

ROMÂNIA

Tulcea County

UAT - TULCEA MUNICIPALITY

No. **47562** of **13.12.2021**

URBAN PLANNING CERTIFICATE

NO. 822 of 13.12.2021

**For the purpose: URBAN REGENERATION OF THE MIRCEA CEL BATRAN,
UNIRII STREET, THREE FOUNTAIN PARK AREA**

Follow-up of the request addressed by the **TULCEA MUNICIPALITY UAT** with headquarters in **TULCEA** county, **TULCEA Municipality**, -, sector -, postal code, **PACH Street**, no. **20**, building -, entrance -, floor -, app. -, phone/fax -, e-mail -, registered at no. **47562** of **08.12.2021**,

for the building - land and constructions -, located in **Tulcea County, TULCEA Municipality**, -, sector -, postal code -, **MIRCEA CEL BATRAN, UNIRII STREET, THREE FOUNTAIN PARK**,. no. -, building -, entrance -, floor -, app. -, or identified by: Land Register extract no. **49098, 38495**, topographic/cadastral no **49098, 38495** or identified by : -

pursuant to the regulations of Urban Planning Documentation no. 1/ 1995, PUG phase, approved by the **TULCEA** Local Council decision no. **29/27.05. 1996, R.L.U. PHASE APPROVED BY THE H.C.L. (Decision of the Local Council) NO. 19/25.02.1999 AND H.C.L. NRO. 129/26.05.2011**,

in accordance with the provisions of Law no. 50/1991, regarding the authorization of the execution of construction works, republished, with subsequent amendments and additions,

IT IS CERTIFIED THE:

1. LEGAL REGIME:

- The buildings are located in the built-up area of the town;
- The buildings are the property of UAT Tulcea Municipality according to Administrative Act no. 53 of 25.02.2021 issued by the Local Council of the Municipality of Tulcea, Administrative Act no. 99 of 31.05.2012 issued by the Local Council of Tulcea Municipality;
- Existing servitudes on buildings (according to the Civil Code, PUG, RLUMT or property title): the buildings are located in the protected built-up area - urban memory area.

2. ECONOMIC REGIME:

- Current use: construction yards, road;
- Destination of the area: according to the General Urban Plan of Tulcea municipality approved by HCL no. 29/27.05.1996; HCL no. 19/25.02.1999 and HCL no. 129/26.05.2011, the building is located in the CC Area for communication ways and related circulations;
- Fiscal regulations and taxes: Fiscal Code and HCL no. 230 of 17.12.2020 regarding the establishment of local taxes and fees for the year 2021;
- Specific regulations as a result of HCL of the central/local public administration: HCL no. 201 of 28.09.2017, for the approval of the Regulation on ensuring the minimum number of parking spaces for construction and development works.

3. TECHNICAL REGIME:

3.1 Existing situation

The buildings in the study area are located in the inner city of Tulcea Municipality, in a protected built-up area

- urban memory area.

3.2 Proposed situation

It is proposed to carry out urban regeneration works in the area of MIRCEA CEL BATRAN, UNIRII STREET, THREE FOUNTAIN PARK.

3.3 Technical regime according to the Town Planning Regulation

According to the General Urban Plan of the municipality of Tulcea approved by HCL no. 29/27.05.1996;

HCL no. 19/25.02.1999 and HCL no. 129/26.05.2011, the building is located in UTR 1 and 10: area CC - Area for communication ways and related circulations;

OVERVIEW:

Functional sub-area:

*CCr - Sub-area for roads and related constructions;

*CCp - Major pedestrian traffic and civic squares

Dominant functions: The dominant functions of each sub-area are those specific to the respective functional category.

