bireh Municipality, 2013*). During the Roman Period, the city was called “*Berea*”, while the city was called in its current name “*Al-Bireh*” since the Ayyubid period (*Al-Bireh Municipality, 2014*).

Al-Bireh is located in the middle of West Bank as shown in the next page in (Figure 4.2), which is the main artery that connects the north of West Bank with the south, which is located on the road between Nablus and Jerusalem, just nine miles from Jerusalem and about 860 meters above

the sea level (*Al-Bireh Municipality, 2014*)(*Al-Bireh Municipality, 2013*). Al-Bireh is bordered from the north by Ein Yabrud, Surda and Dura Al-Qar, from east by Beitin, Burqa and Ein Yabrud, from west by Ramallah city and Qaddura Camp, from south by Kafr Aqab and Rafat villages “in Jerusalem Governorate” (*ARIJ,2012*) (*Al-Bireh Municipality, 2014*).



Figure (4.1): Location of Al-Bireh city within the boundaries of Palestinian Territories - Adapted by author from source (*Wikimedia Commons, 2014*)

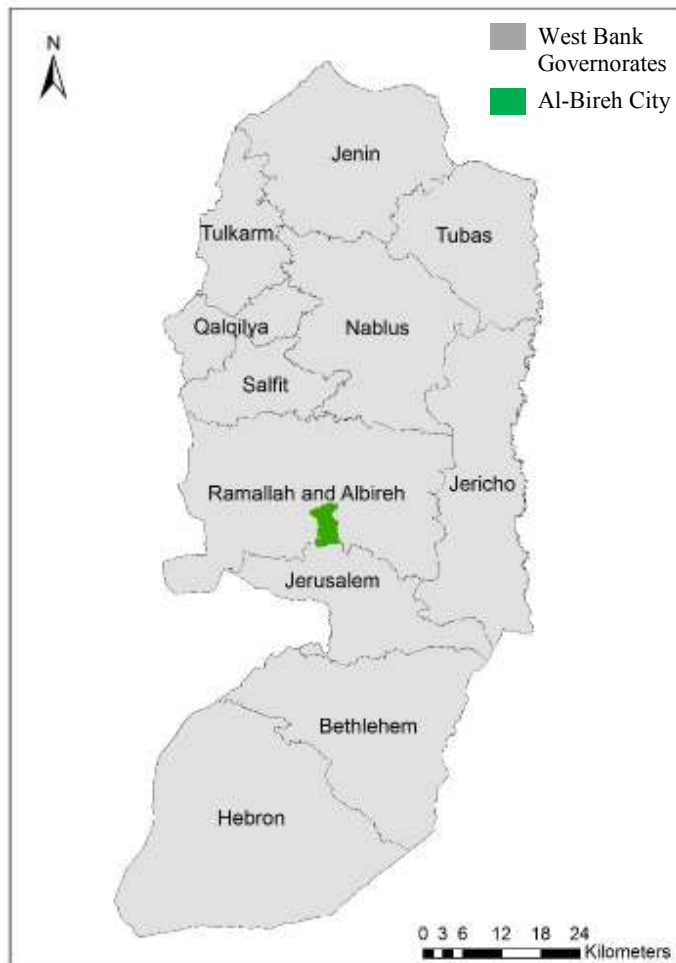


Figure (4.2): Location of Al-Bireh city according to the location of West Bank governorates - Adapted by author from source (*GeoMOLG, 2017*)

As the rest of Palestinian West Bank cities, Al-Bireh experienced the Ottoman, British, Jordanian and Israeli Rule which is at the end came under the rule of Palestinian National Authority which are going to be discussed in details in section **(4.2 Al-Bireh History of Development and Urban Planning)**. Since the emerging of the Palestinian National Authority, the importance of Al-Bireh increased and considered as one of the most important Palestinian cities especially because it is considered as the twin city of Ramallah (*ARIJ, 2012*) which is located at east of Ramallah city and they are attached to each other where they share the border as shown in the next page (Figure 4.3).

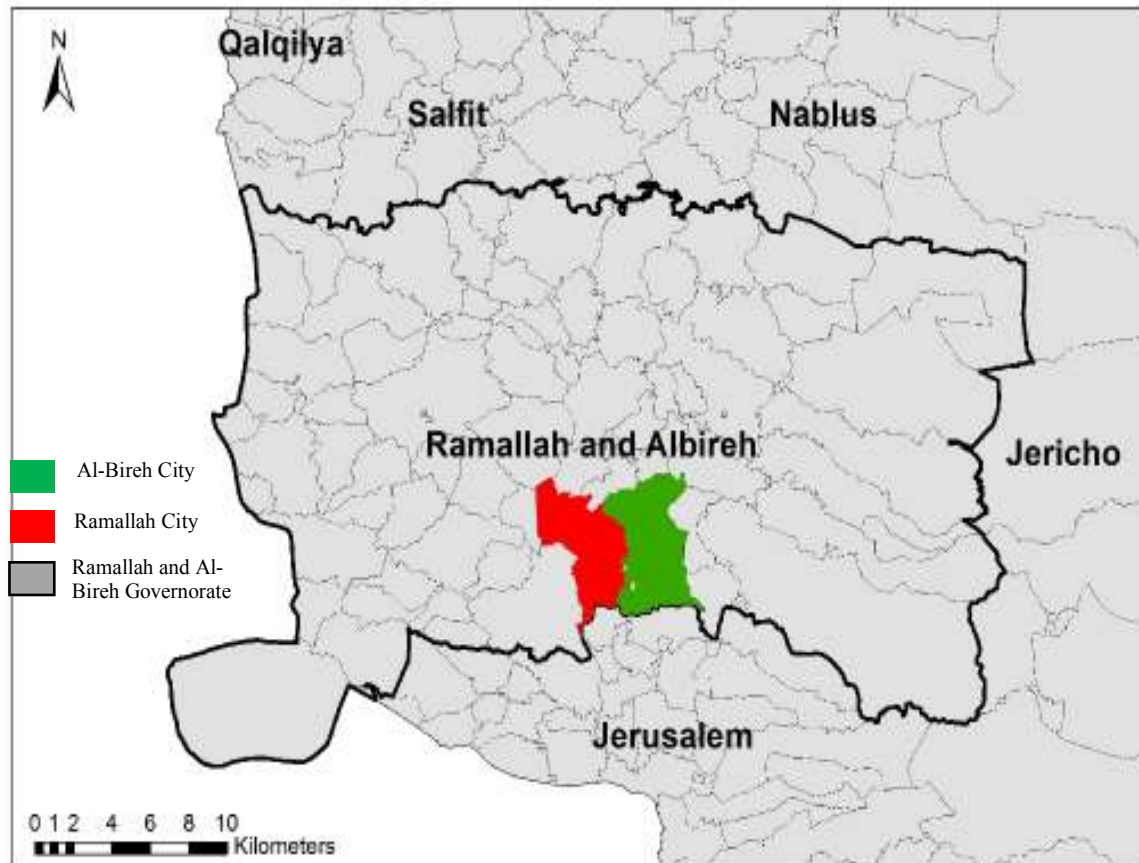


Figure (4.3): Location of Al-Bireh city in Ramallah and Al-Bireh Governorate - Adapted by author from source (*GeoMOLG, 2017*)

Since 1994 Ramallah became the financial and administrative center of the State of Palestine and the political and cultural center of the West Bank where most of the governmental institutions and agencies are located in Ramallah and Al-Bireh (*Al-Bireh Municipality, 2013*) (*Raddad S, 2015*). As a result, many Palestinian families from the south and north of West Bank moved to Al-Bireh and thus increased the pace of urbanization which boomed and expanded rapidly which imposed more pressure on public services and infrastructure over limited lands specially when Al-Bireh became more and more dense where studies show that the actual population in 2013 reached up to 86,900 persons (*Al-Bireh Municipality, 2013*) (*Al-Bireh Municipality, 2014*).

However, the area of Al-Bireh city is around 24000 dunums, where only 10854 dunums are within Al-Bireh municipality's organizational boundaries (Figure 4.4), excluding the area of Al-Ama'ari refugee camp (*Al-Bireh Municipality, 2014*), where there is only seven blocks are completely within the regulatory boundaries, while nine block are partially within the regulatory boundaries of the current master plan (*Al-Bireh Municipality, 2013*). Thus, the role of urban planning and regulations became more essential in terms of controlling expansion as well as protecting what left from land to enhance the quality of people lives and agricultural lands.

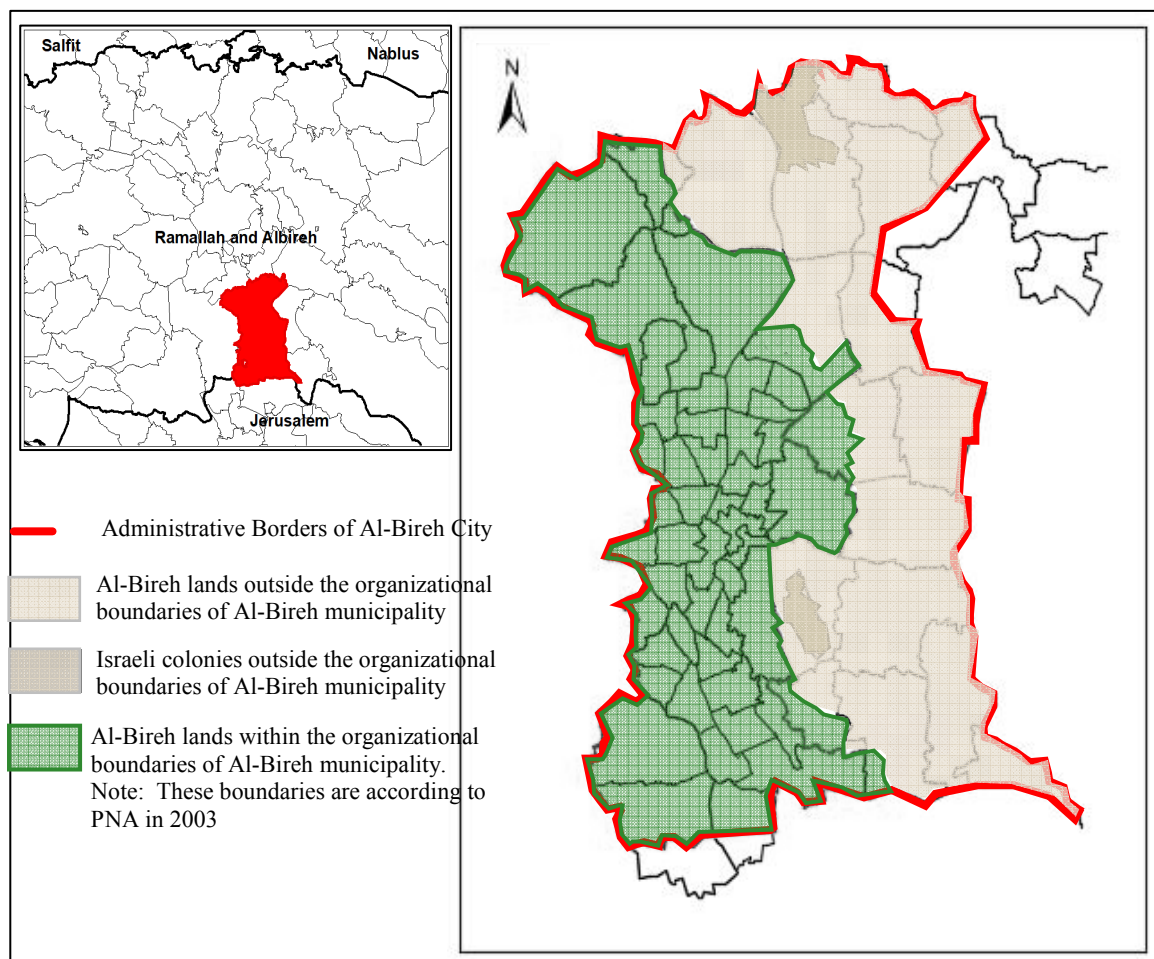


Figure (4.4) Al-Bireh City Boundaries - Adapted by author from source (*Al-Bireh Municipality, 2016*) (*GeoMOLG, 2017*)

4.2 Al-Bireh History of Development and Urban Planning

Although there are plenty of evidences prove the human presence in the city of Al-Bireh since the Stone Age “5000 BC”, and the Bronze and Iron Age, passing through the Canaanite period “3500 BC”, Roman , and Byzantine Periods (*Al-Bireh Municipality, 2013*)(*Al-Bireh Municipality, 2014*) as well as which changed Al-Bireh’s urban transformation and land uses. However, the major changes on Al-Bireh “as the rest of Palestinian cities” is attributed to the cross relation between political changes and land uses changes (*Raddad S, 2015*). Therefore the successive governmental periods played a key role in changing the urban transformation of Al-Bireh city and its land uses.

4.2.1 Islamic Period

During this era “Seventh Century”, Al-Bireh was an inhabited village that had two main parts, one in the north, and the other one in the south where these two centers played a major role by connecting the north of Palestine with the south, and the west with the east (*Al-Bireh Municipality, 2013*). It is worth mentioning that many archeological tombs and a winery refers to Roman and Byzantine period in the area of Um Al-Sharayet which is located in the south of Al-Bireh (*Al-Bireh Municipality, 2014*), thus it can be concluded that Um Al-Sharayet was habited even before the Islamic period especially in southern part of Um Al-Sharayet.

4.2.2 Crusader Period

The Crusaders occupied Al-Bireh in 1096 before the city of Jerusalem, where Al-Bireh population concentrated in the old center of the old town, and concentrated along the main street of “Al-Ain Road” that has a military defense building “Khan”, the Holy Family Church, the administrative building, and some residential buildings those existed on the edge of the street (*Al-Bireh Municipality, 2013*). Um Al-Sharayet maintained its rural character. Crusaders ruled Al-Bireh until the coming of Ayyubids who drove out the Crusaders from Palestine after the “Battle of Hattin” in 1187 (*Wikipedia, 2017*).

4.2.3 Ayyubid Period

After eighty eight years of the Crusader occupation of the region, Al-Bireh has been opened in 1187 by Saladin. The center of Al-Bireh kept as it is since the Crusader period, while during the Ayyubid period the only change was the increase of building density in the center of Al-Bireh (*Al-Bireh Municipality, 2013*).

4.2.4 Ottoman Period (1517 -1917)

During this period, Al-Bireh was still a village but it was considered as an important area and center which was under the administration of Jerusalem (*Wikipedia, 2017*). However, the center of Al-Bireh remained the focal point and in this period as well as increasing number of buildings around the city center and on the outskirts of Al Ain Road as shown in the

next page in (Figure 4.5) and Al-Bireh inhabitants reached up to 1,470 people (*Al-Bireh Municipality, 2013*).

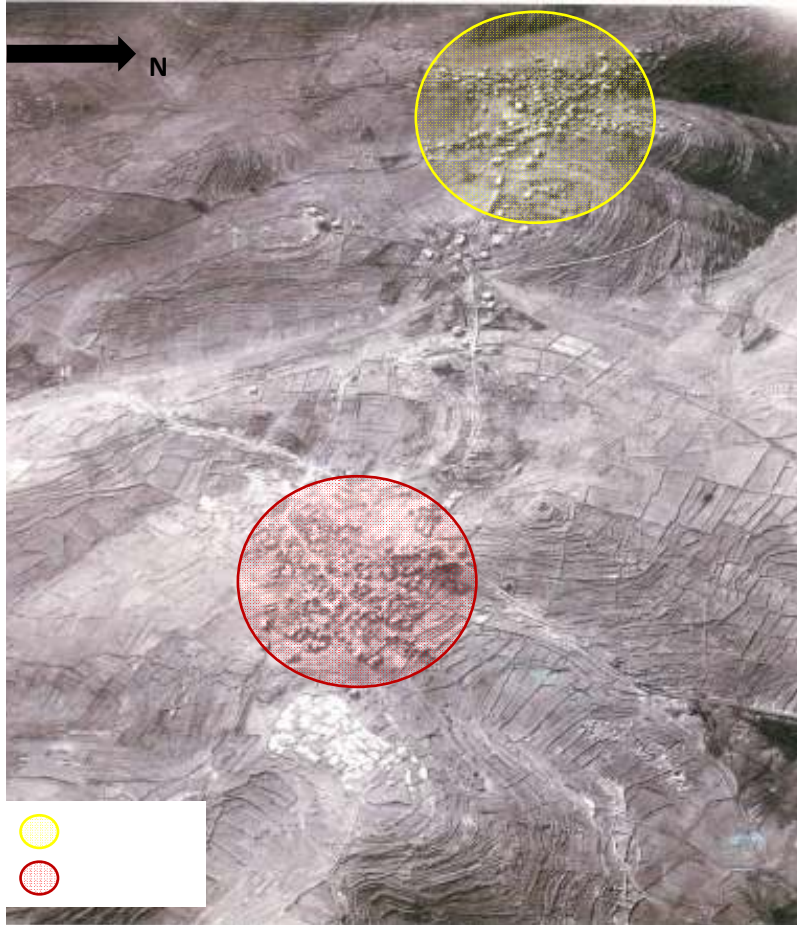


Figure (4.5): An Aerial view of Ramallah and Al-Bireh in the late Ottoman Period - (*Al-Bireh Municipality, 2013*)

4.2.5 British Mandate Period (1917 -1948)

Al-Bireh during the British mandate became a city and experienced the term of “urban planning” for the first time when British Mandate imposed the British statutory planning system in the whole Palestine (*Khamaisi R, 1997*) (*Abdelhamid A, 2006*). West Bank has been divided into three provinces, where Ramallah and Al-Bireh were included in Central Province which is “Jerusalem governorate” (*Coon, 1992*). Al-Bireh city was amended to Ramallah since 1919, however the first local council

in Al-Bireh was established in 1932 (*Al-Bireh Municipality, 2014*) but as the rest of West Bank cities were governed by exclusively Military governor for each local council who is in charge of all planning practices and issuing building permits and preparing local and outline plans (*Coon A, 1992*). The number of buildings around the center of the city increased during the Mandate period when the population of Al-Bireh city reached 2,900 people. Moreover, the direction of Al-Bireh's expansion was toward the west which is toward Ramallah, and the direction of Ramallah's expansion was toward east which is toward Al-Bireh, and many of the buildings were constructed along the main streets (Figure 4.6) (*Al-Bireh Municipality, 2013*).

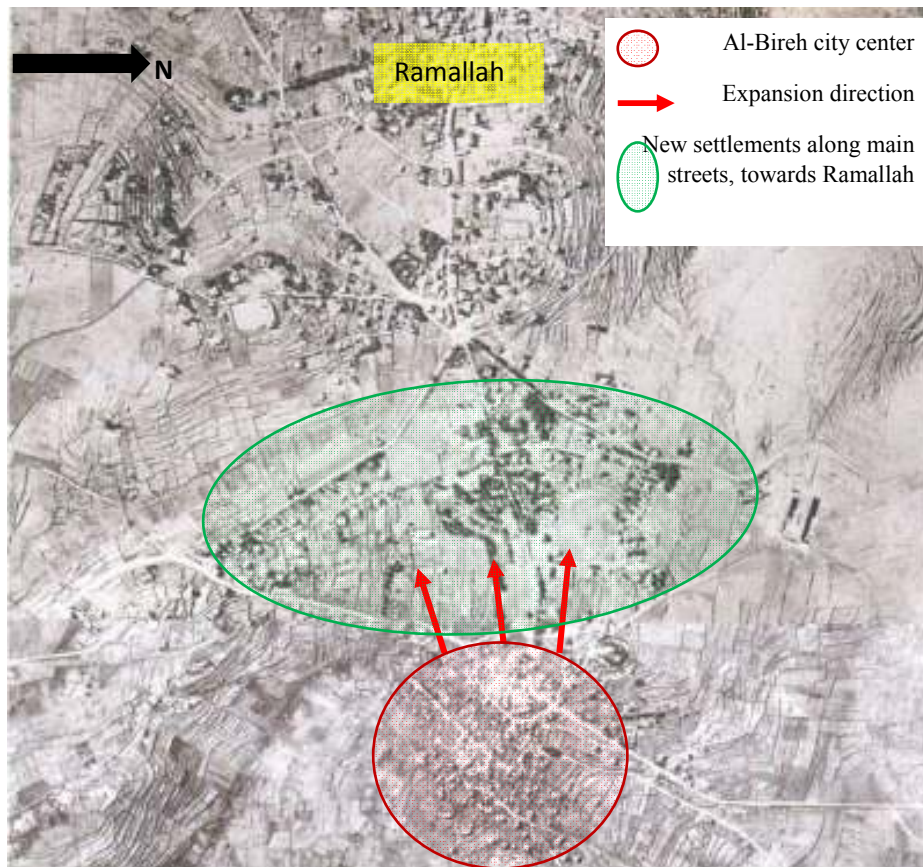


Figure (4.6): An Aerial view of Al-Bireh City in 1944 - Adapted by author from source (*Palestine Remembered, 2007*)

4.2.6 Jordanian Period (1948 - 1967)

In 1952, Jordanian government decided to convert the local council of Al-Bireh to a Municipal Council (*Al-Bireh Municipality, 2014*) and for the first time Palestinians were allowed to participate and to be represented in the municipal council as well as in each level of the planning structure (*Abdulhadi R, 1990*). However, during this period, outline plans were prepared for Al-Bireh City and Ramallah which have been used later on by the Israeli occupation to control the Palestinians expansion. West Bank cities experienced rapid expansion and urbanization due to the refugees from Palestinian coastal cities to West Bank cities as a result of the Israeli occupation for those cities and evacuation of native people after the war of 1948, which Al-Bireh city also witnessed enormous migrations and the emergence of Al-Ama'ari refugee camp and rapid expansions (Figure 4.7), where Al-Bireh expanded to east towards Ramallah, and to south towards Jerusalem, and the settlements were aligned and scattered around the main roads, and Al-Bireh city's population has increased significantly at that time and reached up to 14,600 people (*Al-Bireh Municipality, 2013*).

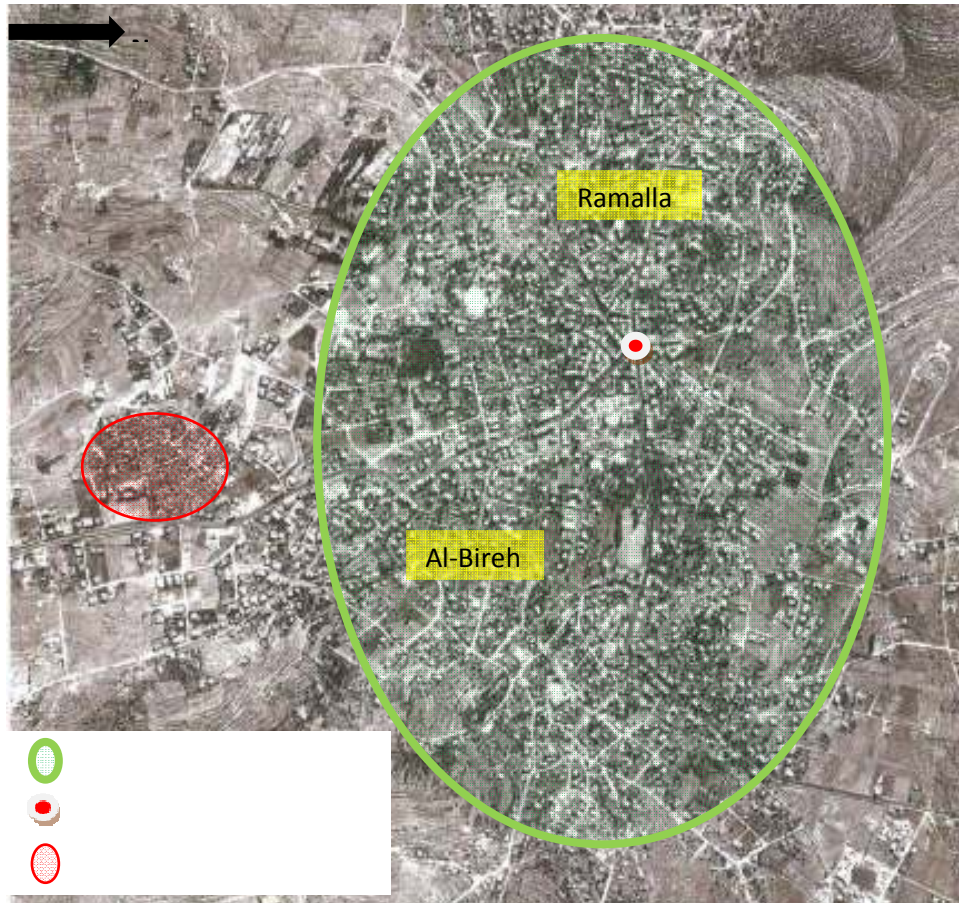


Figure (4.7): An Aerial view of Al-Bireh in 1967 - Adapted by author from source (*Palestine Remembered*, 2007)

Thus, Al Nakba of 1948 is a major turning point in the modern history of Palestine which transformed Palestinian urban life and their population in all Palestinian cities, especially with ethnicity cleansing of Palestinians from the coastal cities and Jerusalem and they became refugees where the majority of them chose Ramallah and Al-Bireh to relocate there specially during the outbreak days of the war in 1948 (*Taraki L, 2008*).