CCr sub-area:

- National roads, county roads, communal roads;

- TULCEA passenger bus station. CCp sub-area:

- The promenade on the DANUBE EMBANKMENT with pedestrian links to ISACCEI str.;

- LIBERTY SQUARE;

- Access to MONUMENT HILL. Allowed complementary functions of the area: CCr sub-area:

- Uneven road intersections;

- Traffic light installation;

- Fuel filling stations (ISc);

- Plantations with a protective and decorative role. CCp sub-area:

- ISc - Commercial constructions, ISps - Constructions for other services (only in temporary constructions in accordance with the special regulations of CLMT resulting from specific studies);

- Plantations with a protective and decorative role.

Prohibited functions: Prohibited functions are all those that are not directly intended for the dominant functions of each sub-area, in accordance with the normative acts specific to each sub-area.

FUNCTIONAL USE:

Permitted uses: road traffic (streets, roads and level or uneven intersections), sidewalks for pedestrian traffic, protective planting, traffic light installations, road signs, underground or aerial technical and building networks.

Pedestrian traffic, trade and services according to paragraph 7.11.3.2., decorative and protective plantings, works of art, urban furniture, information elements, underground or aerial technical-building networks.

Permitted uses with conditions:

The uses allowed with conditions refer to the approvals that must be obtained for the use of land and for building in infrastructure protection zones:

CCr sub-area:

- a. Protection of railway infrastructure;
- b. Protection of public roads and pedestrian traffic;
- c. Protection of watercourses.

CCp sub-area:

- a. Protection of historical areas and historical monuments;
- b. Protection of public roads and pedestrian traffic;
- c. Protection of railway infrastructure.
- d. Protection of water consumption.

Temporary construction bans: Temporary construction bans are set for the areas where communication road extensions are to be made or new roads are to be built; the prohibitions are lifted at the moment of approval of the PUZ with related regulations for each sub-zone and for each individual situation. Permanent construction bans: the prohibition of constructions that prevent the development of specific activities in each sub-area.

CONDITIONS OF COMPLIANCE AND LOCATION OF BUILDINGS:

Location in front of public roads: in accordance with the normative acts in force.

Location in front of waterways: in accordance with the normative acts in force, for each type of sub-area separately.

Location in front of the railways: in accordance with the normative acts in force; the intersections between CCr, CCp and CCf are not made at the same level except in special cases and with all the necessary safety measures. The location of the constructions and facilities necessary for the activities in each sub-area is done towards the interior of the parcel of the respective sub-area, from the alignment of the riparian parcels.

The placement of constructions and facilities inside the plot of the respective sub-area is done in compliance with the normative acts in force, for each individual activity.

Road accesses to the plots used by the functions of the CC area are made according to the PUZ with related regulations, with all the necessary prior notices.

Pedestrian accesses: CCr sub-area: the arrangement of sidewalks and pedestrian crossings is done in accordance with the normative acts in force.

Connection to building networks: The connection to the existing technical-building networks of the uses in this functional area will be done in the following way:

a. Following the rehabilitation and resizing studies of each type of technical-building network in part, approved and approved according to the normative acts;

b. Following the approvals that demonstrate the technical possibility and use for connection to the following types of networks:

- Drinking water;
- Sewerage;
- Electric energy;
- Telephony.
- Natural gas and/or urban heating;
- Other types of networks specific to industrial activity.

c. The technical-building networks of any nature located in the public space in the built-up territory will be made underground; the connections from the technical-building networks to the internal networks of the plot will be made underground.

d. The connection of new industrial uses or the amplification of consumption for existing uses is prohibited, in case they prejudice either the authorized consumption of the existing users, or their estimated additional consumption.

e. The fuel supply and supply will be carried out in accordance with the AM, and in the case of the constructions and arrangements necessary for this purpose, following the PUZ with the related regulation approved according to the normative acts.

The construction of building networks in CC sub-area is done in accordance with the regulations of the TE Chapter

- Area for technical-building equipment of the Local Urban Planning Regulation of Tulcea Municipality. The realization of new technical-building networks, the expansion or resizing of existing networks, is done on the basis of the PUZ with related regulations, approved according to the law; these Zonal Urban Plans are necessary for feasibility studies of constructions and improvements.