Al-Bireh City now has a number of land-blocks which didn't arise at once, but over different periods of time and different waves of expansions which created the nowadays governmental boundaries of Al-Bireh.

Especially when the emerging of the first boundary plan of Al-Bireh and laws have been emerged by restricting building process and allowing “some” construction processes only within the municipal organizational boundaries, however such plans showed how Al-Bireh expanded how later came to restrict the whole expansion process of Al-Bireh “city”.

According to the first prepared Municipal border plan in Al-Bireh history in the late Jordanian rule period, the city was only consisted of only one land-block as shown in the next page (Figure 4.8) which is land-block 28 “Al Madineh” which is consisted of thirty-four neighborhoods (*Al-Bireh Municipality, 2013*). In that time, the first sewerage network was established in 1950s in the central part of the city and the clean water was covered by the water springs in Al-Bireh, which was enough for the residents in that time (*Al-Bireh Municipality, 2013*).

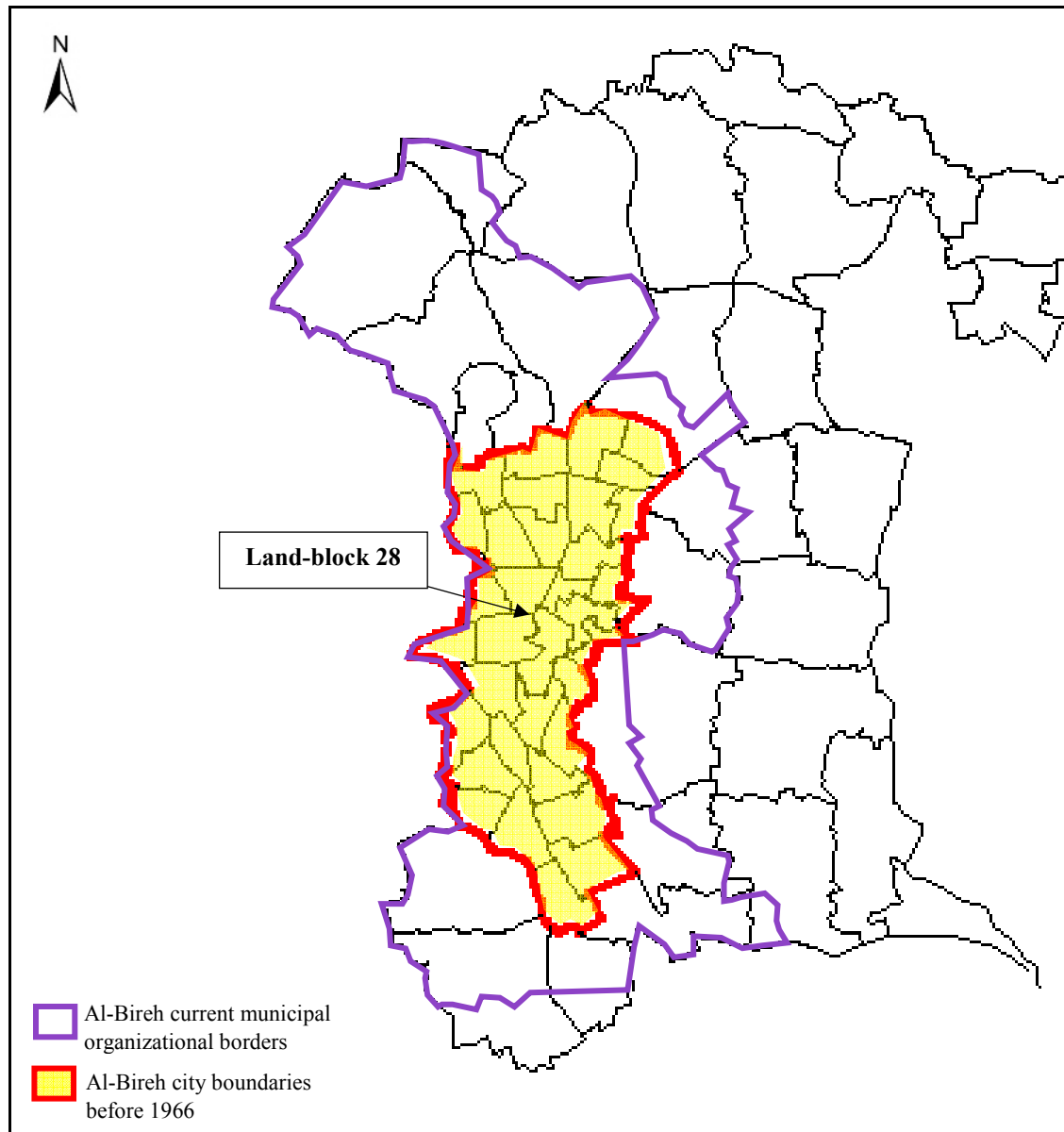


Figure (4.8): Al-Bireh Municipal border plan during Jordanian Period, Urban Expansion before 1966 - Adapted by author from source (*Al-Bireh Municipality, 2016*)

Al-Bireh started to expand towards Ramallah until they became very close to each other, to accommodate and shelter the migrant Palestinians those were evicted from their houses and lands (*Thawaba S, 2014*).

This rapid transformation of the urban life, urbanization and expansion, pushed the Jordanian government prepare a city plan of Al-Bireh (Figure 4.9). More land-blocks were annexed, which are: Al Etha'ah

land-block 10, Al Balou' land-block 11, Al Masqah land-block 12, Um Al-Sharayet land-block 27, Khallet Al Qeraan land-block 26, and Jabal Al Taweel land-block 22 (*Al-Bireh Municipality, 2013*). So, Um Al-Sharayet became as a neighborhood and a part of Al-Bireh city in 1966 and consisted of two land-blocks “Um Al-Sharayet land-block 27 and Khallet Al Qeraan land-block 26”.

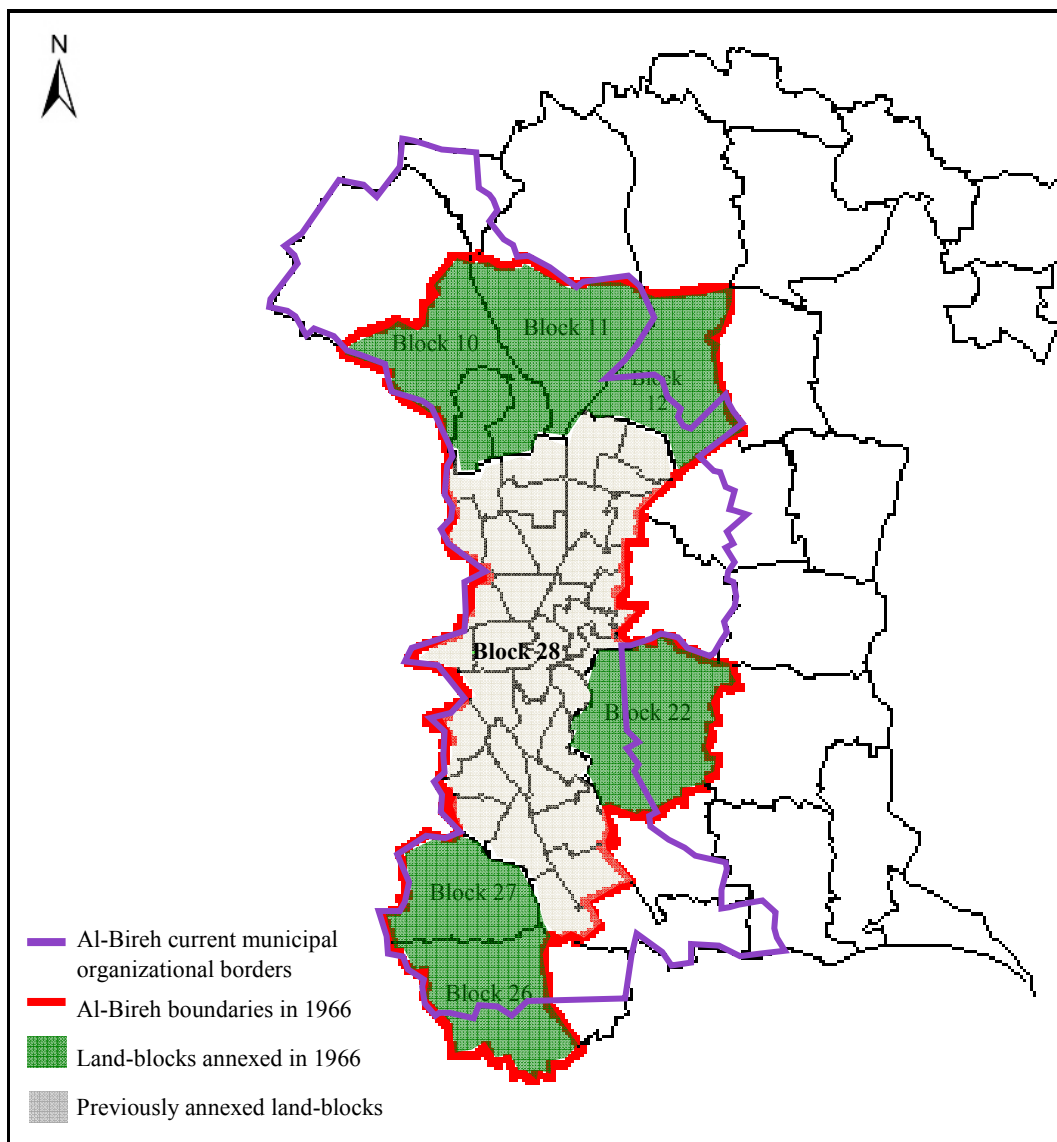


Figure (4.9): Al-Bireh Municipal border plan during Jordanian Period, Urban Expansion in 1966 - Adapted by author from source (*Al-Bireh Municipality, 2016*)

The annexed land-blocks came as a result of the urban expansion in that period which also was parallel to the increase of demand on water and pressure on sewerage systems. As a result, the municipality of Al-Bireh expanded the water supply in 1966 by relying on the Jerusalem Water Undertaking “JWU” through managing and controlling the available water sources as well as providing domestic water systems not only for Al-Bireh but also for Ramallah and some parts of Jerusalem (*Abu Thaher S, 2007*).

4.2.7 Israeli Occupation Period (1967 - 1994)

Within the beginning of the occupation, Israeli government divided the West Bank into four provinces, and Al-Bireh remained within the Central Province, however, since 1967 the city was expanding from its center towards Al Manara square, until the fusion of Ramallah and Al-Bireh cities together, in addition to the high density of buildings in Al-Bireh along the main roads, and the density decreased in the places which were away from the streets and buildings those were scattered in unmanaged way (*Al-Bireh Municipality, 2013*).

At the municipal level, in 1976 was the first time women were allowed to participate in the municipal elections of Al-Bireh city, however, Mr. Ibrahim Al-Taweel became the municipal mayor of Al-Bireh in that year until 1982 when Israeli government issued to dissolve the municipal council of Al-Bireh, and an Israeli officer was appointed to manage and to rule the civil affairs of Al-Bireh and this continued until the year 1986 when the civil administration decided to appoint a committee of four

members to follow up the affairs of the city headed by Mr. Hassan Al-Taweel (*Al-Bireh Municipality, 2013*).

However, since the beginning of 1967, Israeli government controlled the urban expansion of Palestinians as well as restricted building activities outside the municipal boundaries by many ways: refraining from preparing updated regional outline plans for the whole West Bank, confiscation and annexation of Palestinian lands for constructing bypass roads or colonies, and announcing Palestinian lands as Israeli military zones (*Thawaba S, 2014*) where this situation is applicable to Al-Bireh situation. However, until the mid-1980s Al-Bireh city was developed and expanded according to outline plans which were prepared during the Jordanian period (*Khamaisi R, 2006*).

Thus, these restrictions created more compacted city and restricting any further expansion, where any further buildings were constructed to fill the vacant spaces within the city's outline boundaries (*Thawaba S, 2014*). Moreover, Israeli occupation government maintained the Jordanian "building permits law" where Palestinians must have building permits and to build only within the municipal border of the city as shown in the next page (Figure 3.10) (*Khamaisi R, 1997*). However, the Palestinian thorny political situation put more loads and restrictions on the Palestinian expansions, and Al-Bireh expansion was more controlled.

Al-Bireh Municipal border was changed in 1979 during the Israeli period, where two more land-blocks were annexed which are: Khallet Al-Amya's land-block 23 and Qartis Al-Gharbi land-block 15 (*Al-Bireh*

Municipality, 2013). The actions of the Israeli government to control Al-Bireh expansion started with the establishment of "Beit El" military base in 1977 over part of land-block 6 and part of land-block 4 (*ARIJ, 2012*). In 1981 Al-Bireh boundary was changed, two land-blocks were completely annexed to Al-Bireh which are Tal Al Nasbeh land-block 25 and Sateh Marhaba land-block 24, where another two land-blocks were partially annexed which are Al Sabahyeh land-block 21 and Al-Ain Al-Gharbi land block 20 (Figure 4.10). However, later on the Israeli government confiscated part of Tal Al Nasbeh land-block 25 and part of Khallet el Qera'an land-block 26 and they were included to Jerusalem municipality (*Al-Bireh Municipality, 2013*).

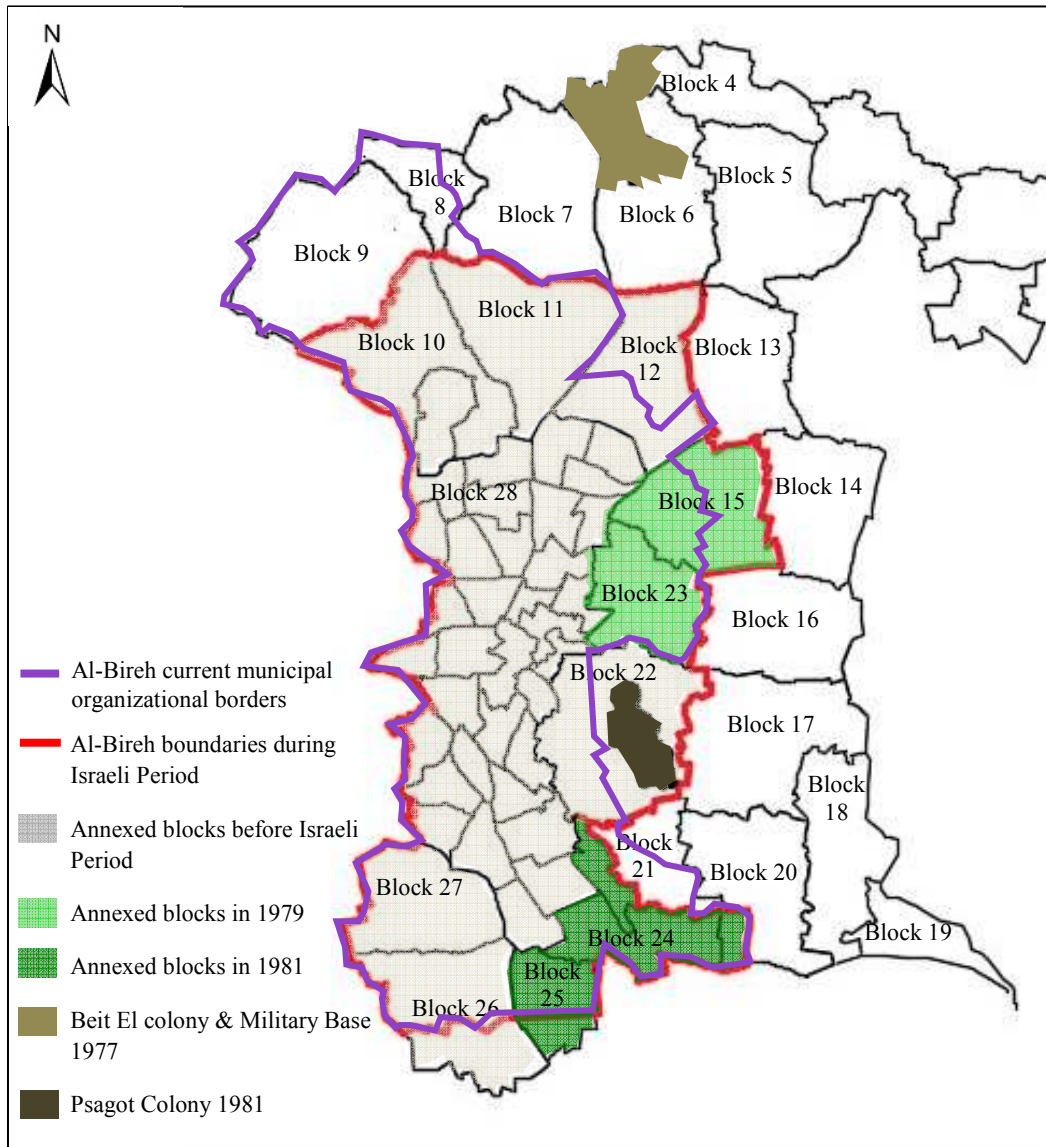


Figure (4.10) – Al-Bireh Municipal border plan during Israeli Period - Adapted by author from source (*Al-Bireh Municipality, 2016*)(*GeoMOLG, 2017*)

So here, part of Um Al-Sharayet neighborhood was confiscated from Al-Bireh and annexed to Jerusalem Municipality which affected the development of Um Al-Sharayet neighborhood, and this will be discussed in the next chapter (**Um Al-Sharayet: A neighborhood Evolution in the Context of the Historical Urban Development of Al-Bireh**).

Under Israeli occupation, what is applied in the whole West Bank, is also applied in Al-Bireh in terms of controlling the direction and the type of

urban expansion by establishing checkpoints, colonies and bypass roads to connect these colonies together (*Abu Thaher S, 2007*) (*ARIJ, 2012*) where two colonies are located in Al-Bireh which are “Pasgot” was established in 1981, and Beit El which was established in 1977 (*ARIJ, 2012*).

4.2.8 Palestinian National Authority Period (Since 1994)

In 1994 was the establishment of Palestinian National Authority, and the twin cities Ramallah and Al-Bireh became the main political and economic center of West Bank (*Al-Bireh Municipality, 2013*) (*Al-Bireh Municipality, 2014*). Since that time, Al-Bireh municipality has financial autonomy, has the power to update, eliminate or appoint its borders and its functions and its powers under the provisions of law, and the Ministry of Local Government is supervising the performance of the municipality (*Al-Bireh Municipality, 2014*). Al-Bireh municipality became an elected local body (*Al-Bireh Municipality, 2014*) which this municipality is administrated by a municipal council is of five members (*ARIJ, 2012*) who are municipal council members, who are directly elected (*Al-Bireh Municipality, 2014*).

The municipal council of Al-Bireh is responsible to provide services for its residents and better life quality, where here are some of these services which are: making studies and projects for Al-Bireh and implement them, responsible for managing all the construction and building permits processes within the provisions of law, providing clean water, solid waste collection and street cleaning, infrastructure construction

and restoration, social services (*Al-Bireh Municipality, 2014*)(*Al-Bireh Municipality, 2013*) (*ARIJ,2012*) as well as health and educational services (*Al-Bireh Municipality, 2014*). Moreover, the development of Al-Bireh positively affected specially because it's considered as part of Ramallah's governorate, and the majority of administrative buildings of governmental institutions and ministries are located in Ramallah and Al-Bireh (*Al-Bireh Municipality, 2013*) (*Al-Bireh Municipality, 2014*) (*Abu Thaher S, 2007*). Thus, enormous projects were encouraged to be implemented in Ramallah and Al-Bireh such as major infrastructure and construction investments (*ARIJ, 2004*).

These investments created more services and more job opportunities in Al-Bireh and Ramallah specially when many Palestinians moved to these twin cities due to the high unemployment and poverty rates in the other Palestinian cities, however Ramallah and Al-Bireh are able to provide appropriate living conditions and meeting the basic needs of families (*Al-Bireh Municipality, 2013*) and provide the needed lifestyle for the middle-class of Palestinians (*Taraki L, 2008*). Moreover, salaries in Ramallah and al-Bireh governorates ranked as the highest salaries compared to other governorates in the West Bank, and this value of salaries is increasing each year, but it is decreasing in the rest of the West Bank cities (*Al-Bireh Municipality, 2013*).

So, the establishment of the Palestinian National Authority created different phases and waves of rapid urban expansion in Al-Bireh, and

pushed the Palestinian areas of Al-Bireh and Ramallah to move towards very rapid urbanization (*Abu Thaher S, 2007*). Although, most of the Palestinian urban centers have been somehow boomed, but the most the flourishing centers are Ramallah and Al-Bireh especially in 1995 due to political stability (*Khamaisi R, 2006*). As a result, the built up areas increased in Al-Bireh and thus Al-Bireh municipality prepared border plans for Al-Bireh city. Thus, Al-Bireh has experienced the “*most significant urban growth*” during 1990’s (Figure 4.11) in the whole West Bank (*Abu Thaher S, 2007*).

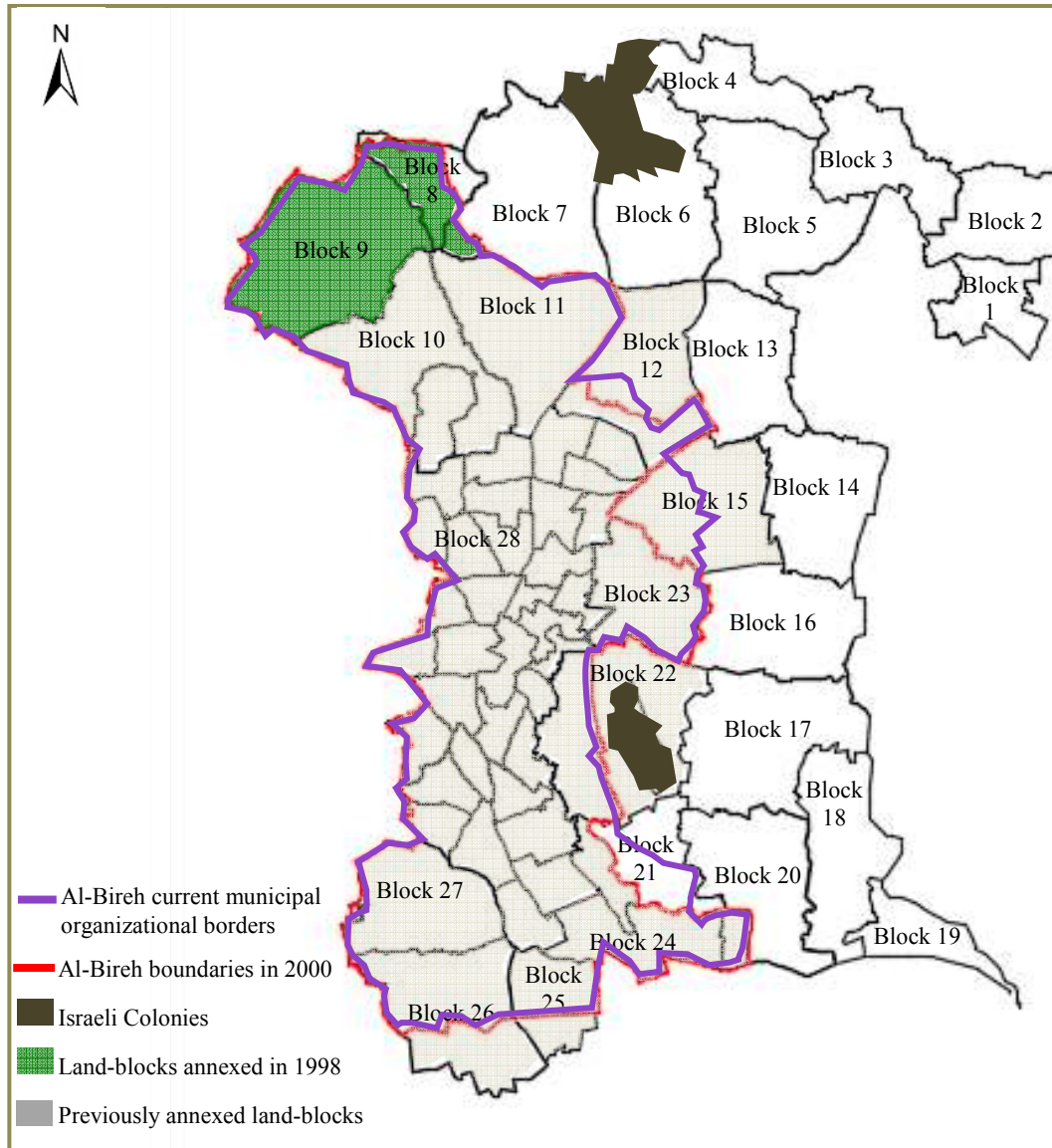


Figure (4.11): An Aerial view of Al-Bireh City in 1995 - Adapted by author from source (*Palestine Remembered, 2007*)

The period between 1994 and 2000 brought the biggest wave of urbanization to Al-Bireh city with the increase of expanded urban areas and

the decline of the agricultural lands, as well as the high densities of the exciting urban areas more than any time before (*Abu Thaher S, 2007*).

In the year of 1998, more land-blocks were annexed are part of Khallet Al Salamyeh land-block 8 and part of Shea'ab Kassab land-block 7 while Al Salamyeh land-block 9 was totally annexed (Figure 4.12) (*Al-Bireh Municipality, 2013*). In 2000, the Israeli government authenticated on the organizational boundaries of Al-Bireh and confiscated the Qartis Al-Gharbi land-block 15, part of Jabal Al Taweel land-block 22 and part of Al Masqah land-block 12 (Figure 4.12) (*Al-Bireh Municipality, 2013*). The red line represents the organizational boundaries of Al-Bireh certified by the Israeli authorities.



[Figure (4.12): Al-Bireh Municipal border plan certified by Israeli authorities during PNA Period - Adapted by author from source (*Al-Bireh Municipality, 2016*)(*GeoMOLG, 2017*)

According to showing figure (Figure 4.13), the blue line present the authenticated boundaries by the Ministry of Local Government, while the red line present the authenticated boundaries by the Israeli government in 2000 (Figure 4.13), which can be noticed the differences between the two lines regarding Al Masqah land-block 12, Qartis Al-Gharbi land-block 15 and Al Sabahyeh land-block 21 (*Al-Bireh Municipality, 2013*). In 2003, the Palestinian Ministry of Local Government approved and authenticated

the master plan of Al-Bireh city which defines the organizational boundaries of the city (Figure 4.13) and the land uses, however, the Israeli government didn't approve nor accept it (*Al-Bireh Municipality, 2013*).

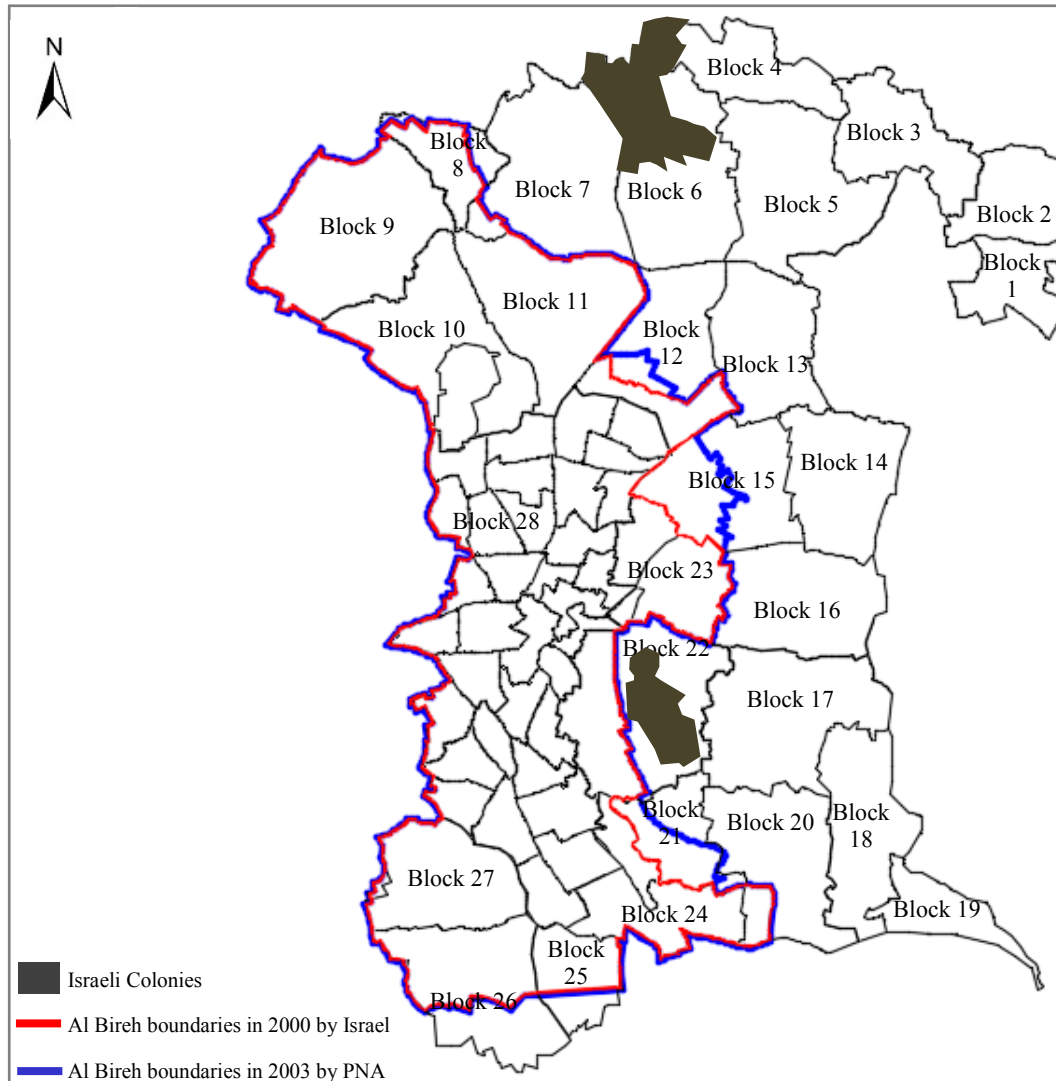


Figure (4.13): Al-Bireh Boundaries of 2000 and 2003- Adapted by author from source (*Al-Bireh Municipality, 2016*)

Here it is worth mentioning that the first master plan of Al-Bireh city was in 2003 and it is still the current and valid master plan of the city which this master plan of Al-Bireh gives different land uses for Al-Bireh lands within its organizational boundaries as shown in the next page (Figure 4.14). According to the authenticated boundaries in 2003 by the

Palestinian Ministry of Local Government, the total area of Al-Bireh is 10854 dunums are within its organizational boundaries (*Al-Bireh Municipality, 2013*) (*Al-Bireh Municipality, 2014*).

However, twelve land-blocks are completely outside the organizational boundaries, while nine land-blocks are partially inside the organizational boundaries which are: Khallet Al Salamyeh land-block 8, Al Masqah land-block 12, Al Sabahyeh land-block 21, Qartis Al-Gharbi land-block 15, Jabal Al Taweel land-block 22, Al Ain Al-Gharbi land-block 20, Shea'ab Kassab land-block 7, Tal Al Nasbeh land-block 25 and Khallet Al Qera'an land-block 26. Moreover, seven land-blocks are totally inside the organizational boundaries which are Al Salamyeh, land-block 9, Al Etha'ah land-block 10, Al Balou' land-block 11, Khallet Al Amya'a land-block 23, Sateh Marhaba land-block 24, Al Madineh land-block 28 and Um Al-Sharayet land-block 27 (*Al-Bireh Municipality, 2013*) where all of these land-blocks of Al-Bireh are according to its authenticated master plan of 2003 as shown in the next page in (Figure 4.14).

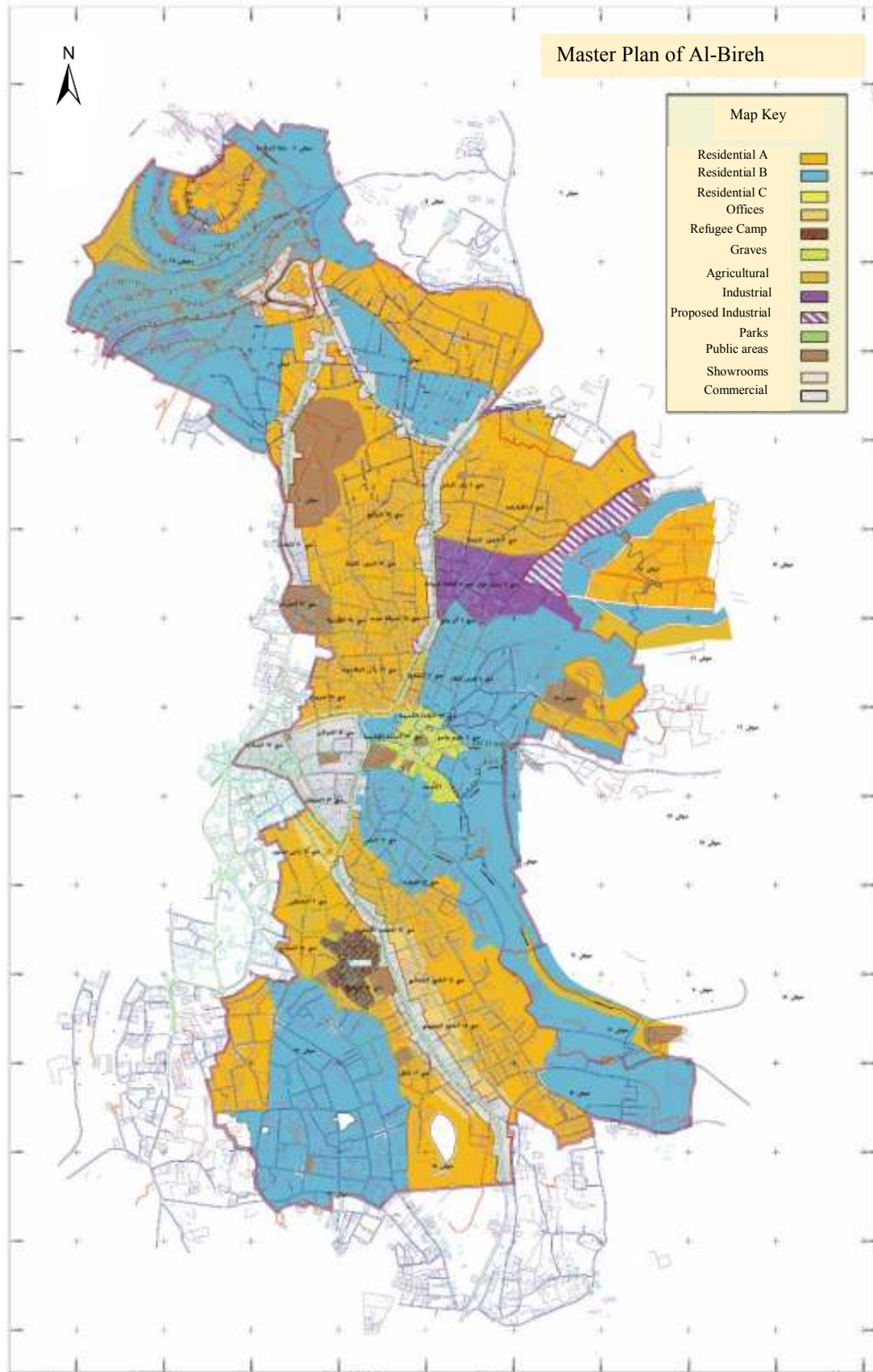


Figure (4.14): Al-Bireh Master Plan in 2003 - (Al-Bireh Municipality, 2013)

However, not all the areas are available for the Palestinian development even when they were annexed to Al-Bireh boundaries due to land classifications “Zone A, B, and C” of Oslo Agreement in 1993 (Table 4.1) which affected the role off Al-Bireh municipality.

Limitations on Al-Bireh municipality increased in 2003 when the boundaries of Al-Bireh have been accredited and ratified by the local government where the ratified area of Al-Bireh became about only 10,854 dunums, which is considered only 49 percent of the total actual land of Al-Bireh, and the city was divided into seventeen land-blocks within the organizational boundaries of 2003 (Table 4.1), where only seven land-blocks are completely integrated within the organizational boundaries and the master plan of Al-Bireh, while ten land-blocks are partially integrated (*Al-Bireh Municipality, 2013*).

Table (4.1): Land Classifications of Al-Bireh City- (*Al-Bireh Municipality, 2013*)

land classifications	area (dunums)	% of areas within the organizational boundaries	% of areas within the administrativ e boundaries
area a	7,907	73%	35.6%
area b	1,034	9.5%	4.7%
areac within organizational boundaries	1,913	17.5%	8.6%
total area within the organizational boundaries	10,854	-	49%
area c outside the organizational boundaries	11,344	-	51%
al-bireh area *	22,198		
* note: the total area of al-bireh in this table is excluding the areas of the israeli colonies on the lands of al-bireh city			

Moreover, the land classifications of Oslo accords played a major role in controlling the urban expansion of Al-Bireh (Figure 4.15) (Figure 4.16) which resulted in the increase of land prices within organizational boundaries of the municipality (*Thawaba S, 2014*) where the majority of lands are already built lands within the organizational boundaries (Figure 4.15) which put more pressure on Al-Bireh in terms of finding enough space for the increasing population and to serve their urban needs. In addition to the construction of the Separation Wall in 2003 which increased the pressure on Palestinian expansions and on the organizational boundaries (*Thawaba S, 2014*).

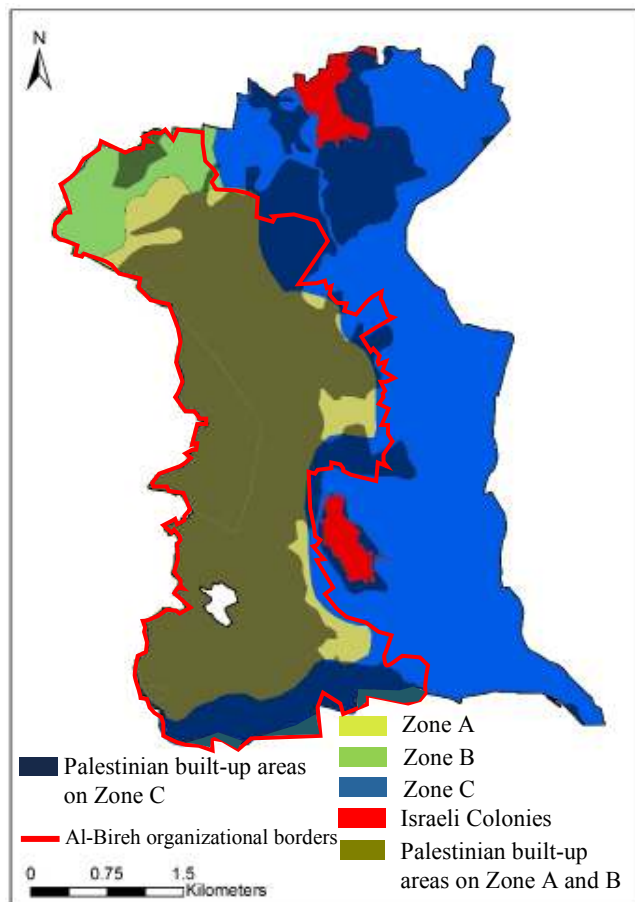


Figure (4.15): Land Classifications of Al-Bireh City and Palestinian built-up areas
 - Adapted by author from source (*GeoMOLG, 2017*)

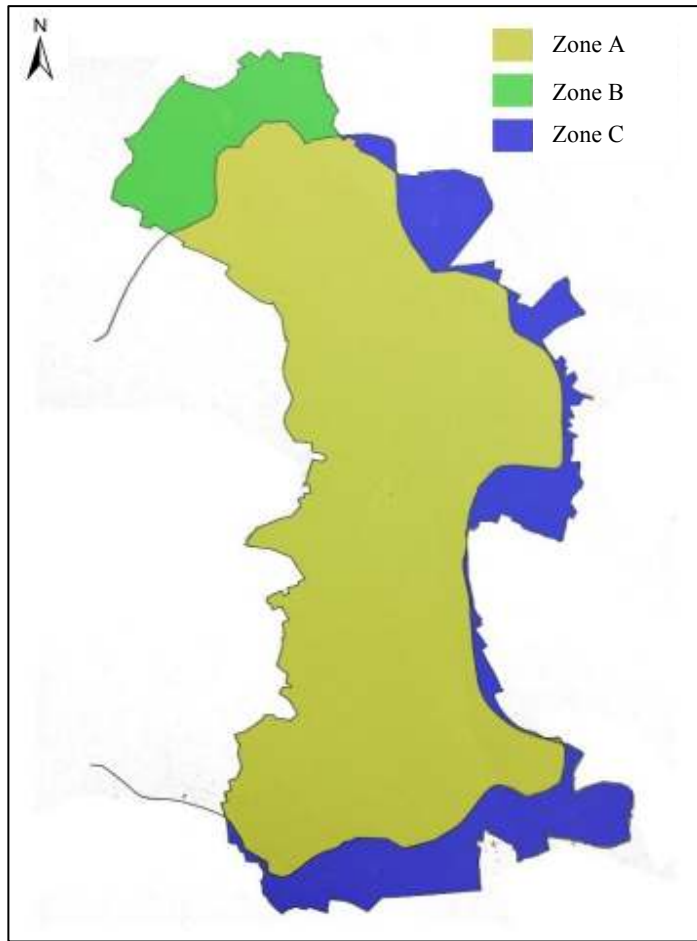


Figure (4.16): Land Classifications within the organizational boundaries of Al-Bireh City- (*Al-Bireh Municipality, 2013*)

As a result of the geopolitical situation and the establishment of the administrative center in Ramallah, changed the urban transformation of the Palestinian city which has been changed from a village or small city that was developed just upon its original citizens' needs to city that must cope with the rapid urbanization and the unmanaged urban expansions specially in the city of Ramallah (*Khamaisi R, 2006*) and Al-Bireh which these transformations added more pressure on the municipality to cope with the new challenges within the limited availability of land.

4.3 Challenges of Al-Bireh City Expansion

Al-Bireh faces many challenges which directed and controlled its expansion especially with the limited resources and the limited available lands. The restrictions which are imposed by Israeli occupation, in addition to the economic and political situation specially after the emerging of the Palestinian National Authority which also pushed the villages “rural areas” to sprawl specially due to the rapid urbanization that was driven by socioeconomic factors (*Khamaisi R, 2006*) for a city like Al-Bireh. The followings are summarizing the main challenges those face the expansion of the city.

4.3.1 Political Challenges

As the rest of the other Palestinian cities, the cumulative and successive laws imposed by foreign powers created a new phenomenon of expansion which is urban sprawl. However, Al-Bireh faces more challenges due to Israeli occupation policies. Many of Palestinian dunums in Al-Bireh were confiscated to construct colonies which are Psagot colony that constructed over 308 dunums of Al-Bireh lands, and the other colony is Beit El military base which is constructed over 1,908 dunums over Al-Bireh lands (*Al-Bireh Municipality, 2014*) (*Al-Bireh Municipality, 2013*). Although these two colonies are not within the organization boundaries of Al-Bireh but they are on the lands of Al Bireh city where the occupation forced the existence of them which created more restrictions for future expansion especially in the shades of the limited available vacant lands.

On the other hand, by Israeli bypass roads confiscated more kilometers for Al-Bireh lands to be constructed for the purpose of connecting the two Israeli colonies with each other by connecting each colony with road No. 60 (*ARIJ, 2012*).

These bypass roads confiscated agricultural and non-agricultural lands of Al-Bireh, where the total length of both roads is around eight kilometers in addition to confiscating 75 meters on the roads sides as buffer zones imposed by Israeli occupation (*ARIJ, 2012*). Moreover, these bypass roads did not only confiscated lands and causing shortage of available lands, but also split the Palestinian lands of Al-Bireh which impose more restriction and more control over Palestinian expansion.

Moreover, Oslo land classifications restricted Al-Bireh municipality where these classifications reduced the sovereignty of Al-Bireh municipality over its land and effect its future plans and expansions specially when the available direction of Al-Bireh to expand which is to the East and South, is surrounded by “Zone C” which Al-Bireh have no planning or governing role over these lands. However, most of “Zone A” which Al-Bireh municipality have full planning and governing role over these lands, are already built up areas where Al-Bireh municipality cannot do anything but only densifications in some areas in Al-Bireh.

4.3.2 Landownership

One of the most important challenges of development in Al-Bireh is the landownership. In Al-Bireh city the landownership is classified in

different categories which are: lands owned by municipality, owned by Palestinian government, Waqf lands, private land ownership, however, some lands have shared ownership between municipality and private ownership, or between municipality and Islamic Waqf, or between Islamic Waqf and private ownership, which can be noticed in the situation of Al-Bireh that most of its lands are privately owned which reach up to 79 percent of the total land ownership classifications (Table 3.2) (*Al-Bireh Municipality, 2013*).

Table (4.2): Land ownership classifications within the organizational boundaries - (*Al-Bireh Municipality, 2013*)

Land Ownership	Area in square meters (m ²)	Percentage
Al-Bireh Municipality	126,990	1.5%
Waqf	95,749	0.88%
Palestinian Government	277,963	2.56%
Private	9,117,299	79.08%
Roads and Streets	1,237,000	15.96%
Total	10,854,000	100%

Due to the high percentage of privately owned lands as well as the lack of available lands, the municipality faces many obstacles in implementing the needed projects (*Al-Bireh Municipality, 2013*), and thus the most development types in Al-Bireh is the residential buildings as a result of the privately owned lands specially when the lack of available lands due occupation which controls Palestinian expansion which pushed the Palestinians to use the available lands to construct houses as a kind of resistance.

4.3.3 Land Use classifications:

The establishment of Palestinian National Authority played the major role of the rapid urbanization and the mega boom of construction not only in Ramallah but also in Al-Bireh which enhanced the real-estate investments (*Abu Thaher S, 2007*). Substantially, the total built up area within the organizational boundaries is 67% and 16% for roads, while only 17% only of Al-Bireh lands are vacant lands and privately owned, however 85% of the municipality owned lands are built, leaving no space for future expansion in alarming rates of limited lands and the urgent needs for lands to serve the public interests and to accommodate with the growing population (*Al-Bireh Municipality, 2013*). Moreover, it can be noticed also according to the current master plan land uses (Figure 3.17) that very little portion of lands are for agriculture while the most is for residential in addition to very little opportunities for future expansion which can be considered as rare.