The CC sub-areas are made on land publicly owned by the state or the municipality, the municipal networks are in the public property of the municipality.

The height of the constructions is in accordance with the activities they adapt, in accordance with the normative acts; the maximum heights are established by PUZ with related regulations.

The exterior appearance of the constructions: CLMT will establish with great rigor the conditions of the exterior appearance of the constructions, the form of the arrangements, in accordance with specific PUZ and with special documentation for this issue.

The parking spaces required for the parcels in the CC area (communication roads) will be established as follows:

* For the own activity in the sub-area, in accordance with the normative acts and the regulations for • Parking lots, from Area I - the area of industrial units, storage and transport of the Local Urban Planning Regulation of the Municipality of Tulcea.

Parking lots:

In the interior of each industrial plot, it is mandatory to ensure the conditions for the parking, garage or parking of all vehicles involved in the development of the respective industrial activity, as the case may be:

- Motor vehicles of any type owned or used by the industrial unit operating on the industrial plot;
- Vehicles of any type for supply/sale;
- Vehicles of any type belonging to the employees and/or delegates of the industrial unit operating on the industrial plot.

The establishment of the number of parking spaces, garages, stationary differentiated according to size criteria, the dimensioning of the parking lots and the maneuvering and access spaces are done in accordance with the normative acts in force and depending on the specifics of the activities on the plot.

The location of constraints and arrangements for parking, garage and/or parking of vehicles of any kind is established by the PUZ with related regulation according to the location of the constraints in relation to public roads; the location of the constraints in relation to the alignment of the plot, the location of the constructions inside the plot and the access of motor vehicles to the plot.

* For the train station, bus station, river station, ferries, wharf, promenades, in accordance with the normative acts and with specially developed PUZ.

The green spaces will be arranged with a protective and aesthetic role; PUZ with related regulations and other special documentation will have as their object the creation of green spaces.

Fences and other separating elements:

* Fences will be built for all the plots where they are needed, as the case may be:

- Delimitation of the property;
- Ensuring the security of one's own activity
- Ensuring the security of neighboring plots.

* Protective railings, small dividing elements will be made on all the boundaries of the plots where they are needed, as the case may be:

- Delimitation of the property;

- Ensuring the safety of pedestrians;
- Ensuring a subtle functional separation.

* The location of fences and other separating elements, their durable character or proper,

The materials used, the heights of the dividing elements, the shapes and appearance, the colors used, are established on the basis of normative acts, through PUZ approved and approved according to the law.

Expropriation for reasons of public utility will be done in accordance with Law no. 33/1994 on expropriation for reasons of public utility, republished and with the PUZ with related regulations made especially for this purpose.

Protected areas: the buildings are located in the protected built-up area - urban memory area.

3.4 Conclusions

1. Since the buildings are located in the CC area (non-regulated area), in order to establish the conditions of compliance and location of the new constructions, the authorization of the investment objective will be conditioned by the approval by the competent public authority of a Zonal Urban Plan (PUZ), developed and financed by the care of the natural and/or legal persons interested, only on the basis of a prior notice of opportunity drawn up by the specialized structure led by the chief architect and approved by the mayor of the locality (art. 32 par. 1 letter c of LAW no. 350 of July 6, 2001 on territorial development and urban planning).

2. The information stages will also be completed according to ORDER no. 2701 of December 30, 2010 for the approval of the Methodology for informing and consulting the public regarding the development or revision of territorial development and urban planning plans and HCL no. 130/2011 regarding the approval of the "Local Regulation regarding the involvement of the public in the development or revision of development plans urban planning or territorial development, the approval of which is the competence of the Tulcea Local Council".