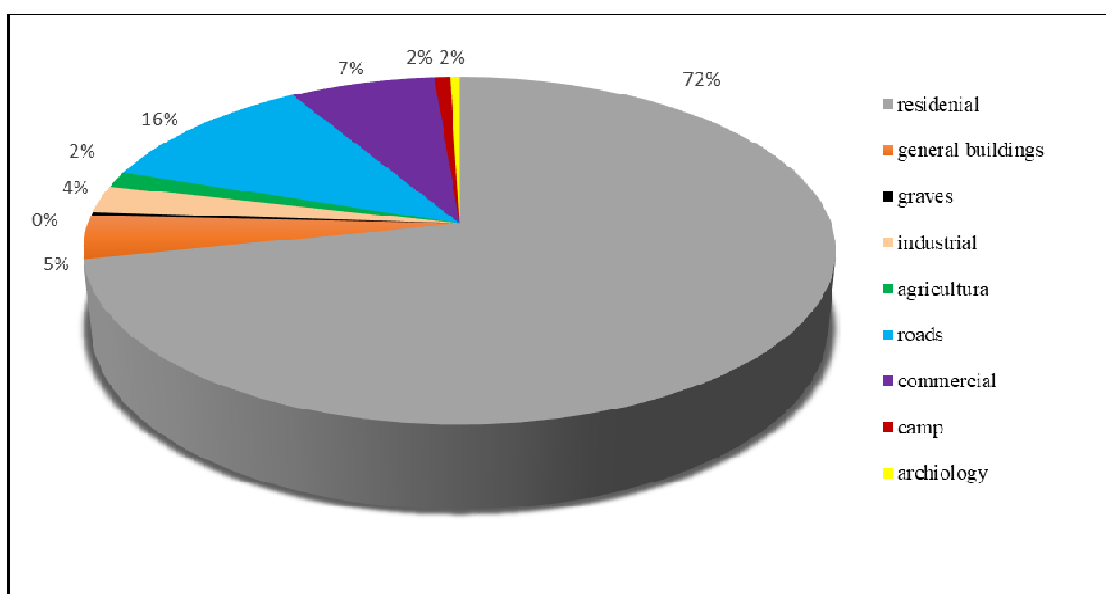


Figure (4.17): Land use classifications according to the current master plan 2003 of Al-Bireh (*Al-Bireh Municipality, 2013*)

These pushed Palestinians expansion to uncontrolled and unmanaged level causing urban sprawl where the agricultural lands within the organizational boundaries of Al-Bireh are consisted of only three areas over 123 dunums (*Al-Bireh Municipality, 2013*)(*Al-Bireh Municipality, 2014*), which is less than 2% of the total area of Al-Bireh, however the agricultural lands within Al-Bireh boundaries and outside its organizational boundaries reach more than 50% of the total Al-Bireh city, which is considered the rural areas of Al-Bireh where many Palestinians are moving towards these agricultural lands because no enough space to expand within the organizational boundaries, they are pushed to expand over agricultural areas outside the organizational boundaries of Al-Bireh (*Al-Bireh Municipality, 2014*).

Moreover, the cumulative unmanaged urban planning laws created the uncontrolled urbanization in addition to political situation which all led to urban sprawl in many areas of Al-Bireh such as Um Al-Sharayet district where this neighborhood faced different challenges as well as Al-Bireh municipality in terms limited available lands, and political situation, in addition to the planning laws, where although the municipality faced all of these, but it is also played a role side by side with other challenges in creating the phenomenon unmanaged urban transformation of Um Al-Sharayet district where its urban settlements suffer from high density and lack of sufficient urban services, open spaces and greeneries. For that, all of the mentioned challenges affected the expansion in Al-Bireh city which made the managed and detailed land uses to become urgent and in

desperate need for preserving the vacant lands for sustainable urban development and for agricultural uses.

4.4 The Emergence of Um Al-Sharayet District

Um Al-Sharayet district became as a result of the rapid and unmanaged urban planning and urban development of Al-Bireh city, in addition to the challenges of expansions which created the nowadays situation of Um Al-Sharayet. The district is consisted of the two land-blocks which are Um Al-Sharayet land block 27 and Khallet Al Qera'an land-block 26 (*Al-Bireh Municipality, 2013*) (*Al-Bireh Municipality, 2014*), however part of Khallet Al Qera'an was confiscated and annexed to Jerusalem Municipality, while Um Al-Sharayet land-block is completely within Al-Bireh municipal boundaries (Figure 4.18). Since 1966 Um Al-Sharayet district was inhabited of Palestinians and within the master plan boundaries of Al-Bireh (*Al-Bireh Municipality, 2013*).

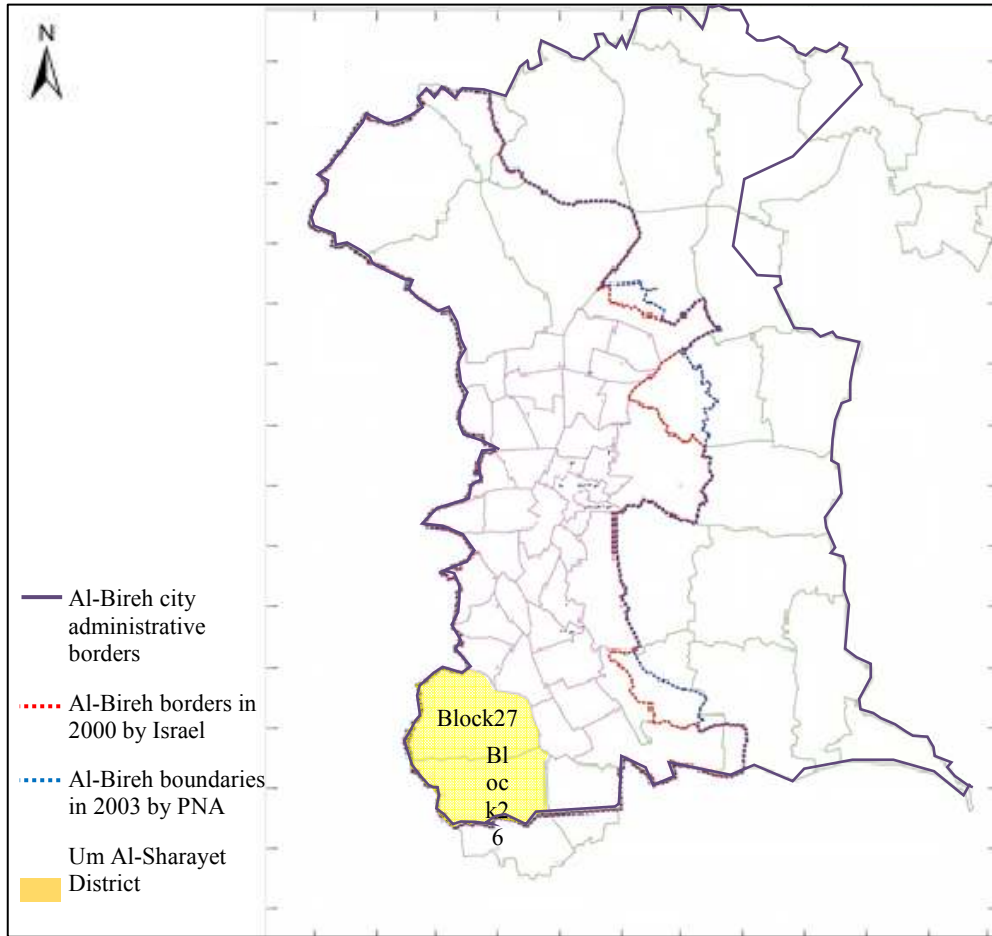


Figure (4.18): Um Al-Sharayet District land-blocks and location - Adapted by author from source (*Al-Bireh Municipality, 2013*)

Um Al-Sharayet district considered as a special case compared to other Palestinian districts in the whole West Bank, because the urbanization of Um Al-Sharayet did not come as a result of normal expansion of Al-Bireh city, especially when the emerging of Um Al-Sharayet district in conjunction with the emerging of Al-Bireh, however Um Al-Sharayet urbanization was a result of internal migration due to its proximity to Ramallah and to Jerusalem ^[6]. Although the establishment of Palestinian National Authority in 1994, produced slight flourish of Palestinians, especially Ramallah and Al-Bireh, where Um Al-Sharayet faced a very rapid pace of urbanization creating “forests of building” (*Abu Thaher S,*

2007), were many internal migrations chose Um Al-Sharayet because of its cheap land prices compared to other lands of Al-Bireh or Ramallah¹.

Not like the rest of Palestinian districts, the occupation policies in terms of land classifications, bypass roads and colonies didn't have the major influence on the urban sprawl in Um Al-Sharayet, moreover its urban sprawl was not as a result of Al-Bireh expansion. However, despite the existence of Um Al-Sharayet within the municipal boundaries and the master plan of A Bireh since 1966, and despite the formation of many ministries in Al-Bireh with the emerging of Palestinian National Authority, but urban sprawl of Um Al-Sharayet is mainly referred cumulative planning laws since the Jordanian period until the provisions of the Palestinian National Authority period, in addition to the absence of building systems and proper planning policies which are supposed to be matching with the Palestinian needs since the emergence of Um Al-Sharayet. The following chapter (**Um Al-Sharayet: A neighborhood Evolution in the Context of the Historical Urban Development of Al-Bireh**), will shed the light on the causes behind the current urban situation of Um Al-Sharayet in terms of urbanization, planning laws and urban sprawl of this district.

¹ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

Chapter Five

Um Al-Sharayet: A District Evolution in the Context of the Historical Urban Development of Al-Bireh

Chapter Five

Um Al-Sharayet: A District Evolution in the Context of the Historical Urban Development of Al-Bireh

5.1 An Overview of Um Al-Sharayet District:

The first appearance of human settlements in the area of Al-Sharayet appeared during ottoman period (*Al-Bireh Municipality, 2014*) (*Awad S, 2013*) according to the historical buildings which refer to that era. Um Al-Sharayet considered as a district and part of Al-Bireh organizational boundaries since 1966 (*Al-Bireh Municipality, 2013*), which Um Al-Sharayet is considered unique in terms of location, because it is located on the edge of Al Bireh City and in attach with Ramallah City, and Jerusalem (Figure 5.1) which affected the immigration movements and development of Um Al-Sharayet.

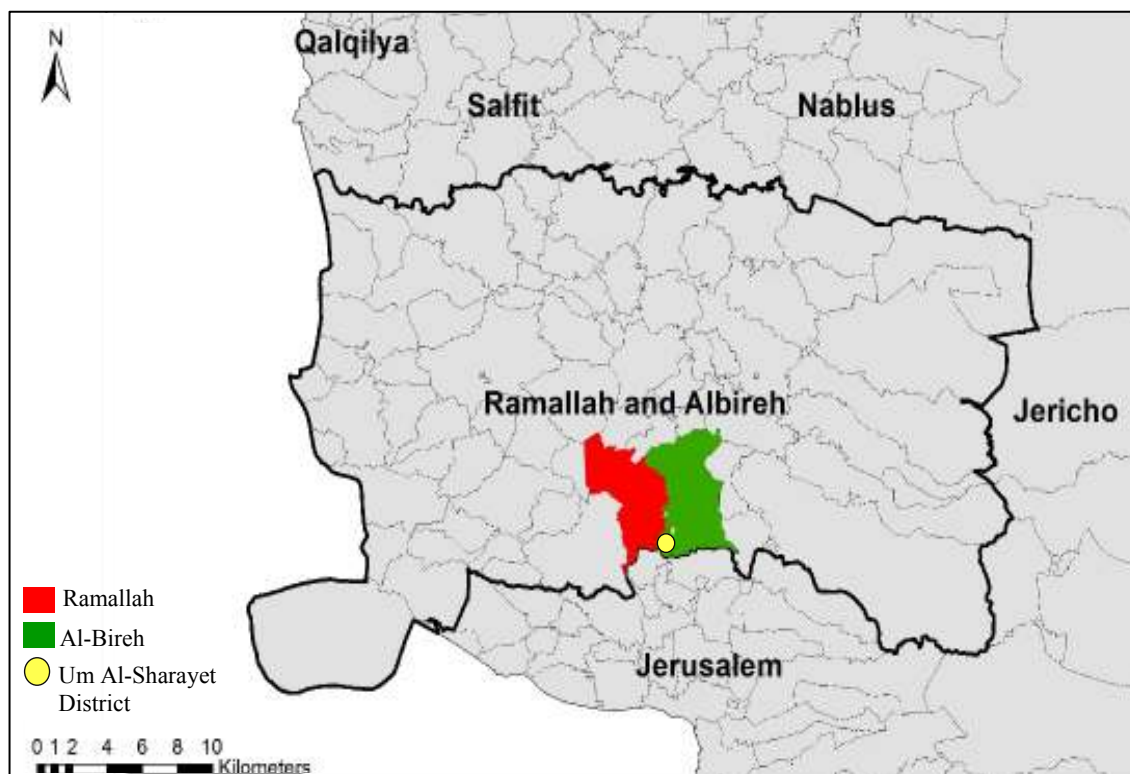


Figure (5.1): Location of Um Al-Sharayet District in Ramallah and Al Bireh Governorate - Adapted by author from source (*GeoMOLG, 2017*)

Um Al-Sharayet District is located in the Southwest side of Al-Bireh City within the organizational boundaries of the city since 1966 (Figure 5.2), and the district is consisted of two land-blocks which are: land-block 27 Um Al-Sharayet which is completely within the organizational boundaries of Al-Bireh city, and part of land-block 26 Khallet Al-Qeraan where part of this land-block is within the boundaries of Al-Bireh and the other part was confiscated and annexed to Jerusalem (Figure 5.3). The current Um Al-Sharayet boundaries were created since 1981 after the confiscation of the part of Khallet Al Qeraan where the total area of Um Al-Sharayet became 1,434 dunums as shown in the next page in (Table 5.1) (*Al-Bireh Municipality, 2013*).

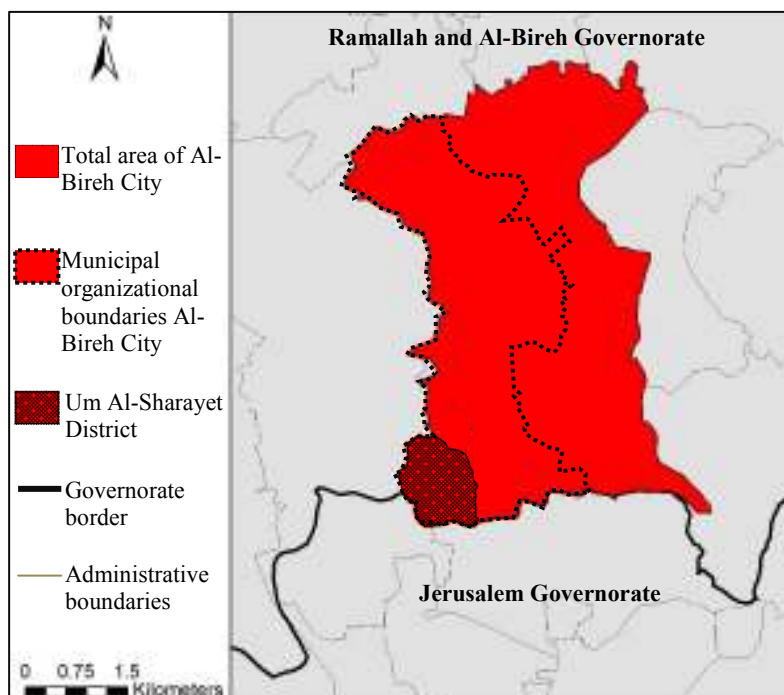


Figure (5.2): Location of Um Al-Sharayet District within organizational boundaries of Al-Bireh City - Adapted by author from source (*GeoMOLG, 2017*)

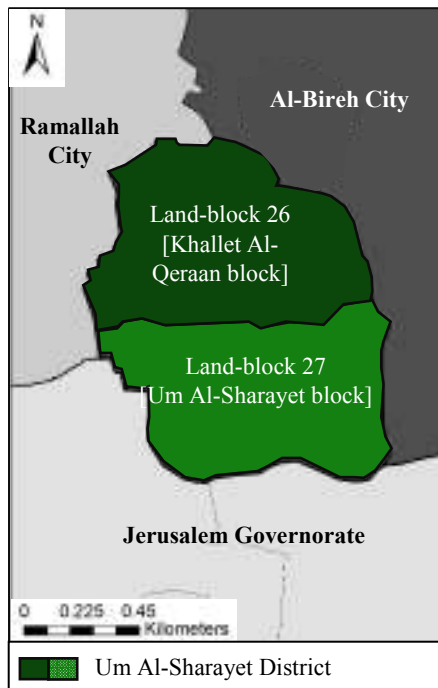


Figure (5.3): Land-blocks of Um Al-Sharayet District – Adapted by author from source (GeoMOLG, 2017)(Al-Bireh Municipality, 2013)]

Table (5.1): Land-blocks of Um Al-Sharayet District - Adapted by author from source (Al-Bireh Municipality, 2013)]

Land-block Name of Um Al-Sharayet District	Land-block No.	Land-block Area (dunums)
Khallet Al-Qeraan	26	808
Um Al-Sharayet	27	626
Total Area	-	1,434

Um Al-Sharayet district faced a rapid urban transformation since its emergence as a district where it was rural area with a majority of nature and large agricultural lands which had been transformed into urban areas which also affected the land values and caused shortages in available lands, which considered as part of urban sprawl characteristics in Palestinian cities and districts. However, some of the factors are significant only for Um Al-Sharayet because of the *cumulated statutory planning laws*,

political situation, socio-economic conditions, in addition to urbanization and the high pace of immigration movements, which these all gave the urban character of Um Al-Sharayet and affected the urban transformation of Um Al-Sharayet later on as result of Urban sprawl phenomena¹ where also agricultural lands ravaged and green areas were extremely minimized until the percentage became only 0.02 percent in 2003 of Um Al-Sharayet (Awad S, 2013).

5.2 Urbanization and Physical Urban Development of Um Al-Sharayet

Physical development and urbanization in Um Al-Sharayet impacts started after the Ottoman period, however, its origins considered as an agricultural area and part of Palestinian agricultural countryside of Al-Bireh. Across many periods, Um Al-Sharayet became a district with dramatic changes in the urban transformation.

5.2.1 Ottoman Period (1850 – 1917)

As Al-Bireh was still a village and under the administration of Jerusalem (*Wikipedia, 2017*), Um Al-Sharayet was rural area which probably was under the administration of Jerusalem as well. According to the historical evidences, ancient people are always prefer to settle near water springs, and this is same situation of the first settlements in Um Al-Sharayet where the historical buildings in Um Al-Sharayet are located near two of the oldest water springs in Al-Bireh (Figure 5.4). These water

¹ Personal Interview with Dr. Sameeh Al-Abed, Ramallah, 26th May 2016.

springs are Northern Um Al-Sharayet water spring, and Southern Um Al-Sharayet water spring (*Al-Bireh Municipality, 2013*).

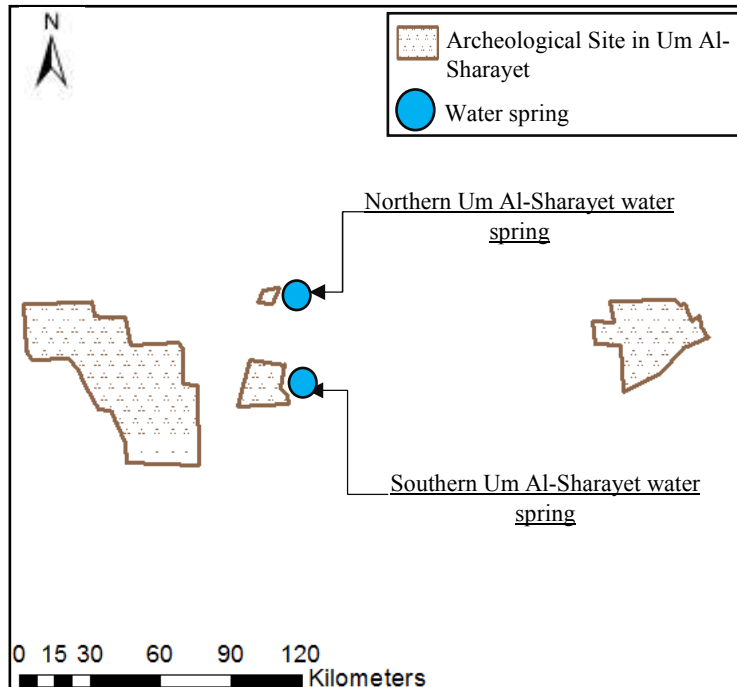


Figure (5.4): Water springs of Um Al-Sharayet and archeological sites before 1918
 –Adapted by author from source (*Al-Bireh Municipality, 2013*) (*GIS Data collection of Birzeit Students, 2013*)

Historical buildings are located near the water springs and considered as one of the famous archeological sites in Al-Bireh which is located to the south of the historical Ramallah and Al-Bireh as shown in the previous page in (Figure 5.5) and on the southern part of the current Um Al-Sharayet district. The main historical buildings of this archeological site, refer to Roman and Byzantine period in Khallet Al Qeraan land-block, however few rural houses and attics which were spread and appeared in the late Ottoman period in the whole Al-Bireh village (*Al-Bireh Municipality, 2014*).

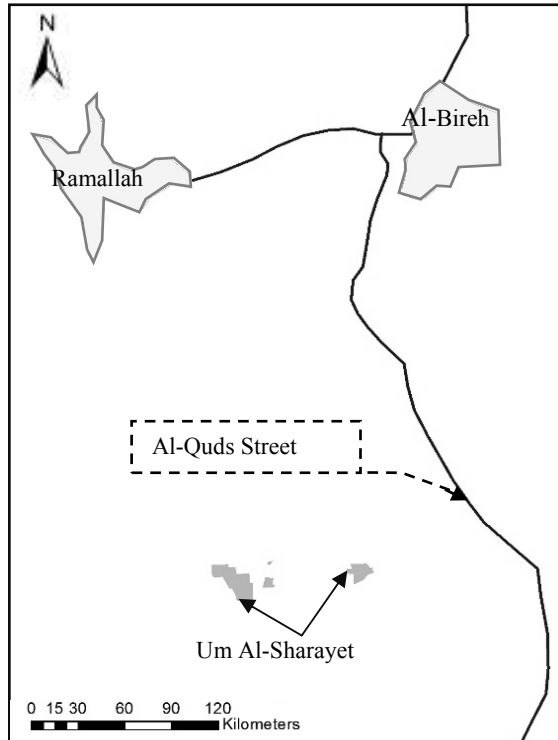


Figure (5.5): Um Al-Sharayet location in the late Ottoman period – Adapted by author from source (*GIS Data collection of Birzeit Students, 2013*)

5.2.2 British Mandate Period (1917 – 1948)

As Al-Bireh became a city and started to grow and had its local council in 1932 (*Al-Bireh Municipality, 2014*), Um Al-Sharayet didn't change and wasn't considered as part of the urbanized city of Al-Bireh. Although Ramallah and Al Bireh were following the Central governorate "Jerusalem Province". The urban development was in the center of Al-Bireh and the expansion of Al-Bireh was towards Ramallah "to West" (*Al-Bireh Municipality, 2013*) but not towards Jerusalem "to South". Um Al-Sharayet, didn't witness any progress or development in that time and maintained its rural agricultural nature, and kept its rural nature with no urban form changes and only the presence of the old historical buildings.

5.2.3 Jordanian Period (1948 – 1967)

As Al-Bireh city's local council has been converted into municipal council in 1952, the municipality of Al-Bireh prepared outline plan for the city, where Um Al-Sharayet was annexed to Al-Bireh city in 1966. The annexation included the full area of both land-blocks 26 and 27 "Um Al-Sharayet and Khallet Al-Qeraan land-blocks" (*Al-Bireh Municipality, 2013*). The land uses of Um Al-Sharayet were mainly supposed to be residential land uses, however there was no significant development or urban expansion (*Soboh R, 2009*).

5.2.4 Israeli Occupation Period (1967 – 1994)

Although Um Al-Sharayet became part of Al-Bireh city in 1966, the major urban development of Um Al-Sharayet started during the Israeli Occupation period. However, the pace of urbanization was relatively slow directly after 1967. In that time, Um Al-Sharayet was characterized by fragmented fabric of scattered small residential houses near the main streets (Figure 5.6).

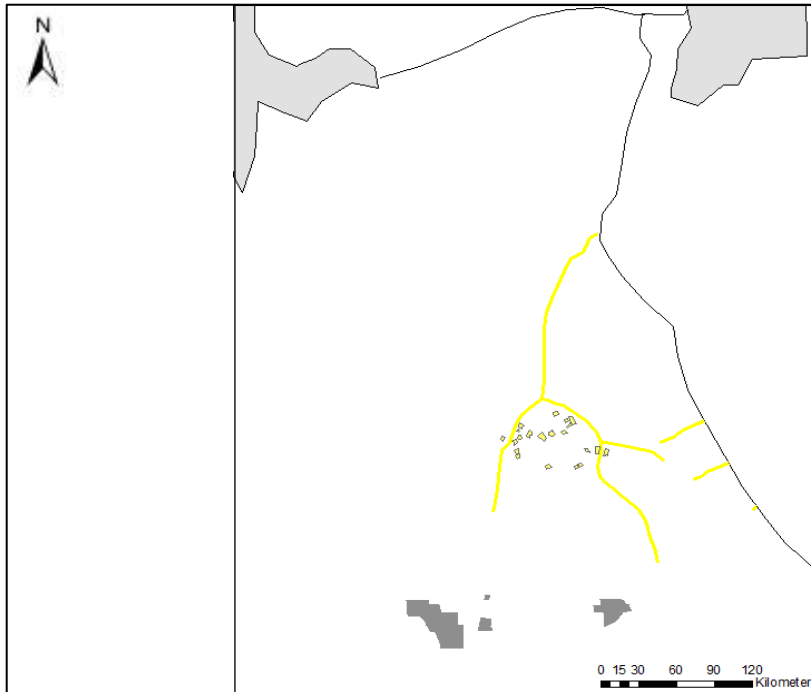


Figure (5.6): Urban development and expansion of Um Al-Sharayet in 1972 – Adapted by author from source (*GIS Data collection of Birzeit Students, 2013*)

Um Al-Sharayet land-blocks “Khallet Al-Qeraan and Um Al-Sharayet land-blocks” were totally included within the municipal boundaries of Al-Bireh city in 1966 and 1979, until the boundaries of Um Al-Sharayet district was changed in 1981 when the municipal boundaries of Al-Bireh were changed by Israeli government (*Al-Bireh Municipality, 2013*) (*Soboh R, 2009*) where part of Khallet Al-Qeraan was confiscated from Al-Bireh and annexed to Jerusalem and thus Um Al-Sharayet land-block 27 was totally included within the municipal boundaries of Al-Bireh city, while Khallet Al-Qeraan land block 26 was partially included within the boundaries of Al-Bireh city where the current boundaries of Um Al-Sharayet district is based on the boundaries changes since 1981 and remained until nowadays ¹ (*Al-Bireh Municipality, 2013*) (Figure 5.7).

¹ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

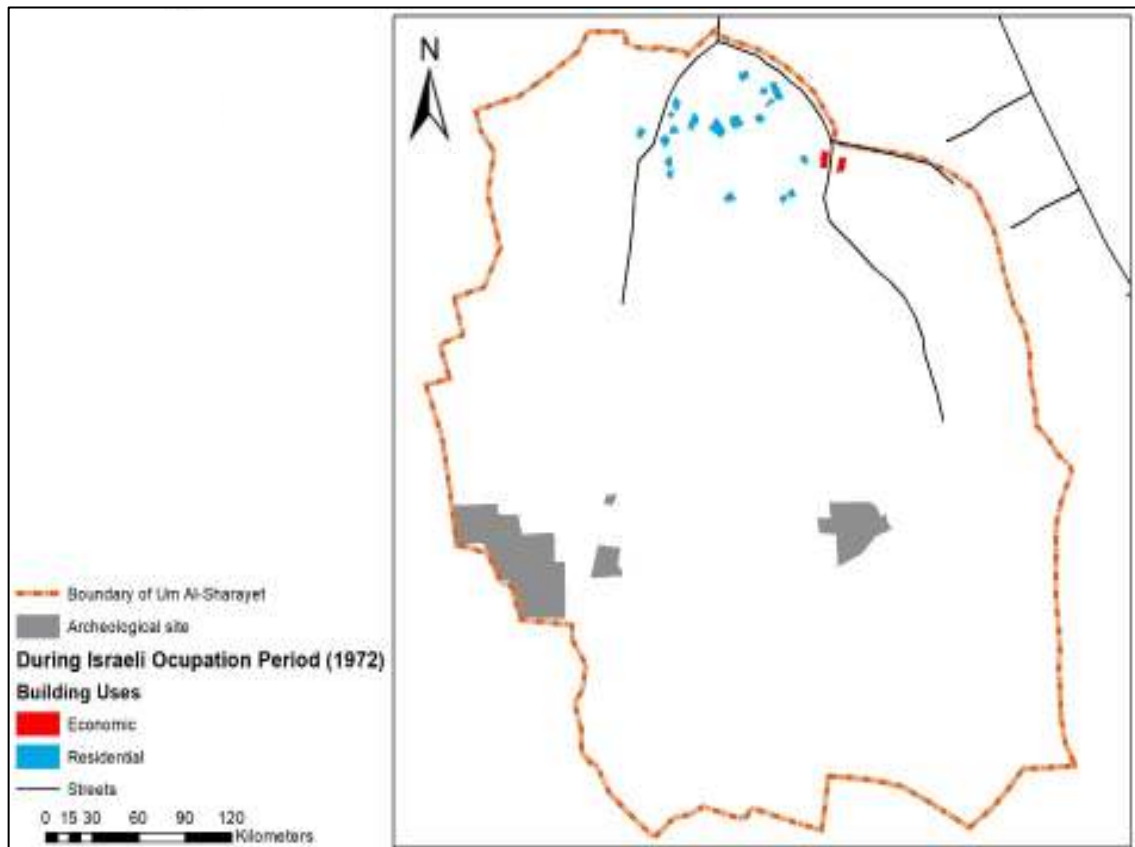


Figure (5.7): Um Al-Sharayet building uses during Israeli Occupation period in 1972 – Adapted by author from source (*GIS Data collection of Birzeit Students, 2013*)

In 1982, Israeli soldiers were assigned for the presidency of municipalities in West Bank, including Al-Bireh Municipality which had a negative impact on the urban development patterns and services sector which accelerated the pace of urban sprawl¹ and made the expansion of Um Al-Sharayet to go in unmanaged way especially after confiscating part of Khallet Al-Qeraan by Israeli government and its annexation to Jerusalem Municipality.

However, the first turning point and urbanization of Um Al-Sharayet and the first appearance of the preliminary features of urban sprawl was in

¹ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

the year 1981, specially due to the restriction issue on Jerusalemites specially after of the demolition of the Moroccan Quarter “Al-Maghariba neighborhood” of the old city of Jerusalem¹ where it was demolished by Israeli government in 1967 (*Wikipedia, 2017*), thus Jerusalemites were pushed to immigrate (*Harker C, Shebeith R and Sayyad D*) and the location of Um Al-Sharayet and its proximity to Jerusalem in addition to the partially annexation of Um Al-Sharayet southern land-block it to Jerusalem in 1981.² This annexation played a major role in flourishing an uncontrolled urbanization which resulted the first wave of urban sprawl in Um Al-Sharayet district. However, Um Al-Sharayet district is a mixture of Jerusalemites and refugees since the late of 1970s (*Harker C, Shebeith R and Sayyad D*) and other Palestinians from all West Bank cities, especially after 1994. These reasons made Um Al-Sharayet to look like an opportunity for Jerusalemites where they became the majority of Um Al-Sharayet residents (*Soboh R, 2009*) (*Harker C, Shebeith R and Sayyad D*).

The built-up area in Um Al-Sharayet during the whole Israeli period was mainly for few primitive rural houses of peasants, however the rest of the lands were agricultural lands owned by the native people of Um Al-Sharayet. The district experienced efficient infrastructure “streets, sewage, water supply” and lack of adequate services (*Awad S, 2013*) (*Soboh R, 2009*) in addition to the absence of assigned areas public land uses or parks

¹ Personal Interview with Dr. Sameeh Al-Abed, Ramallah, 26th May 2016.

² Personal Interview with Engineer Munif Treish, Amaar Real Estate Group, Ramallah, 5th June 2016.

or predicting future expansions in a rapid developing district caused by rapid immigration movement (Awad S, 2013).

5.2.5 Palestinian National Authority Period (Since 1994)

In the early 1990s, with the beginning of peace treaties, a qualitative shift in the urban patterns and development occurred in all West Bank cities in general, and in Ramallah -Al-Bireh governorate in particular, where the pace of urbanization and expansion accelerated¹². However, Oslo land classifications in 1993 affected all the Palestinian cities including Al-Bireh City and its districts. So, Um Al-Sharayet is located over two land classifications according to Oslo Accords which are: Zone B and Zone C which affected the development and the building patterns in Um Al-Sharayet District and which is discussed in details in following section of this chapter. Moreover, the establishment of the Palestinian National Authority and the emergence of the administrative institutions to Al-Bireh and Ramallah caused a high turnout in the construction sector³ (*Soboh R, 2009*) especially in Ramallah and Al-Bireh, which increased the expansion and became difficult for those cities to control the unmanaged and unpredictable expansion.

Thus, the second boom of urbanization caused by the second wave of immigration, but this time not by Jerusalemites but rather by Palestinians from the rest of West Bank cities who chose the district of the immigration

¹ Personal Interview with Dr. Sameeh Al-Abed, Ramallah, 26th May 2016.

² Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

³ Personal Interview with Dr. Sameeh Al-Abed, Ramallah, 26th May 2016.

from other West Bank cities to Um Al-Sharayet, Jerusalemites immigrated out of Um Al-Sharayet (*Harker C, Shebeitah R and Sayyad D*).

The mixture of Um Al-Sharayet residents became more diverse with the emerging of Palestinian National Territories where many migrants moved from Ramallah villages, and the rest of West Bank cities ^{[14] [15]} who began to buy and build buildings for them (*Harker C, Shebeitah R and Sayyad D*). However until nowadays, some residents are middle-income people (*Hilal J and El-Sakka A, 2015*), while the majority of its residents are low-income people ^{1 2 3} (Figure 5.8) where the relatively low land prices in Um Al-Sharayet compared to land prices in Ramallah or Jerusalem or in other places of Al-Bireh ^{4 5 6 7}. For that, land prices considered as the magnet for middle-low income people and attracted the Palestinian workers who work within the borders of Palestine 1948,⁸ until the expansion in Um Al-Sharayet reached its peak in the mid-1990s (*Soboh R, 2009*).

¹ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

² Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

³ Personal Interview with Engineer Ruba Soboh, Ministry of Local Governance, Ramallah, 28th April 2016.

⁴ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

⁵ Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

⁶ Personal Interview with Engineer Ruba Soboh, Ministry of Local Governance, Ramallah, 28th April 2016.

⁷ Personal Interview with Engineer Munif Treish, Amaar Real Estate Group, Ramallah, 5th June 2016.

⁸ Personal Interview with Dr. Sameeh Al-Abed, Ramallah, 26th May 2016.



Figure (5.8): Diversity of building materials reflect the demographic income differences in Um Al-Sharayet - (Author, 2016)

So, the year of 1994 considered as the second turning point of urban development in Um Al-Sharayet created more sprawling patterns, similar to West Bank cities as well as most of developing countries where sprawl occur in areas near to cities and scattered around available roads with lack of services compared to city centers we can find the same situation in Um Al-Sharayet since 1994,¹ where also the construction works in Um Al-Sharayet were not planned, where many of construction works were random and parallel to the available streets² (Figure 5.9).

¹ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

² Personal Interview with Dr. Sameeh Al-Abed, Ramallah, 26th May 2016.

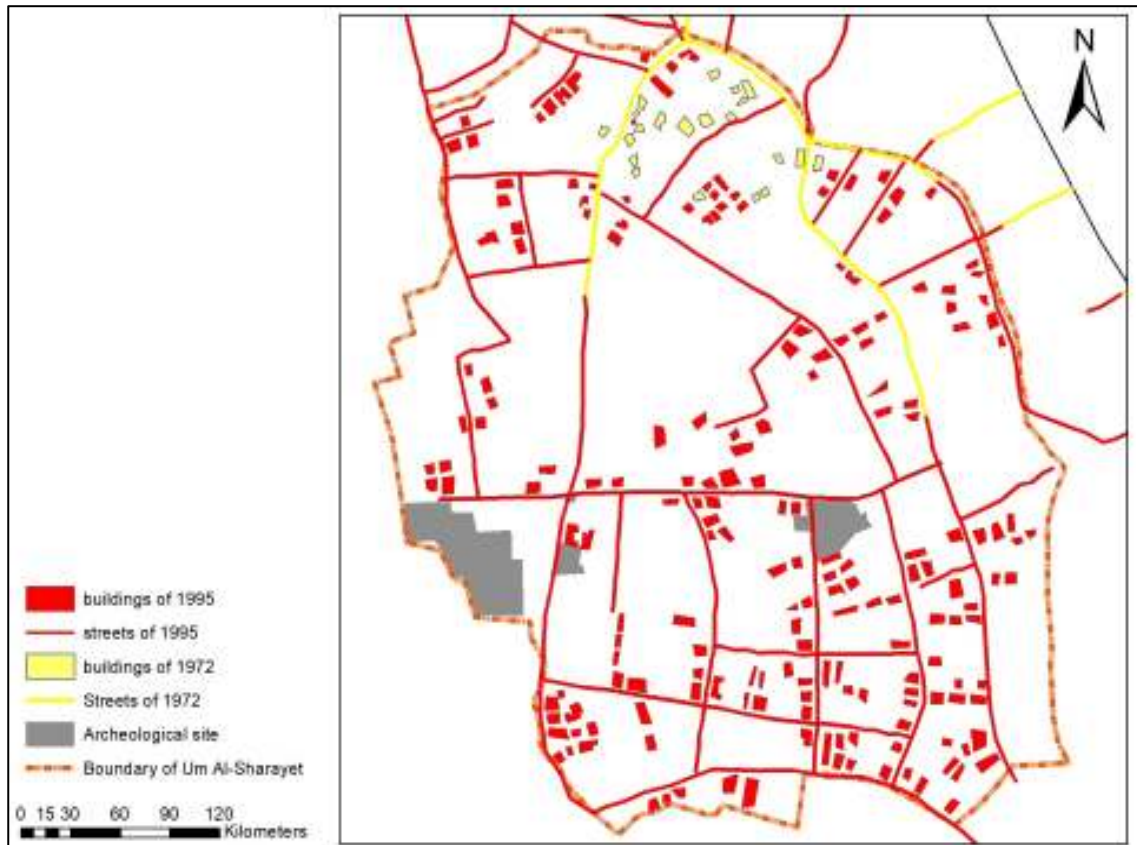


Figure (5.9): Urban development and expansion of Um Al-Sharayet during PNA period in 1995 – Adapted by author from source (*GIS Data collection of Birzeit Students, 2013*)

Since mid-1990s, Um Al-Sharayet started to experience new land uses and building uses and it was expanding and more services were needed like schools in addition to the governmental buildings which emerged within the establishment of Palestinian Authority (Figure 5.10). Thus, due to the absence of any master plan or detailed plan for the district, many residents in Um Al-Sharayet proceeded their construction works without building permits with varied land uses. The urbanization became more and more rapid, Al-Bireh City including Um Al-Sharayet district started to expand in unpredicted patterns and unexpected pace. So Al-Bireh Municipality came up with the first master plan of the whole city within its organizational boundaries in 2003, including Um Al-Sharayet district.

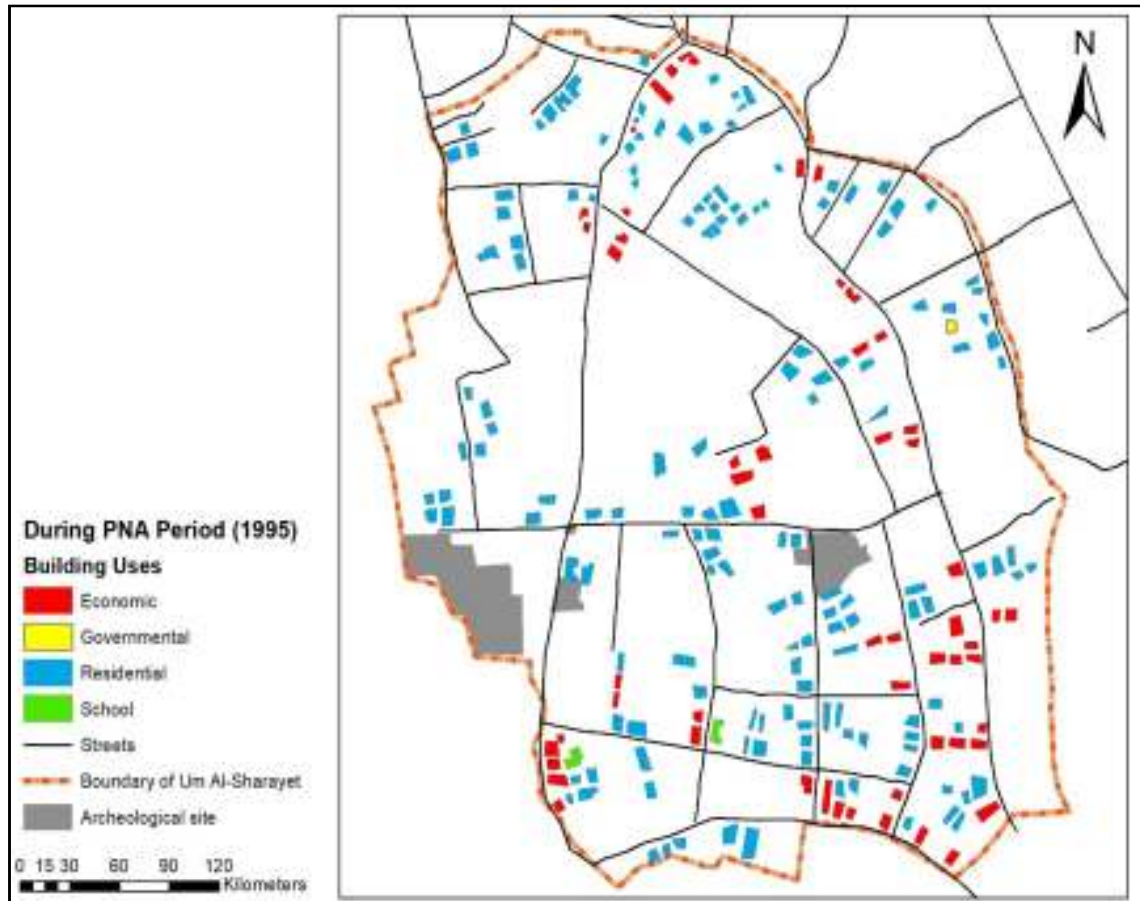


Figure (5.10): Um Al-Sharayet building uses during PNA period in 1995 – Adapted by author from source (*GIS Data collection of Birzeit Students, 2013*)

According to the assigned Al-Bireh Master plan of 2003, Um Al-Sharayet includes two types of residential areas, which are Residential Type A, and Residential Type B where the residential land uses in Um Al-Sharayet considered as the dominant land use, while there're land uses according to the Master plan of Al-Bireh 2003, which are commercial and public land uses "2.1%" (*Awad S, 2013*) (Figure 5.11). Here it can be noticed that the master plan of 2003 that didn't consider the existing land uses in Um Al-Sharayet nor the urban needs of a rapidly urbanized community in Um Al-Sharayet. However, in 2005 people started to move out from Um Al-Sharayet to Al Balou' land-block 11, but the immigration

from the rest of West Bank cities to Um Al-Sharayet did not stop¹, for that no decline in the construction works was recorded.

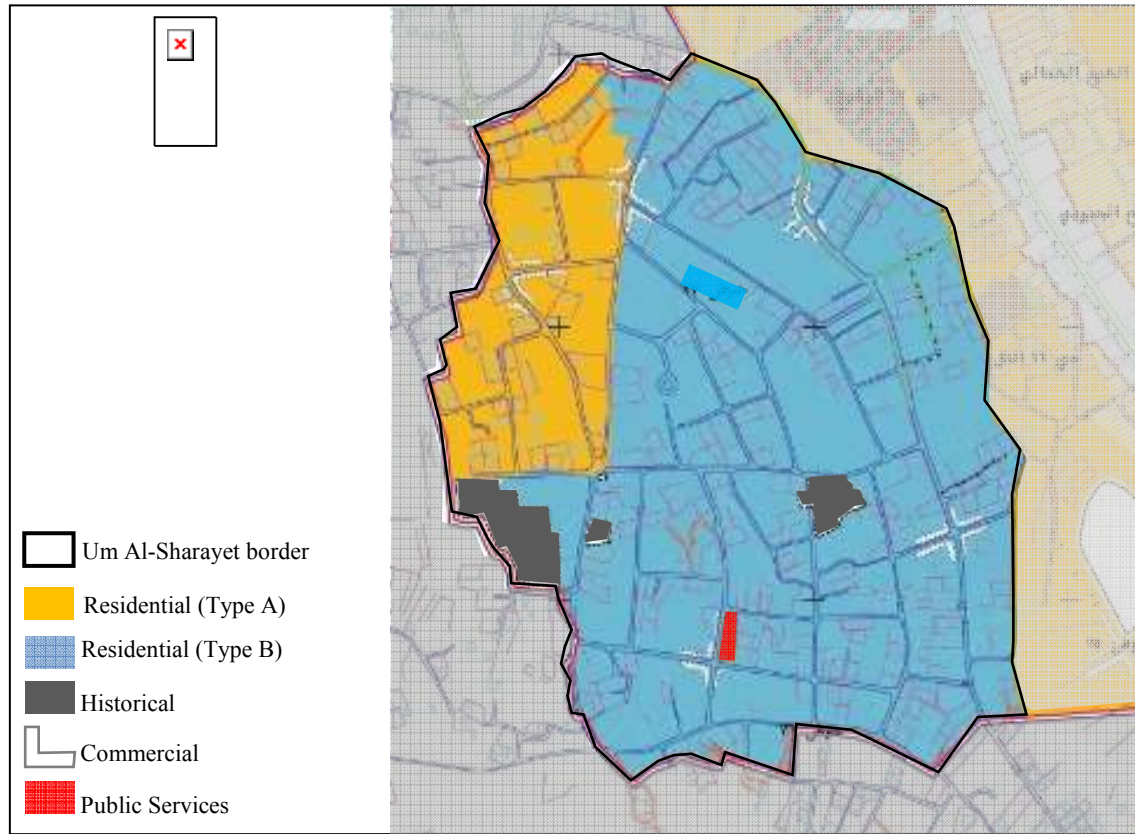


Figure (5.11): Um Al-Sharayet District land uses according to the Master plan of Al-Bireh Municipality of 2003 – Adapted by author from source (*Al-Bireh Municipality, 2013*)

However, during Intifada II the pace of construction kept on accelerating without any control (Figure 5.12) due to the lack of monitoring on the construction operations² and many building violations were recorded^{3 4 5 6}, especially when Um Al-Sharayet experienced another wave

¹ Personal Interview with Dr. Sameeh Al-Abed, Ramallah, 26th May 2016.

² Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

³ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

⁴ Personal Interview with Dr. Sameeh Al-Abed, Ramallah, 26th May 2016.

⁵ Personal Interview with Engineer Munif Treish, Amaar Real Estate Group, Ramallah, 5th June 2016.

⁶ Personal Interview with Engineer Ruba Soboh, Ministry of Local Governance, Ramallah, 28th April 2016.

of immigration due to Israeli restrictions on the movement between Palestinian cities, where many Palestinians chose to move to Um Al-Sharayet.