3. Approvals, agreements and studies related to the PUZ phase(Zonal Urban Plan):

- Notice of Information regarding the Intention to Develop the PUZ documentation;
- Notice of Opportunity, obtained before any other notices based on written request, including all the elements provided for in art. 32 paragraph (3) of Law no. 350/2001, with subsequent amendments and additions;
- The point of view/administrative act of the competent authority for environmental protection;
- Water supply - sewerage;
- Electricity supply;
- Thermal energy supply;
- Telephony;
- Natural gas approval;
- Notice of Apele Romane SA;
- The opinion of the Inspectorate for Emergency Situations Tulcea;
- Extract from the updated cadastral plan;
- Topographic study received by OCPI;
- The opinion of the Tulcea Public Health Directorate;
- Circulation and Transport Organization Study;
- Technical-Building Equipment Study;
- Traffic Police Notice;
- Tulcea County Culture Directorate notice;
- Tulcea Heritage Maintenance and Administration Directorate;
- Geotechnical Study;
- Public Information and Consultation Report (according to Ord. no. 2701/2001 and HCL no. 130/2011);
- Chief Architect's opinion;
- Other notices and studies required by the Opportunity Notice.

4. At the same time, "The change of the legal, economic or technical regime of the land, according to the law, can be conditioned by the provision of access roads, public facilities and

technical equipment necessary for the coherent functioning of the area" (art. 31, para. 2 of Law no. 350/2001).

Other details: After approval, the Local Urban Planning Regulation related to the approved Zonal Urban Plan will be annexed and will be an integral part of this urban planning certificate.

Fees related to the PUZ phase:

- Technical Commission fee for Territorial Development and Urban Planning - 17 lei;
- Tax Register of Urban Planners from Romania.

Since the purpose requested by the application for issuing the urban planning certificate does not fall within the regulations of the General Urban Plan of the municipality of Tulcea with the related Local Urban Planning Regulation,

This urban planning certificate can be used for the stated purpose for:

**URBAN REGENERATION OF MIRCEA CEL BATRAN, UNIRII STREET, THREE
FOUNTAIN PARK AREA (PHASE I - AREA URBAN PLAN; PHASE II -
DEVELOPMENT OF FEASIBILITY STUDY; PHASE III - OBTAINING THE
BUILDING AUTHORIZATION)**

**The urban planning certificate does not take the place of a building permit /
dissolution and does not confer the right to execute construction works.**

4. OBLIGATIONS OF THE PLANNING CERTIFICATE HOLDER:

In order to prepare the documentation for the authorization of the execution of construction works - construction/demolition - the applicant will address the competent authority for environmental protection:

**TULCEA ENVIRONMENTAL PROTECTION AGENCY. TEL: 0240 510620;
0240 510622; 0240 510623; FAX: 0240 510621. STR. 14 NOIEMBRIE NR. 5 TULCEA,
POSTAL CODE 820009**

In application of Council Directive 85/337/EEC (EIA Directive) on the assessment of the effects of certain public and private projects on the environment, amended by Council Directive 97/11/EC and by Council and European Parliament Directive 2003/35/EC on public participation in the development of certain

plans and programs related to the environment and the amendment, regarding public participation and access to justice, of Directive 85/337/EEC and Directive 96/61/CE, through the urban planning certificate the applicant is notified of the obligation to contact the territorial authority of environment for it to analyze and decide, as the case may be, the inclusion/non-inclusion of the public/private investment project in the list of projects subject to impact assessment on the environment.

In application of the provisions of Council Directive 85/337/EEC, the procedure for issuing the environmental agreement is carried out after the issuance of the urban planning certificate, prior to the submission of the documentation for the authorization of the execution of construction works to the competent public administration authority.

In order to satisfy the requirements regarding the procedure for issuing the environmental agreement, the competent authority for environmental protection establishes the mechanism for ensuring public consultation, centralizing the public's options and formulating an official point of view regarding the realization of the investment in accordance with the results of the public consultation.