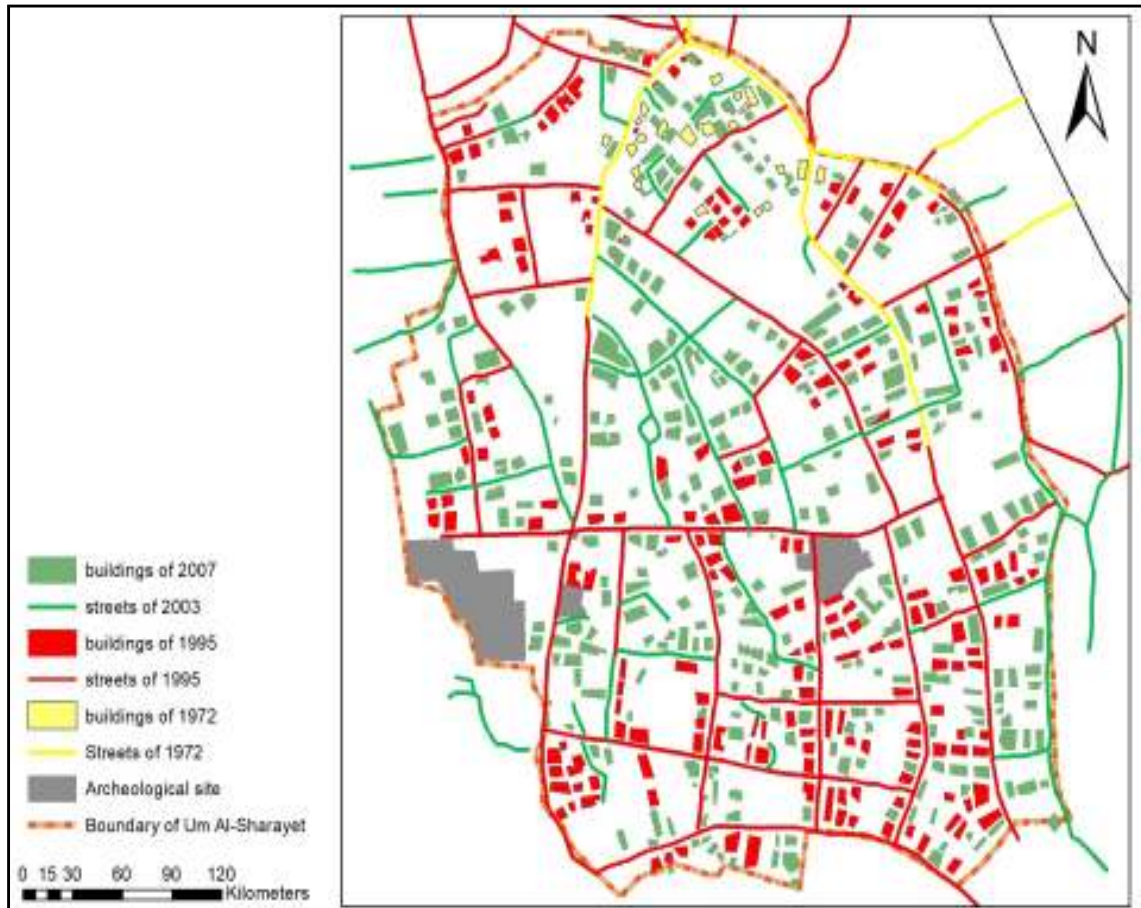


Figure (5.12): Urban development and expansion of Um Al-Sharayet during PNA period in 2007 – Adapted by author from source (*GIS Data collection of Birzeit Students, 2013*)

So, due to the increase of population in Um Al-Sharayet it can be noticed different land uses and building uses are different from those assigned in the master plan of 2003 because the district faced very rapid urbanization where the master plan of 2003 couldn't expect that pace, for that mosques and more schools and even governmental buildings were built to serve the residents (Figure 5.13), however the dominant building and land use is residential.

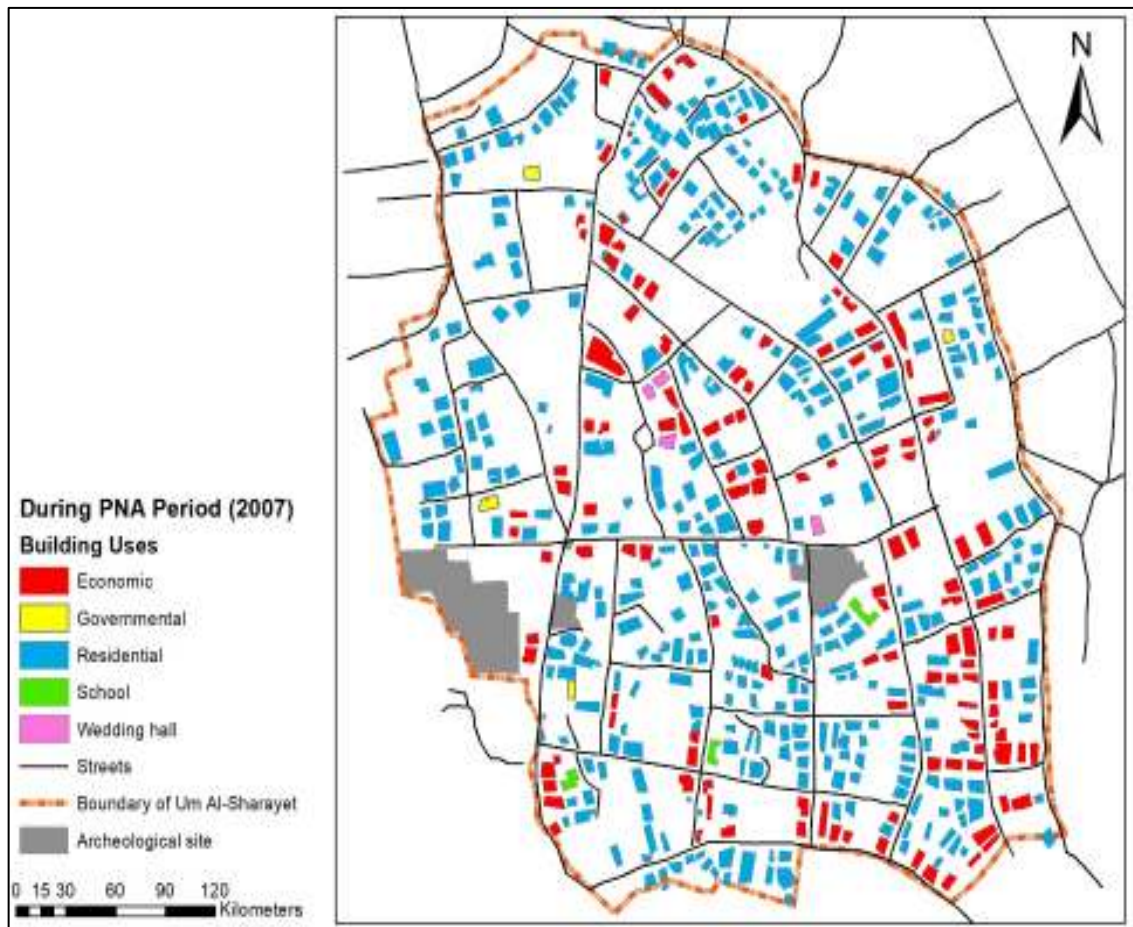


Figure (5.13): Um Al-Sharayet building uses during PNA period in 2007 – Adapted by author from source (*GIS Data collection of Birzeit Students, 2013*)

After 2007, Al-Bireh municipality started to increase its monitoring and inspection on the constructions in Um Al-Sharayet, thus the whole construction works were declined and only few new constructions were built as shown in the next page in (Figure 5.14). But this is not the only reason behind that decline, it is also because of Um Al-Sharayet became almost full with no possibilities to expand out of its borders because it is surrounded by other communities and has become largely closed (Figure 5.14) and the slightly economic prosperity and the proximity to Ramallah encouraged more people to buy and live in Um Al-Sharayet, until the

population of Um Al-Sharayet became over 30,000 people¹, which put extra pressure on service and expansion specially when only possible solution is to work on an intensification mechanism in the area adjacent to the municipality of Ramallah “from Al-Nakheel roundabout to Al-Amin roundabout” which is mainly present only a street or two streets².

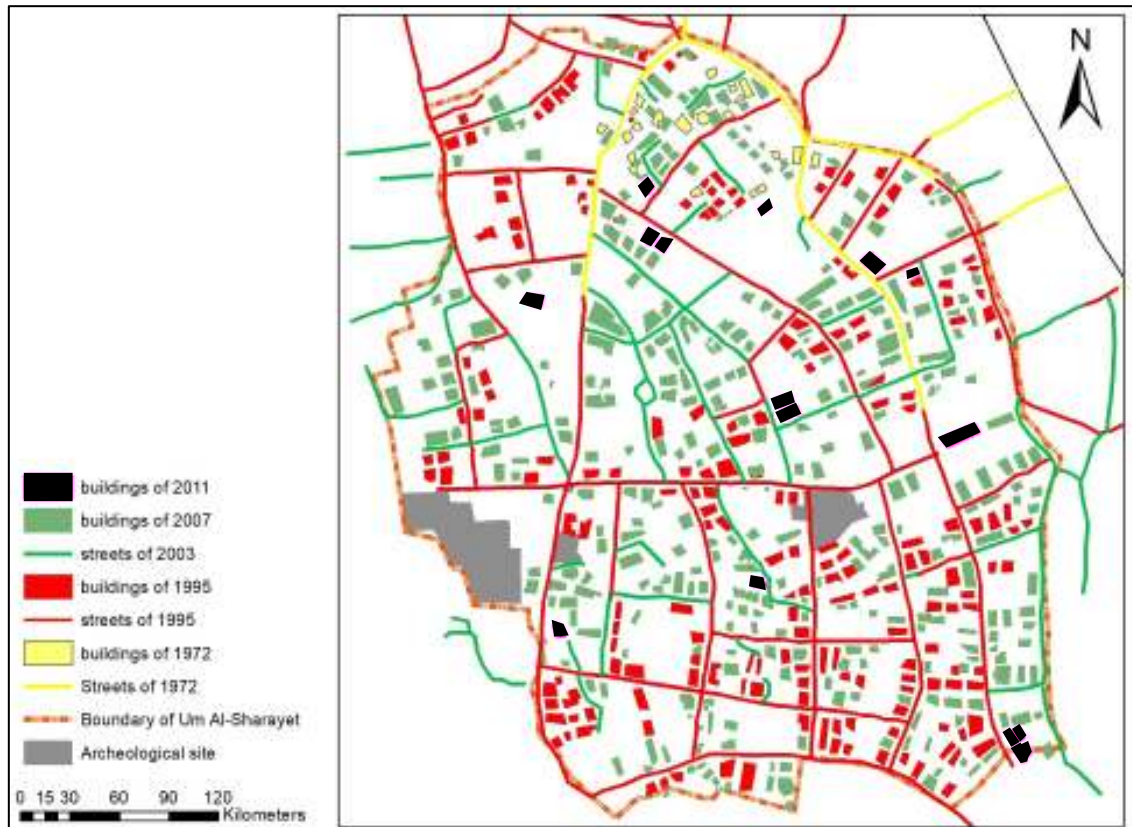


Figure (5.14): Urban development and expansion of Um Al-Sharayet during PNA period in 2011 – Adapted by author from source (*GIS Data collection of Birzeit Students, 2013*)

Although the construction decreased since 2011, but the current building and land uses and building uses don't match the land uses of Al-Bireh master plan 2003 (Figure 4.15) where it shows that the problem was not solved because it seems the master plan emerged too late and was not

¹ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

² Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

efficient, even the lack of the relation between the width of roads and land uses, where the roads don't match the assigned roads on the master plan with no specific pattern or relation between the different land uses or between the buildings themselves which are scattered randomly with no open spaces or parks or any public space (*Awad S, 2013*) (Figure 5.15). Unfortunately the master plan of 2003 is the one and only master plan of Al-Bireh city which it has not been updated since 2003 there is a gap where the master plan didn't take into account the future needs of people, and thus many construction violations random building works occurred.

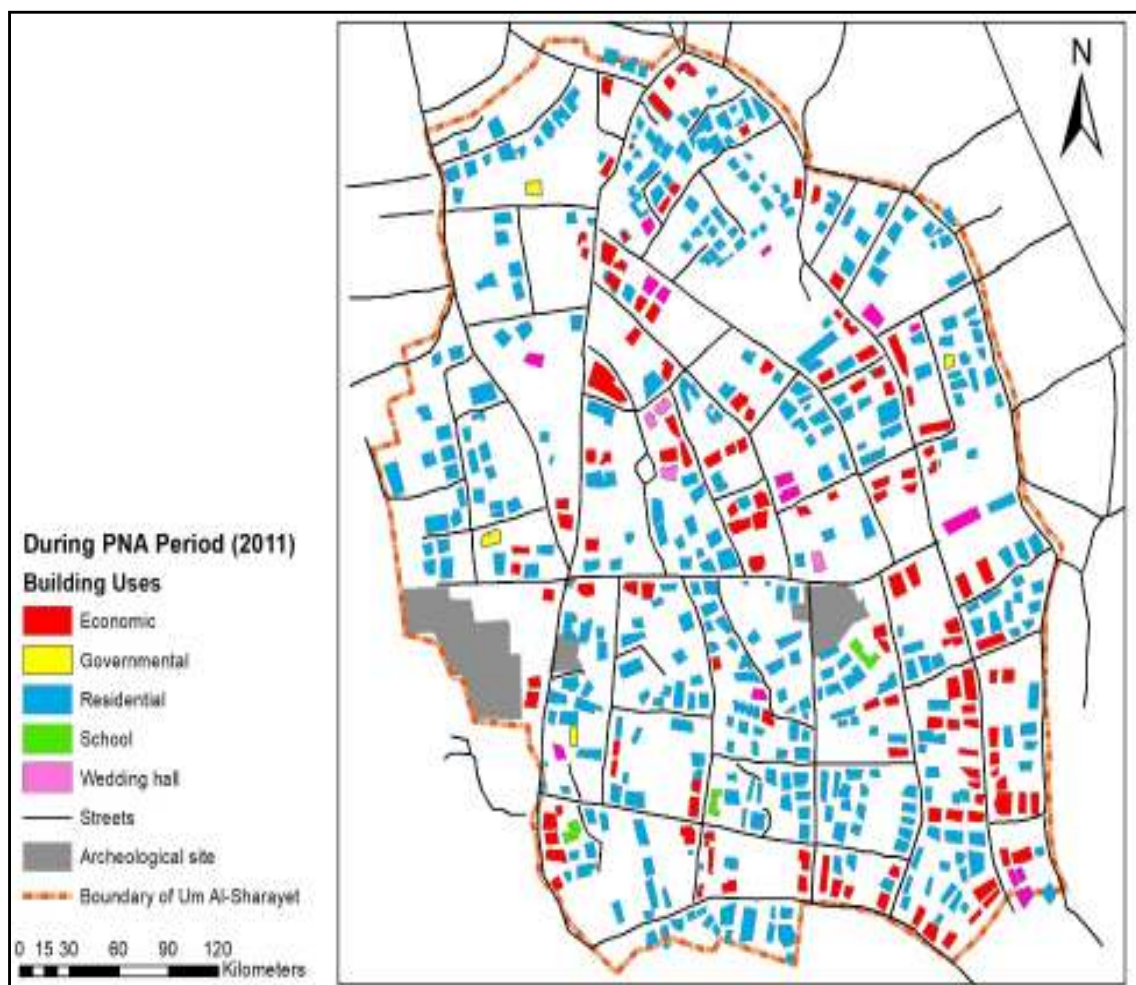


Figure (5.15): Um Al-Sharayet building uses during PNA period in 2011 – Adapted by author from source (*GIS Data collection of Birzeit Students, 2013*)

On the other hand, the master plan supposed to plan for the development and expansion of Um Al-Sharayet, but it is worth mentioning that the boom of construction works was between the year 1995 and 2007 where even the master plan of 2003 didn't protect the agricultural lands and didn't manage the expansion or even the spread of buildings which resulted in characterizing Um Al-Sharayet as a high density district as a result of high horizontal and vertical density building percentages. The horizontal building percentage as shown in (Table 5.2) is considered a very high horizontal building percentage which indicate the limited vacant and available lands (Figure 5.16) for future development and residents' needs (*Al-Bireh Municipality, 2013*).

Table (5.2): Horizontal building density of land-blocks in Um Al-Sharayet District - Adapted by author from source (*Al-Bireh Municipality, 2013*)

Land-block Name of Um Al-Sharayet District	Land-block No.	Land-block Within organizational boundaries of Al-Bireh Municipality (%)	Horizontal Building percentage (%)
Khallet Al-Qeraan	26	63	74
Um Al-Sharayet	27	100	71



Figure (5.16) Mass and void plan of Um Al-Sharayet in 2011 – Adapted by author from source (*GIS Data collection of Birzeit Students, 2013*)

But the horizontal building percentage is not enough to measure the population city. For example, we can find 200 persons are living in one dunum while only one family is living in one dunum and thus the vertical building percentages must be considered (*Al-Bireh Municipality, 2013*). For that Um Al-Sharayet District considered as a high density district because it is also has the highest vertical building percentages in Al-Bireh city, compared to the rest of the other land-blocks within the organizational boundaries of Al-Bireh city as recorded in 2013 (Table 5.3).

Table (5.3): Vertical building density of Al-Bireh City's land-blocks - Adapted by author from source (*Al-Bireh Municipality, 2013*)

Land-block	Land-block No.	Land-block Within organizational boundaries of Al-Bireh Municipality (%)	Vertical Building percentage (%)
Khallet Al Salamyeh	8	77	48
Al Salamyeh	9	100	15
Al Etha'ah	10	100	75
Al Balou'	11	100	60
Qartis Al-Gharbi	15	40	
Al Sabahyeh	21	66	13
Jabal Al Taweel	22	33	10
Khallet Al Amya'a	23	100	30
Sateh Marhaba	24	100	
Tal Al Nasbeh	25	70	50
Khallet Al-Qeraan	26	63	80
Um Al-Sharayet	27	100	92
Al Madineh	28	100	60

However the horizontal and vertical building percentages in Um Al-Sharayet and the urban development of the district in addition to the uncontrolled expansion, are all affected by statutory planning laws and politics.

5.3 Role of Policies and Statutory Planning Laws in Um Al-Sharayet

Urban sprawl in Um Al-Sharayet was affected by policies, statutory planning laws and even politics, however this part have a conflict of

opinion between stakeholders, where some believe that statutory planning laws played the major role of all the violence in terms of urbanization in Um Al-Sharayet, while others defend the laws and blame the lack of laws enforcements in terms of lack of monitoring and control over the different urbanization practices. Although, its logic to say when laws are difficult to enforce or to implement then the problem of the laws in a case like Um Al-Sharayet specially when these violations could refer for example to the lack of diverse land uses which citizens need specially when the assigned master plan of 2003 didn't take into consideration of residents need. However, there's a side falls on the shoulders of residents when they don't follow the laws and exploiting some legal facilities and political situation for their personal interests at the expense of the public interest. For that, it is worth to have a look at the political situation and history of statutory planning laws and which affected Um Al-Sharayet to shed the light on one of the most influential factors of creating the current situation the sprawled Um Al-Sharayet neighborhood.

5.3.1 Jordanian Period (1948 – 1967)

The political situation strongly influenced the planning laws and affected the issuing of building permits during successive time periods which rolled Um Al-Sharayet since it became a district during the Jordanian Period where the municipal council of Al-Bireh emerged during the this period and granted building permits to allow the expansion within the municipal boundaries. However, many people were building their

houses without prior building permits due to the indulgence of Jordanian authorities towards the issue of illegal construction in agricultural areas, because these authorities recognized that municipality's plans of Um Al-Sharayet and Al-Bireh of 1966 didn't respond to people's needs in terms of population growth and service nor social and economic development (*Jarbawi A and Abdulhadi R, 1990*), and this was at the beginning of the emergence of Um Al-Sharayet in 1966 which is not considered as natural expansion of the center of Al-Bireh but where people chose to expand probably without building permits.

Thus, the municipality took the responsibility of the random expansion especially with the lack of supervisions on construction works since Jordanian period which paved the way for urban sprawl in Um Al-Sharayet¹. On the other side, the Temporary Planning Law of Towns, Villages and Buildings No. 79 in 1966 affected Um Al-Sharayet as the rest of Palestinian districts and cities, however it supposed to be temporary but it became the basis for the current building laws and maintained affective and valid until nowadays in Al-Bireh city and the rest of Palestinian municipalities with no amendments, but the municipality later on during the Palestinian National Authority issued only some orders and generalizations².

¹ Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

² Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016

On the other hand, the Ottoman Land Code 1858 affected the landownership lands due to its five categories of land tenure, “four public categories and only one private land ownership category” which increased the Palestinians desire to for owning lands where citizens sought to own lands especially after the annexation of Um Al-Sharayet land-blocks to Al-Bireh city in 1966.

5.3.2 Israeli Occupation Period (1967 - 1994)

Building permits played a major role in creating the urban sprawl phenomena in Um Al-Sharayet as well as many other Palestinian districts and cities in West Bank, where the Jordanian building permits laws were maintained by the Israeli government by obtaining a building permit from the military governor of Al-Bireh was very difficult, complicated and costly and in most of the times permits were refused, thus people of Um Al-Sharayet had no option, but to construct and to expand without any permission. However, the expansion itself was controlled by Israeli government where the borders between Al-Bireh city and Jerusalem “on the southern side of Um Al-Sharayet” were determined to control the physical and political boundaries of Al-Bireh where all the Israeli zonings of Al-Bireh since 1970s were pushed all the buildings to the edges of Al-Bireh in order to prevent its future expansions (*Harker C, Shebeita R and Sayyad D*) and maybe this is why there was some indulgence regarding the buildings in Um Al-Sharayet which probably constructed without

permission, because Israeli government wanted to push the construction to the edges of Al-Bireh for the purpose of demarcation.

In terms of land ownership, the Israeli occupation exploited the Ottoman Land Code 1858 where all the public lands public lands became under the control of Israelis and used to control and restrict Palestinian urban expansions which it created fears among Palestinians in Um Al-Sharayet and in the rest of West Bank cities from losing lands which are public properties those would eventually become in the hands of the occupation under any circumstances that may occur. Thus, Palestinians started to focus on privatizing ownership, and constructing houses for them in the district of Um Al Sharayet and so there's no parks, open spaces or public places in the district. As that, the unstable political situation led to a lack of trust in public space (*Anastas E and Anastas Y, 2013*).

In terms of political situation, during Israeli occupation since 1967 Jerusalemites were pushed to leave Jerusalem and move to places like Um Al-Sharayet not only because of the destruction of the Moroccan Quarter, but also because of the expropriation of almost 35 percent of East Jerusalem Palestinian lands for the purpose of establishing Israeli colonies (*Harker C, Shebeitah R and Sayyad D*) which increased the immigration movement from East Jerusalem to Um Al-Sharayet and made the first peak in the urban expansion of Um Al-Sharayet in terms of construction works.

In 1987, citizens of Um Al-Sharayet exploited the Intifada I in the process of construction and random constructions and sprawling especially

within the absence of authority, control and supervisions ^[28] where Al-Bireh municipality was headed by an Israeli officer until 1986 and Palestinians headed after 1986 before one year of Intifada I and they were not ready to deal in that period with that situation of uncontrolled urbanization and expansion and the unstable political situation. Thus, the period between the years 1987-1994 considered the peak not only in constructing many residential building in Um Al-Sharayet but also in terms of issuing building permits by Al-Bireh municipality¹. Until the second peak came after 1994 and the establishment of Palestinian National Territories.

5.3.3 Palestinian National Authority Period (Since 1994)

Basically, not only provisions, laws and landownership created urban sprawl, but also Oslo Accords of 1993 played a major role in creating the phenomenon of urban sprawl and affected the sovereignty of Palestinians even after the establishment of Palestinian National Authority in 1994.

Oslo Land Classifications made the situation in Um Al-Sharayet worse especially when part of it is not under the Palestinian control in terms of security and planning. According to the land classifications of Oslo Accords, Um Al-Sharayet is located over *Area A* and *Area C* where the majority of Area A residents are the migrants for the rest of West Bank and it is fully under Palestinian National Authority control in terms of security and planning responsibilities, while in Area C the vast majority of

¹ Personal Interview with Engineer Munif Treish, Amaar Real Estate Group, Ramallah, 5th June 2016.

its residents are Jerusalemites who chose Area C after the emerging of Palestinian National Territories to maintain the Israeli identity card in addition to the proximity of Area C from Jerusalem because it is fully under Israeli Occupation control in terms of security and planning responsibilities^{1 2 3} (Figure 5.17).

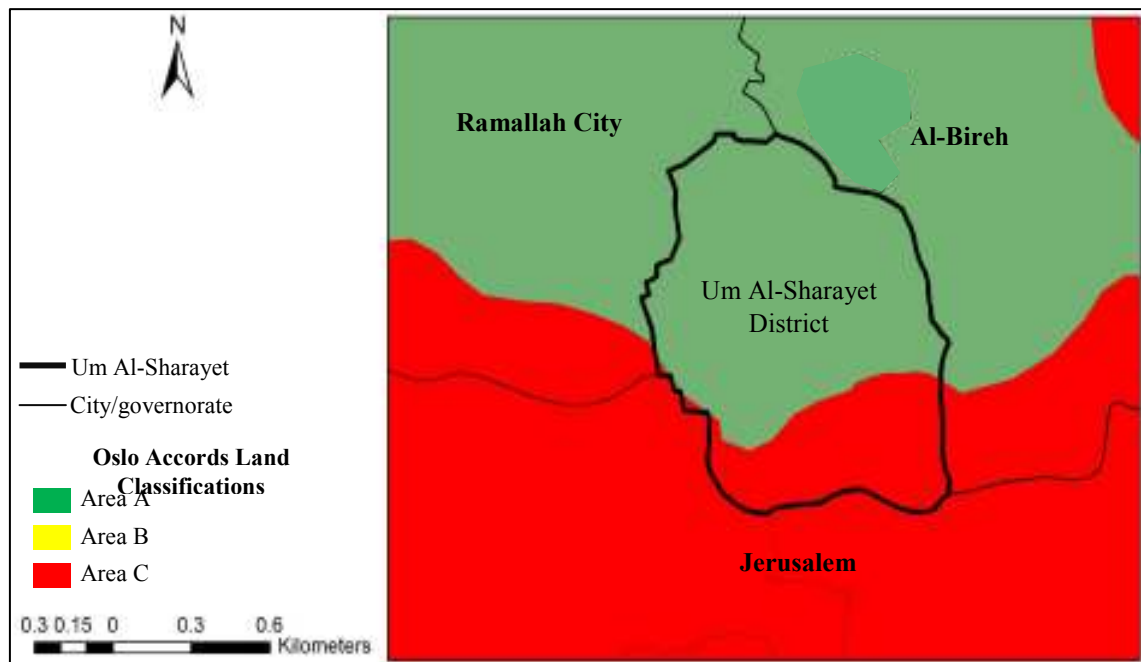


Figure (5.17): Oslo Land Classifications of Um Al-Sharayet District - Adapted by author from source (GeoMOLG, 2017)

- ***Building Violations:***

The urban sprawl in Um Al-Sharayet occurs in Area A and Area C but in different rates. Urban sprawl in Area A caused by the unlicensed buildings and building violations where Al-Bireh municipality wasn't able to control all of the violations, despite the full planning sovereignty of the

¹ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

² Personal Interview with Engineer Ruba Soboh, Ministry of Local Governance, Ramallah, 28th April 2016.

³ Personal Interview with Engineer Munif Treish, Amaar Real Estate Group, Ramallah, 5th June 2016.

municipality over Area A where building violations are discussed in the following part of this chapter, while in Area C the municipality has nothing to do with building permits or the violations because it's not included within municipality's power zone, but the municipality worked hard to encourage people to stay in Area C even if they don't follow any of the planning laws, and to supply them with water, electricity and infrastructure¹ to strengthen their resistance and their existence.

Thus, the highest vertical and horizontal construction densities are found in Area C where the majority of Khallet Al-Qeraan land-block is located over Area C while all of Um Al-Sharayet land-block is located over Area A. The residents of Area C in Um Al-Sharayet exploited Oslo Accords and the absence and lack of the municipality's power and sovereignty over Area C, and thus it has the highest violations rates compared to Area A in Um Al-Sharayet where instead of having five floors, we can notice some building are up to ten floors and lower setbacks with extremely high number of flats (Figure 5.18).



Figure (5.18): Building violations and differences in the heights of adjacent buildings - (Author, 2016)

¹ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

However, even after the establishment of Palestinian National Authority and practicing its powers by issuing orders and generalization, but it faced too many obstacles due to the lack of planning experience because the establishment of the authority was very recent, and due Oslo land classifications where PNA don't have full sovereignty over Um Al-Sharayet lands even if it was within the organizational boundaries of Al-Bireh since 1966.^{1 2}

Moreover, Al-Bireh municipality issued new generalizations and provisions because the articles of Jordanian planning laws are often not clear and some Palestinian officials and specialists have found problems on applying the Jordanian law 1966 on the ground that don't match the Palestinian situation and character. This situation necessitated holding meetings and workshops between the municipality and the Ministry of Local Governance to study the special situations and they agree to issue (an appendix to orders) and not a new order or a new system³. Other meetings also occur between stakeholders, engineers, owners of capital and others under the supervision of the municipality and the Ministry of Local Governance, however not every proposal was approved, where the approved proposals were only those which meet the public Palestinian interest and based on the legal reference of Jordanian laws, and on the municipal vision in solving problems, and there has been no role for

¹ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 23rd May 2016.

² Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

³ Personal Interview with Engineer Sounya Al Zubaidi, Directorate of Local Governance, Ramallah, 24th April 2016.

citizens in the development of such systems and provisions¹. However, many residents exploited the organizational provisions for their own benefit² and exploited the internal immigration from other West Bank cities to Um Al-Sharayet due to the emerging of the Palestinian National Authority, and the native residents of Um Al-Sharayet chose not to live in the district of Um Al-Sharayet where the majority of the natives decided to construct building for rent to absorb the migrants and this increased the greed of investors who are interested in the financial profit only³ and thus contractors also exploited this and the location of Um Al-Sharayet to concentrate on constructing more buildings in random patterns of expansion even if these constructions caused urban sprawl or building violations because they also look for financial profit only⁴.

The residents of Um Al-Sharayet also exploited the political situation specially the Tunnel Crisis in 1996 ⁵ as well as Intifada II especially from the year 2000 to 2002 and closure of ministries and departments in that period, when the residents exploited the absence of control and the spread of chaos made the people to expand and build randomly, and neglected all the orders, laws and provisions, and exploited the legal decision which is

¹ Personal Interview with Engineer Sounya Al Zubaidi, Directorate of Local Governance, Ramallah, 24th April 2016.

² Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

³ Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

⁴ Personal Interview with Dr. Sameeh Al-Abed, Ramallah, 26th May 2016

⁵ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

about preventing the removal of any existing Palestinian building^{1 2 3 4}, where Palestinians and particularly Jerusalemites of Um Al-Sharayet, suffered from the Israeli mechanism of destruction and demolition, on contrary, they were given many facilitations, although they abused them⁵. These people also exploited Intifada II, and Israeli restrictions on the movements between West Bank cities, which caused housing crisis where many of Palestinians who works in Ramallah – Al-Bireh and live in other West Bank cities had to move to Ramallah and Al-Bireh, however the middle-low income people were pushed to move to a place like Um Al-Sharayet because they sought for relatively cheap apartments (*Hilal J and El-Sakka A, 2015*).

After the high demand on lands, the prices relatively rose, where the land prices in Um Al-Sharayet currently range between 250,000\$ and 1,000,000\$ for the single dunum, and land prices are estimated by a competent committee, however the land prices vary from a plot and another even if it is located in the same area⁶. Thus, due to the rising prices and the shortage of available lands, the owners and stakeholders sought to exploit as much lands as possible and as much built up area as possible and even

¹ Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

² Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

³ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

⁴ Personal Interview with Dr. Sameeh Al-Abed, Ramallah, 26th May 2016

⁵ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

⁶ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

exceeding the allowed maximum number of flat just to increase their profits, which drove these greedy people to break the rules and provisions and increased the number of building violations¹.

Moreover, many of them proceeded to build without a permit, or to violate the terms of setbacks, or they increased the number of unlicensed floors, or they even used unlicensed lands which do not match with the master plan of Um Al-Sharayet of 2003.² Although Um Al-Sharayet has not been disputed by the municipalities since the beginning of its inception, but its first and only master plan was in 2003 which also have not been properly planned and wasn't not updated in terms of land uses. therefore, there have been many abuses in land uses, where some uses are not existed in the master plan but existed on the ground^{3 4} and no updates in terms services like drainage and water supply systems and transportation networks based on the master plan and thus the streets and roads relatively don't match the master Plan of Um Al-Sharayet since 1966, especially due to the non-compliance with the determined setbacks which played a major role in differing the streets widths which highlights the amount of encroachment by the residents of Um Al-Sharayet on public ownership and services⁵.

¹ Personal Interview with Dr. Sameeh Al-Abed, Ramallah, 26th May 2016

² Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

³ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

⁴ Personal Interview with Engineer Ruba Soboh, Ministry of Local Governance, Ramallah, 28th April 2016.

⁵ Personal Interview with Engineer Ruba Soboh, Ministry of Local Governance, Ramallah, 28th April 2016.

Thus, Al-Bireh municipality issued building permits and facilitations¹ where most of existing buildings in Um Al-Sharayet are licensed now, but there are many violations by the same licensed buildings² where residents have no commitment to those licenses and the municipality was unable to control the people construction works in the past³ due to weakness in the human capabilities of the municipality in the past and there was lack of inspection processes of buildings, because the municipality of Al-Bireh didn't have enough inspectors and inspection crew is still small and insufficient⁴. Thus, all of these led to the deterioration of the urban situation in Um Al-Sharayet⁵ and the percentage of building violations was very high⁶, where the percentage of building violations in the district reaches up to 50 percent since 1994 until nowadays⁷.

Although the provisions allowed for high-rise buildings, but people exploited and exceeded the number of floors with large number of flats with less setbacks in Um Al-Sharayet⁸. However, many amendments were made to increase the number of floors for residential buildings (Table 5.4)

¹ Personal Interview with Engineer Ruba Soboh, Ministry of Local Governance, Ramallah, 28th April 2016.

² Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

³ Personal Interview with Engineer Ruba Soboh, Ministry of Local Governance, Ramallah, 28th April 2016.

⁴ Personal Interview with Engineer Sounya Al Zubaidi, Directorate of Local Governance, Ramallah, 24th April 2016.

⁵ Personal Interview with Engineer Ruba Soboh, Ministry of Local Governance, Ramallah, 28th April 2016.

⁶ Personal Interview with Engineer Munif Treish, Amaar Real Estate Group, Ramallah, 5th June 2016.

⁷ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

⁸ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 23rd May 2016.

which encouraged the vertical construction and reached the maximum up to five floors in 1994, to comply with Palestinian needs in terms of more housing units, but these amendments didn't solve the housing crisis¹.

Table (5.4): Amended floors numbers of residential buildings during different periods - Adapted by author from source (*Interview with Engineer Munif Treish, 2016*)

Year of Amendment	Allowed number of floors
Jordanian Period: 1952	3
Israeli Occupation Period: 1978	4
PNA period: 1994	5

Later on, the Ministry of Local Governance issued “Building and Organization System within the Boundaries of Municipal Master Plans No. 5 in 2011” Based on the Jordanian law of the year 1966, to manage the building process and regulations for land uses (*Palestinian Ministry of Local Government, 2011*), where upon the major land uses in Um Al-Sharayet “Residential Type A and B” as shown in (Table 5.5), provides the regulations many of the residents do not comply to rules and many violations of the floor area percentage, number of floors and setbacks (Figure 5.19). However, most of building violations are floor area percentage which can be licensed, and violations of the frontal setback which cannot be licensed at all*².

¹ Personal Interview with Engineer Munif Treish, Amaar Real Estate Group, Ramallah, 5th June 2016.

* There's no plans that would show the setbacks violations in Um Al-Sharayet, maybe because many of these violations became legal after licensing them.

² Personal Interview with Mr. Ashraf Sayel, Al-Bireh Municipality, Al-Bireh, 25th May 2016.

Table (5.5): Building regulations and systems for residential land uses – Adapted by author from source (*Building and Organization System within the Boundaries of Municipal Master Plans No. 5, 2011*)

Land Use/ Building Use	Maximum Level				Minimum level		
	Ground Floor Area (%)	Floor Area (%)	Number of Floors	Height (meters)	Front Setback (meters)	Rear Setback (meters)	Side Setback (meters)
Residential A	36 %	180 %	5	18	5	5	4
Residential B	42 %	210 %	5	18	5	4	3



Figure (5.19): Buildings violations in Um Al-Sharayet based Building and Organization System No. 5 of 2011 - (Author, 2016)

Building violations were tragedian in Um Al-Sharayet and reached the peak in the period between the years 1996-2002, moreover, although the district suffered from security chaos due to Intifada II but the building violations reduced between the years 2002-2005¹ because of the reduction of the whole construction works in the whole West Bank cities due to the declined economic satiation. All building violations continued to decrease

¹ Personal Interview with Mr. Ashraf Sayel, Al-Bireh Municipality, Al-Bireh, 25th May 2016.

from 2005 to 2010,¹ due to the immigration of Jerusalemites from Um Al-Sharayet to Al-Balou'². However the migrants from other West Bank cities to Um Al-Sharayet continued to violate laws but in low rates especially after 2008 due the issued protocol of casting foundations, where the person must obtain a permission to start casting the foundations, and then another permission must be obtained for what is on the ground “as built”³.

The violation decreased in Al-Bireh including Um Al-Sharayet during Fayyad's government, due to the issued decision of sorting apartments through banks for those who resort to bank loans, where the bank request the involved customers to obtain a title deed “Kushan” and an acquittance⁴, until the violations reduction reached its maximum levels from 2013 to 2016.^{5 6}

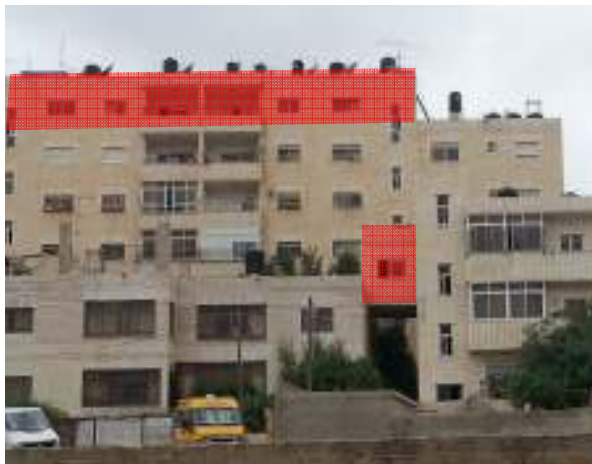


Figure (5.20): Buildings violations in Um Al-Sharayet District - (Author, 2016)

¹ Personal Interview with Mr. Ashraf Sayel, Al-Bireh Municipality, Al-Bireh, 25th May 2016.

² Personal Interview with Dr. Sameeh Al-Abed, Ramallah, 26th May 2016.

³ Personal Interview with Mr. Ashraf Sayel, Al-Bireh Municipality, Al-Bireh, 25th May 2016.

⁴ Personal Interview with Mr. Ashraf Sayel, Al-Bireh Municipality, Al-Bireh, 25th May 2016

⁵ Personal Interview with Mr. Ashraf Sayel, Al-Bireh Municipality, Al-Bireh, 25th May 2016.

⁶ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 25th May 2016.



Figure (5.21): Buildings height violations in Um Al-Sharayet District - (Author, 2016)

The following table (Table 5.6) shows the types of building violations in Um Al-Sharayet and its percentages since 1996 until 2016. Although the reduction was not only because of the increase of Control and inspection role of Al-Bireh municipality, but also because many of the violations were subsequently licensed and authorized due to the issued generalizations and facilitations for the intention to meet the needs of people in Um Al-Sharayet.

Table (5.6): Types and percentages of Building violations in Um Al-Sharayet – Adapted by author from source (*Interview with Mr. Ashraf Sayel, 2016*)

Period	Building Violations in Um Al-Sharayet District				Total reduction percent (%)
	Convert the roof to a full floor/ increase roof's area (%)	Setbacks violations (%)	Constructing spaces by closing awnings (%)	Exceeding the maximum number of flats (%)	
1996-2002	85%	70%	75%	80%	-
2002-2005	34%	28	30%	32%	40%
2005-2010	12.75%	10.5	11.25%	12%	15%
2010-2016	1.7%	1.4%	4.5%	3%	6-2%

The Jordanian law remained constant, however the issued systems and generalizations by the municipality made all the facilitations and reductions, which are one of the important factors which created urban sprawl in Um Al-Sharayet^{1 2}. Residents and stakeholders in Um Al-Sharayet exploited the legal loopholes in the “Building and Organization System within the Boundaries of Municipal Master Plans No. 5 in 2011”, where the reductions are for existing buildings and the facilitations are for proposed buildings³.

For example, they exploited Article (58) in the system which is about “Reduction on restriction” where the municipality have the authority to reduce up to 50 percent of restrictions for existing buildings in the Areas of Residential Type A and B, and they also exploited Article (59) of “Cases where Reduction on Restrictions is permitted” by legalizing any existing building without building permits, or any existing building that violated the granted license, or existing building had added illegal additions, and the legalization is by paying the stipulated fees and charges for each case (*Ministry of Local Governance, 2011*). Also, according to the system of 2011, all of the illegal buildings which were constructed since 1975 are licensed, and all of illegal buildings which were constructed since 20 years can be licensed⁴. Based on Article (73) of “Fees for authorizing

¹ Personal Interview with Engineer Ruba Soboh, Ministry of Local Governance, Ramallah, 28th April 2016.

² Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

³ Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

⁴ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 23rd May 2016.

irregularities and violations” the people exploited the financial value of fees (*Ministry of Local Governance, 2011*). Moreover, according to the decision of 2011, the elected municipal council has the right to give facilitations on 15 percent from the provisions of parcellations and lands classifications, 5 percent from the allowed heights and 15% from the amount of setbacks except the frontal setback¹, and ten percent from the percentage of the plot’s area and all of these facilitations for the areas of Residential Type A and B (*Ministry of Local Governance, 2011*).

In 19th Feb 2012, the Ministry of Local Governance issued Granting facilitations to license existing unlicensed buildings in Al-Bireh where:

- Licensing 50 percent of the building violations (setbacks, percentage of the plot’s area and floor ratio) of existing building.
- Exempting 70 percent of the total fees for existing buildings since 1996.
- Exempting 50 percent of the total fees for existing buildings between 1996 and the ratification date of the last Palestinian master plan (*Hard copy of the granting facilitation from Ministry of Local Governance, 2016*).

Nevertheless, many residents of Um Al-Sharayet didn’t pay the fees for licensing their violations, but the municipality another chance until 28th Feb 2016 which is the last date of facilitations and no more facilitations

¹ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 23rd May 2016.

were issued, and citizens must solve the problems related to their building violation before that date and pay the fines and fees, however, those who have not solved the problem and didn't not licensed their violations, the municipality wont supply services to them or it may cut off the services will be cut off services or will not extend the services¹.

Recently, upon completion of the construction of new buildings, the owner has obtain a certificate of occupancy, which not be granted if there's building violation unless the owner licensed the violations, but if the violation cannot be authorized, the building remains stuck and won't be operated². So, the municipality of Al-Bireh recourse to the Court and the Court will order "removing the violation and paying a fine" but the violator must remove the violation by himself, and thus, there is a lot of inaction by violators who ignore the decision of removing, and the court cannot remove it nor the municipality because there is no demolition mechanism due to the sensitivity of the situation for Palestinians because they consider any demolition action to be a simulation of the occupation's practices^{3 4}.

The policy of accepting fines without removing the violating building, in addition to the absence of the demolition policy pushed many

¹ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

² Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

³ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 25th May 2016.

⁴ Personal Interview with Engineer Sounya Al Zubaidi, Directorate of Local Governance, Ramallah, 24th April 2016.

of building owners in Um Al-Sharayet to pay the fines for the violation which negatively affected the district (*Soboh R, 2009*).

Legalizing, permitting and facilitating all the violations don't solve the problem of urban sprawl in Um Al-Sharayet at all and the imposition of a de facto policy is unacceptable¹. The worldwide governments hesitate to authorizing and licensing because this will encourage the illegal constructions and building violations, however, on the other hand the mechanism of “*eviction, relocation or demolition*” is considered very sensitive, stressful and harrowing (*Larson R and Varol N, 2003*) specially for Palestinians.

- ***Landownership***

Land ownership in this period after the Israeli occupation became more critical for Palestinians who seek to privatize the lands and making the majority of lands as private lands and sometimes leaving no public lands due to the bad influence of the Ottoman Land Code 1858 and how Israeli occupation exploited this law for its own benefit rather than Palestinians benefits. Thus, in Al-Bireh city, the privately owned lands in whole city became high and reaches up to 79.08 percent during the Palestinian National Authority period (*Al-Bireh Municipality, 2013*), and the high rates of private landownership in Um Al-Sharayet as shown in the next page in (Figure 5.22) added more challenges on the shoulders of Al-Bireh municipality, where although Um Al-Sharayet organizationally refers

¹ Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

to Al-Bireh, but the majority of Um Al-Sharayet lands are privately owned¹ and the municipality doesn't own enough lands in Um Al-Sharayet to use it for public schools, preserved agricultural lands or even parks. Actually, the reason behind the absence of green areas or public parks is due to financial deficit when there were vacant open spaces, because there was no enough budget for the purchase of lands and specializations for such uses where lands of the area are private lands, as such public land uses must be owned by the governmental land or municipal land without encroachment on privately owned land².

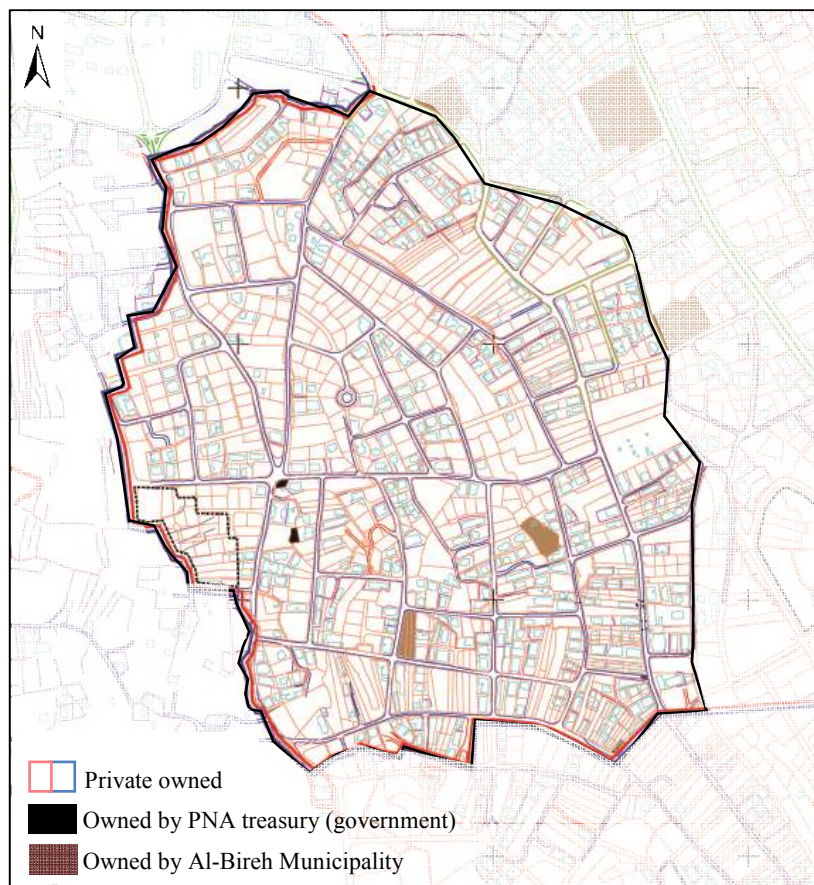


Figure (5.22): Landownership plan of Um Al-Sharayet during PNA period – Adapted by author from source (Al-Bireh Municipality, 2013)]

¹ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

² Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, 25th May 2016.

Moreover, the land ownership affected the current land uses of Um Al-Sharayet where the majority are residential land uses “Residential Type A and Type B” with few commercial uses¹ which makes sense when people own lands to construct houses for the high density of population. But this high density of population need more and more services, and thus many of the land uses assigned by the master plan of Al-Bireh 2003 do not match the current building uses and land uses of Um Al-Sharayet district, where for example, there are mosques in Um Al-Sharayet are constructed on privately owned lands rather than being owned by Islamic Endowments on “waqf land”. Despite the sprawl and randomness of housing, but the housing itself, is legal in terms of landownership but lacks of legal building permits which considered necessary for construction² since Jordanian period until nowadays.

However, currently the there’s no more agricultural lands in Um Al-Sharayet it is now only limited to green areas which form only 0.07 percent of the total district area (*Awad S, 2013*) although there’s currently lack of vacant spaces in Um Al-Sharayet, but recently the municipality seeks to develop an annual plan to increase the percentage of its land acquisition to be used for the public interest not only in Um Al-Sharayet but in the whole of Al-Bireh city³ (*Al-Bireh Municipality, 2013*), where the municipality can acquire 30 percent of the land plot and turn its ownership

¹ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

² Personal Interview with Engineer Ruba Soboh, Ministry of Local Governance, Ramallah, 28th April 2016.

³ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

into a public ownership based on the law of the “Building and Regulation for Local Authorities No. 79” of the year 1966 (*Soboh R, 2009*).

At the end, urban sprawl became one of the characteristics of Um Al-Sharayet especially when urban sprawl has direct relationship with the lack of green and open spaces, rapid urbanization, and dense settlements “similar to urban sprawl in developing countries” (*Larson R and Varol N, 2003*) where these settlement are multi-storey buildings which constructed on former agricultural lands and considered as irregular settlements which unplanned properly and have building law violations or have lack of registered titles or even permissions, however they are constructed of durable materials (*UN-Habitat, 2012*) (Figure 5.23) and the lack of urban services and insufficient infrastructure and streets (*UN-Habitat, 2012*) (*Larson R and Varol N, 2003*) (Figure 5.24) where Um Al-Sharayet suffer from inadequate services and the lack of efficient sanitation systems and waste management¹ (Figure 5.25) (Figure 5.26).



Figure (5.23): Um Al-Sharayet multi-storey buildings constructed of durable materials - (*Author, 2016*)

¹ Personal Interview with Engineer Dima Awwad, Arabtech Jardaneh Engineers & Architects, Ramallah, 23rd April 2016.



Figure (5.24): Um Al-Sharayet insufficient infrastructure “streets and parking”- (Author, 2016)



Figure 5.25 – Lack of public awareness and waste management in Um Al-Sharayet (Author, 2016)



Figure (5.26): Lack of waste management in Um Al-Sharayet - (Author, 2016)]

Thus most of the residents’ complaints are about floods because of the random infrastructure networks where many residents of Um Al-Sharayet install sewerage networks directly with water networks¹ which

¹ Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

will cause also many health problems and these all are identical to the manifestations urban sprawl.

Urban sprawl can be found in the southern part of Um Al-Sharayet more than the north part, especially because it is with the geopolitical Area C where the municipality of Al-Bireh cannot deal with it, and in the past the municipality did not consider Um Al-Sharayet as part of Al-Bireh, and thus the majority of Um Al-Sharayet residents do not pay taxes or fines for the municipality, as if there is no mutual recognition between the municipality and the residents. In spite of this, the municipality provided the residents of Um Al-Sharayet with services and infrastructure¹, but they are inadequate because these were not a priority for the municipality because the municipality believed that most of the housing units in Um Al-Sharayet were inhabited by young immigrant working groups from other Palestinian cities and they are staying in Um Al-Sharayet for a temporary period².

However, urban planning shouldn't be practiced in this way, because these immigrants became the basic component of Um Al-Sharayet district, especially within the rapid urban expansions and building constructions where the construction and urban expansion are not parallel to urban

¹ Personal Interview with Engineer Munif Treish, Amaar Real Estate Group, Ramallah, 5th June 2016.

² Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, 27th April 2016.

development which suffer from insufficient infrastructure and inadequate services¹.

Although the situation of Um Al-Sharayet is significant but unfortunately many other Palestinian places are tended to look like Um Al-Sharayet which is alarming to control such situation before it reaches to the current level of urban sprawl in Um Al-Sharayet, specially between low-income communities because they know well that their authorities and municipalities are not able to solve the problem of illegal building construction and building violations, for that many illegal buildings stayed illegal and still exist for around twenty five years or even fifty years in cities of developing countries (*Moreno E and Mboup G, 2011*) similarly to Um Al-Sharayet. For that, all the authorities, municipalities, and even the residents themselves must work together to control urban sprawl and protect what's left from agricultural lands and to create and provide a healthy urban life for future Palestinian generations.

5.3.4 Brief Evaluation

Urban planning has never been disconnected from economy, politics, society, and even demographic changes created many interest conflicts and influenced the urban transformation. If these conflicts weren't solved then they will negatively affect the spatial development, the urban hierarchy and services and will take the whole nation away from the mission of urban planning of making the world a better place to live. For that, the whole

¹ Personal Interview with Dr. Sameeh Al-Abed, Ramallah, 26th May 2016.

world experienced Urban sprawl at some point and suffered from its costs which emerged as a result of many influential factors those which differ in developing countries than those in developed countries, and they differ from country to country, and from city to city as well. However, the whole world shares some of mutual urban sprawl factors and its consequences.

In West Bank Palestinian situation, since the emergence urban planning during British Mandate, the urban planning considered as a power and a priority to control, while the spatial development wasn't even an option. With the concessive external priority roles which controlled Palestine, nowadays the Palestinian communities and cities' borders became too much complicated and thorny. Israeli occupation has the major impact on the urban planning and urban development in Palestine which made urban sprawl more pervasive and has torn the Palestinian urban fabric due to the scattered Israeli colonies, Oslo Accords land classifications, Separation Wall, and bypass roads. These all gave no choice for Palestinians but to expand and settle on any available land in most cases just to sake for their right in existence.

Um Al-Sharayet district is a unique case because it did not expand as a result of a natural expansion of Al-Bireh city, because Al-Bireh city and Um Al-Sharayet districts were somehow growing simultaneously, moreover, Al-Bireh city in that time was expanding in other directions but not towards Um Al-Sharayet. Dramatically, rapid urbanization strongly affected Um Al-Sharayet which its distinctive geographical location played

a major creating in demographic composition of the district where the majority of its residents are immigrants from other cities in West Bank, Jerusalem and even from refugee camps especially from Al-Ama'ari Refugee Camp. However, the native population of Um Al-Sharayet are very rare and most of them live outside this district.

Moreover, this uncontrolled rapid urbanization affected the type and pattern of buildings, where most of the buildings in Um Al-Sharayet are exceeding the limits of the allowed number of floors, setbacks and even land uses those are assigned by Municipality of Al-Bireh, because the owners wanted to have the maximum benefit to sale and rent flats for those immigrants. Although many ministries and governmental institutions were formed within the arrival of the Palestinian Authority, but no efficient building code where the censorship and inspections were missing and residents of Um Al-Sharayet exploited the thorny security situation especially during Intifada I and Intifada II, where the residents made use of the de facto policy.

However, most of Um Al-Sharayet district's urban transformation happened before planning and even before any master plan, which this sheds the light on the problem of Palestinian planning strategies, where almost all the master plans of Palestinian cities come after the development and come to solve current problems, not planning for future nor for predicting things before accruing in terms of expansion or development in addition to the gap between the needs of people and what is assigned in

master plans. Thus, urban planning and statutory planning laws must work together to serve the future generations and to control the phenomena of urban sprawl without suffocating and restricting the urbanization and expansion of Palestinian communities, where instead of this, urban planning should direct the future urban expansion.

Chapter Six

Conclusion and Recommendations

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6.1 Conclusion

- Urban sprawl is caused by the rapid uncontrolled urbanization and organizational weakness and the lack of building control in addition to the fact that insufficient current urban planning system which doesn't match the current demands, where also the current statutory planning laws don't respond to the current challenge.
- In addition to the rapid pace of urban growth, Palestinians suffer from additional loads to face this rapid urbanization including territorial fragmentation, lack of lands and resource because Palestinians don't have full sovereignty over their land, natural resources or economy due to Israeli occupation.
- Israeli occupation controlled the expansion of Palestinian cities and directed these cities to expand and to sprawl in the direction that occupation planned for.
- Urban sprawl became one of the characteristics of Um Al-Sharayet especially when urban sprawl has direct relationship with the lack of green and open spaces and suffer from the lack of urban services and sufficient infrastructure for a high density area like Um Al-Sharayet district.
- The political situation and Oslo Accords land classifications affected the socio-economic factors because Oslo lands classifications affected

migrations and population composition, as well as their distribution because it played a major role determining the direction of expansion and land prices.

- The first appearance of the preliminary features of urban sprawl emerged to the district with the first wave of immigration from Jerusalem to Um Al-Sharayet in 1981 which created the first turning point and urbanization of Um Al-Sharayet.
- The second wave of migration which increased the phenomena of urban sprawl, was in 1994 within the emergence of Palestinian National Territories, where many Palestinian emerged from all the West Bank cities to live in Um Al-Sharayet due to its proximity from Ramallah and the relatively cheap land prices.
- The period between 1987 and 1994 considered as the peak in terms of issuing building permits in addition to the construction of a large number of residential buildings.
- Most of the problems those facing Um Al-Sharayet district are residential overcrowding and building violations, especially setbacks violations.
- The late emergence of the first master plan in Al-Bireh city, has negatively affected the situation in Um Al-Sharayet because there is a gap between what's assigned in the master plan and what is exist on the ground.

- The private landownership priorities of residents put more challenges in front of the municipality when almost all the lands in Um Al-Sharayet are owned by people but not by the municipality which resulted in limiting the public services.
- There's lack of awareness in the community where many people only seek for their personal interest regardless the consequences on public.
- Although the laws and regulations contain procedures for how to deal with building Infractions and violations, but there is no possibility of implementation.
- Legalizing, permitting and facilitating all the violations don't solve the problem of urban sprawl in Um Al-Sharayet at all and the imposition of a de facto policy is unacceptable. Therefore it's worth it to search for new effective mechanisms.
- The situation of Um Al-Sharayet could be repeated in other Palestinian cities and district if the whole community, institutions and authorities didn't take an action to control the wave of urban sprawl in the whole West Bank.

6.2 Recommendations

The following recommendations are introduced to the Palestinian authorities, municipalities, urban planners, stake holders and the local community and to whom it may concern in order to reduce the urban sprawl phenomenon:

Recommendations for Um Al-Sharayet District:

- In the case of Um Al-Sharayet which was formed irregularly, and despite the decree issued by the martyr Yasser Arafat which forbidding any demolition of any Palestinian building or property, thus there's a must to conduct a diagnostic study of the current situation and to repair what can be repaired, like providing better services and infrastructures, and considering densifications technique and greenery planting in any vacant small space.
- In Um Al-Sharayet, there is nothing could be done at the planning level in the district because it is not possible to demolish buildings, and at the same time, the district is almost filled with building where only few small vacant lands are left (refer to “figure 5.16” from chapter V).
- The only thing that we could for the case of Um Al-Sharayet is beautification of the district and working on it as an urban design project to enhance urban situation of the area by adding green areas, better roads, a plaza, street furniture and providing better infrastructure (Figure 6.1)(Figure 6.2) (Figure 6.3) and solving what could be solved at the design level by exploiting the vacant spaces in Um Al-Sharayet where the municipality have to buy the vacant private lands from their owners, which would make the municipality more able to enhance Um Al-Sharayet level and the standard of living in that district and to make it for people.

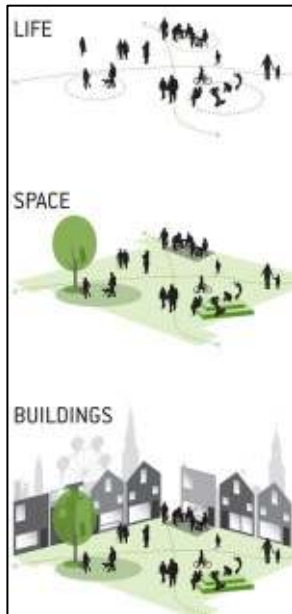


Figure (6.1): Public area network (*Beograd L, 2010*)



Figure (6.2): A development of high density area by providing pedestrian and active paths. (*Fairs M, 2009*)



Figure (6.3): Respecting human scale and providing spaces for people (*Gehl Architects, 2012*)

- The paid fines by those who violated the building codes and planning laws, can be used as funding the infrastructure improvements in Um Al-Sharayet.

General Recommendations for the Palestinian situation:

- Licensing violations are not acceptable because this will encourage the illegal constructions and building violation, moreover the mechanism of demolition or relocation is considered very sensitive and terrifying for all residents, so the solution is to consider an operational policy to increase the inceptions from the beginning of construction works in all Palestinian cities and to follow-up all the violations, where removing a column before completion of the construction is easier than demolishing in terms of physical and moral impact. This mechanism can be considered easier and gives more opportunities to control the current situation of urban development and illegal construction works because monitoring and evaluation must come first, before implementation.
- Jordanian laws should be developed and updated starting from land registrations, to the zoning regulations because Palestinian circumstances are different from those in the Kingdom of Jordan where until nowadays Palestinians have no clear organizational boundaries for a sovereign state. The laws should be amended in accordance with the political, social and economic conditions, especially with the deficit in municipal budgets.

- For now, All Palestinian cities must follow the general statutory planning laws and laws of buildings with providing “efficient and powerful” amendments for each case and city but in a limited number of amendments.
- It’s recommended to have detailed organizational projects under the title of re-parcellations for vacant places, where construction works are allowed to start only after the accomplish of the re- parcellations project for a better urban development and because it would pave to way for better master plans for Palestinian cities.
- Producing new sustainable urban planning strategy and considering the social, economic, physical, environmental and administrative pillars to have a healthy urban development.
- Empowering master plans and detailed plans which have to be updated, in addition to integrate efficient strategy to preserve high value agricultural lands.
- New mechanisms must be applied not only to protect the agricultural lands, but also to upgrade their values and to enhance the agricultural economic sector which will also create more jobs in the agricultural sector and this will benefit the Palestinians and their economy.
- Palestinian planning schemes and urban planners should not control the expansion of Palestinians but they have to direct and manage the expansion of Palestinian cities because their existence is part of the

Palestinian struggle, because the aim of planning in Palestine is not limit the existence and expansion of Palestinians but to give them proper choices of where they have to expand.

- Supporting associations and cooperatives in popular participation by all possible means to gain the community trust and to contribute in the reduction of the urban sprawl phenomena.
- Spreading public awareness about the importance of planning and the costs of urban sprawl, and to educate the community about the importance of following laws and regulations and their positive reflection on future Palestinian generations.
- In terms of new scenarios for planning in Occupied Palestinian Territories, other researches could work on them based on the facts and findings of this thesis that would help other researchers and involved agencies to produce solutions at the national level.

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Interviews:

Personal Interview with Dr. Sameeh Al-Abed, Ramallah, Palestine.
Thursday 26th May 2016.

Personal Interview with Engineer Dima Awwad, Arabtech Jardaneh Engineers & Architects, Al-Quds St., Ramallah, Palestine. Monday 23rd April 2016.

Personal Interview with Engineer Dima Joudih, Al-Bireh Municipality, Al-Bireh, Palestine. Wednesday 27th April 2016, Monday 23th May 2016 and Wednesday 25th May 2016.

Personal Interview with Engineer Layali Meqdadi, Public Administration of Local Governance, Ramallah, Palestine. Wednesday 25th May 2016.

Personal Interview with Engineer Munif Treish, Amaar Real Estate Group, Ramallah, Palestine. Sunday 5th June 2016.

Personal Interview with Engineer Ruba Soboh, Ministry of Local Governance, Ein Mesbah, Ramallah, Palestine. Thursday 28th April 2016.

Personal Interview with Engineer Sounya Al Zubaidi, Directorate of Local Governance, Ein Mesbah, Ramallah, Palestine. Tuesday 24th April 2016.

Personal Interview with Mr. Ashraf Sayel, *Building Control Department*, Al-Bireh Municipality, Al-Bireh, Palestine. Wednesday 25th May 2016.

Appendix



STATE OF PALESTINE
Ministry of Local Government
Ramallah & Al-Bireh Governorate

دولة فلسطين
وزارة الحكم المحلي
مديرية رام الله والبيرة

التاريخ: 2016/5/26 Date:

رقم: 7/3 (316) No.:

بلدية البيرة
 رقم: ٢٢٠٧٠-٢٦
 تاريخ: ٢٠١٦/٦/٤
 توقيع: فادي

السادة رؤساء لجان التنظيم المحلية المحترمين
 تحية البناء والدولة،،

الموضوع:- الأبنية القائمة قبل عام 1975

بالإشارة للموضوع أعلاه، ونظراً لمراجعتنا من قبل عدد من لجان التنظيم المحلية حول كيفية التعامل مع الأبنية القائمة قبل عام 1975 وبعد مراجعة الإدارة العامة للتنظيم والتخطيط العمراني بالخصوص، يرجى العلم بأن تم الاتفاق على اعتبار جميع الأبنية القائمة قبل سنة 1975 أبنية مرخصة وفي حال تم طلب ترخيص بناء مقترح فوق قائم يجب التدقيق على الترخيص الصادر ومقارنته مع الوضع القائم وحسب الأصول أما في حال لم يحضر صاحبها لترخيص يتم ترخيص الطابق المقترح فقط شريطة الالتزام بالأنظمة السارية حالياً.

مع الاحترام



نسخة / الملف

Dept. Of Local Government/Ramallah & Al-Bireh Governorate
 Eis-Muhay: Tel. 2951234, 2951090, Fax: 2956304

مديرية الحكم المحلي، رام الله والبيرة
 ع.م.هـ: 2951234-2951090 - فاكس: 2956304

وذكره المحكم المحقق

مجلس - ورد

الوقت: ١٤/١١/٢٠٢٢ (٢٠٢٢)

التاريخ: ١٩ / ٥ / ٢٠١٩

التوقيعات

Palestinian National Authority
Ministry of Local Government



السلطة الوطنية الفلسطينية
وزارة الحكم المحلي

[illegible]

No. الرقم:

الأخ رئيس اللجنة الإقليمية للتخطيط والبناء / رام الله والبيرة المحترم

تحية طيبة وبعد ،،،

الموضوع : منه تسميات لتدريس الإنشاء القامه غير المدققة

يتم ترخيص الانبئة لقائمة غير المرخصة وحسب الشروط التالية:

1. تقوم التجار المحليه والاقتصاديه المتكسده بتقييم حجم الضرر الناجم عن كل سفافه على حده.
2. يصدر قرار الاعفاء بناء على قرار من اللجنة المتكسده.
3. يتم ترخيص التجار لارتداء الملابس الثقيله على احكام التنظيم بامسيه 50% وذلك لانهما يتعلقان بالارتدادات والسيه المثيره وقميصه الطماطيه وبذلك المواقف مع استثناء للمجموعه.
4. يتم اعفاء الابنيه للقميصه وفق ما يلي:
 - أ- 70% من الرسوم الاجماليه وذلك للبلوزه التي اقررت قبل العام 1996.
 - ب- 50% من الرسوم الاجماليه وذلك للبلوزه للقميصه ما بين العام 1996 وقاربع لمتلافه على اخر مخطط هيكلي فلسطيني.
5. التاكيد على ضروره تعديل المصل باجراءات الابنيه والخطوات التتبعيه والوثائق الصعبه ولان الأشغال وحسب ما ورد يسألون تنظيم المدن والقرى والابنيه راسم (79) لعام 1966 وفضاء الابنيه والتنظيم ولم (5) لعام 2011.
6. التاكيد على تعديل التنسيق بين الاجهزه المتكسده لنمطيه المبالغه وغمرها الشرطه والقضاء وحسب القانون.

مع الاجتهاد



Answers:

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جامعة النجاح الوطنية
كلية الدراسات العليا

الزحف العمراني في ظل التحضر و تشريعات التخطيط:
حالة دراسية حي أم الشرايط، مدينة البيرة / فلسطين

إعداد
هند باسل محمد الأعرج

إشراف
د. علي عبد الحميد
د. زهراء زواوي

قدمت هذه الأطروحة استكمالاً لمتطلبات الحصول على درجة الماجستير في هندسة التخطيط الحضري والإقليمي بكلية الدراسات العليا في جامعة النجاح الوطنية في نابلس، فلسطين.

2017م

ب

الزحف العمراني في ظل التحضر و تشريعات التخطيط:

حالة دراسية حي أم الشرايط، مدينة البيرة / فلسطين

إعداد

هند باسل محمد الأعرج

إشراف

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الملخص

التحول الحضري للمدن الفلسطينية هو نتيجة للتوسع العمراني الذي نشأ عن التحضر والتشريعات التخطيطية المتراكمة منذ الفترة العثمانية حتى فترة السلطة الفلسطينية والتي أدت إلى توسع المدن بشكل ملحوظ وخلق أشكال حضرية غير منتظمة ومجزأة و مشرذمة، بالإضافة إلى نقص في الأراضي وخاصة الأراضي الزراعية ، حيث أثر التمدد الحضري مباشرة على توافر الأراضي الزراعية وقيم الأراضي.

تهدف هذه الأطروحة إلى استكشاف العلاقة بين التحضر والقوانين التخطيطية في خلق ظاهرة الزحف العمراني، و إظهار خطر هذا التوسع العشوائي على الأراضي الفلسطينية ، و تهدف للتحقيق في الظروف وكذلك العقبات التي تواجه عملية التخطيط الفلسطيني بالإضافة إلى تحليل وتفسير عملية التحول الحضري في المدن الفلسطينية " الحالة الدراسية حي أم الشرايط".

تتلخص توجهات منهجية الأطروحة بكونها استنتاجية، وصفية، تحليلية، وتاريخية على أساس جمع البيانات ودراسة الحالة حيث يتم استخدام الأساليب الكمية والنوعية. تخلص هذه الأطروحة إلى أن الزحف العمراني ناجم عن التحضر السريع غير المنضبط والافتقار إلى الوعي المجتمعي والافتقار إلى رقابة عملية البناء بسبب الضعف التنظيمي، بالإضافة إلى نقص قوانين التخطيط الحضري الملائمة، و الفعالة للوضع الحالي، حيث أن تشريعات التخطيط الحالية لا تلبي الاحتياجات الحالية وغير قادرة تماماً على مواجهة التحديات الراهنة. نتيجة الحاجة الملحة للأرض والأيدولوجية القوية بين الأرض والفلسطينيين، فإن الأطروحة توصي باتباع

آليات جديدة لحماية الأراضي الزراعية، ورفع قيمتها من أجل تعزيز القطاع الاقتصادي الزراعي الفلسطيني، بالإضافة إلى وضع استراتيجية جديدة للتخطيط الحضري المستدام مع الأخذ بعين الاعتبار الركائز الاجتماعية والاقتصادية والمادية والبيئية والإدارية لتحقيق تنمية حضرية صحية، بالإضافة إلى تمكين المخططات الهيكلية والمخططات المفصلة و التي يجب تحديثها، مع نشر الوعي المجتمعي العام حول أهمية التخطيط، والتي سوف تصب جميعها في مصلحة المجتمع الفلسطيني و المصلحة الوطنية.

الكلمات المفتاحية: الزحف العمراني، التحضر، تشريعات التخطيط، البيرة، أم الشرايط.