Under these conditions:

After receiving this urban planning certificate, the owner has the obligation to present himself to the competent authority for environmental protection in order to initially assess the investment and establish the start of the environmental impact assessment procedure and/or the appropriate assessment procedure. Following the initial assessment of the notification regarding the intention to carry out the project, the point of view of the competent authority for environmental protection will be issued

In the event that the competent authority for environmental protection establishes the performance of the environmental impact assessment and/or the appropriate assessment, the applicant has the obligation to notify this fact to the competent public administration authority regarding the maintenance of the application for the authorization of the execution of construction works

In the event that, after the issuance of the urban planning certificate or during the environmental impact assessment procedure, the applicant renounces the intention to make the investment, he has the obligation to notify this fact to the competent public administration authority.

5. The REQUEST FOR ISSUING AN AUTHORIZED CONSTRUCTION AND DEMOLITION PERMIT will be accompanied by the following documents:

- a) urban planning certificate (copy);
- b) proof of the title to the building, land and/or constructions, or, as the case may be, the updated cadastral plan extract and the updated information land book extract, if the law does not provide otherwise (certified copy)

c) technical documentation - DT, as the case may be (2 original copies):

☒ D.T.A.C. ☒ D.T.O.E. ☐ D.T.A.D.

d) site approvals and agreements established by the town planning certificate:

d. 1) notices and agreements regarding urban utilities and infrastructure (copy):

☒ water supply ☒ natural gas Other notices/agreements:

☒ sewage ☒ telephony ☒ verifiers visa ☒ D.I.A.P.

☒ power supply ☒ sanitation

☒ thermal energy supply ☐ transport

d.2) notices and agreements regarding:

☒ fire safety ☐ civil protection ☒ health of the population

d.3) specific approvals/agreements of the central public administration and/or their decentralized services (copy)

☒ Notice of the Tulcea County Directorate of Culture ☒ Traffic Police Notice ☒ HCL (Decision of the Local Council) regarding the approval of the Zonal Urban Plan

d.4) specialized studies (1 original copy)

☒ Geotechnical study ☒ Topographic study approved by the O.C.P.I. ☒ Technical expertise - as appropriate

e) ☒ the point of view/administrative act of the competent authority for environmental protection (copy)

~~f) proof of project registration at the Romanian Order of Architects (1 original copy)~~

d)Payment documents for the following fees (copy):

Building Authorization Tax - exempt; Architect's stamp tax 0.05% of the general estimate value. This urban planning certificate is valid for 12 months from the date of issue.

**MAYOR
OF TULCEA MUNICIPALITY,
Stefan ILIE**

L.S.
*Official stamp
Illegible signature*

**Elaborated,
Mihaela SAVCENCU
Illegible signature**

**GENERAL SECRETARY,
Leventh IUSUF
Illegible signature**

**CHIEF ARCHITECT,
arch. Adina-Gabriela POPESCU**

**HEAD OFFICE,
Cristian - Ionut CHICIUC
Illegible signature**

Fee paid - EXEMPT.

This urban planning certificate was sent to the applicant DIRECTLY on .

In accordance with the provisions of Law no. 5011991 regarding the authorization of the execution of construction works, republished, with subsequent amendments and additions,

validity is extended

Urban planning certificate 822 of 12.12.2021

from 13.12.2022 to 12.12.2023

After this date, a new extension of validity is not possible, as the applicant will have to obtain, under the law, another urban planning certificate.

**MAYOR
OF TULCEA MUNICIPALITY,
Ştefan ILIE**

L.S.
*Official stamp
Illegible signature*

Elaborated,

**GENERAL SECRETARY,
Leventh IUSUF
Illegible signature**

**CHIEF ARCHITECT,
Dr. arch. Andreea - Catrinel MATACHE
Illegible signature**

HEAD OFFICE,

Validity extension date: 11.11.2022

Paid the fee of: - lei, according to Receipt no. - EXEMPT from_____/_____/_____

Sent to the applicant on_____/_____/_____directly/by post.



TULCEA Cadastre and Real Estate Advertising Office
Tulcea Real Estate Cadastre and Publicity Office

Verification code



100110329245

CADASTRAL PLAN EXTRACT

for the building with IE **38495**, UAT Tulcea /
TULCEA, Loc. Tulcea, Str. Isacpei, No. FN

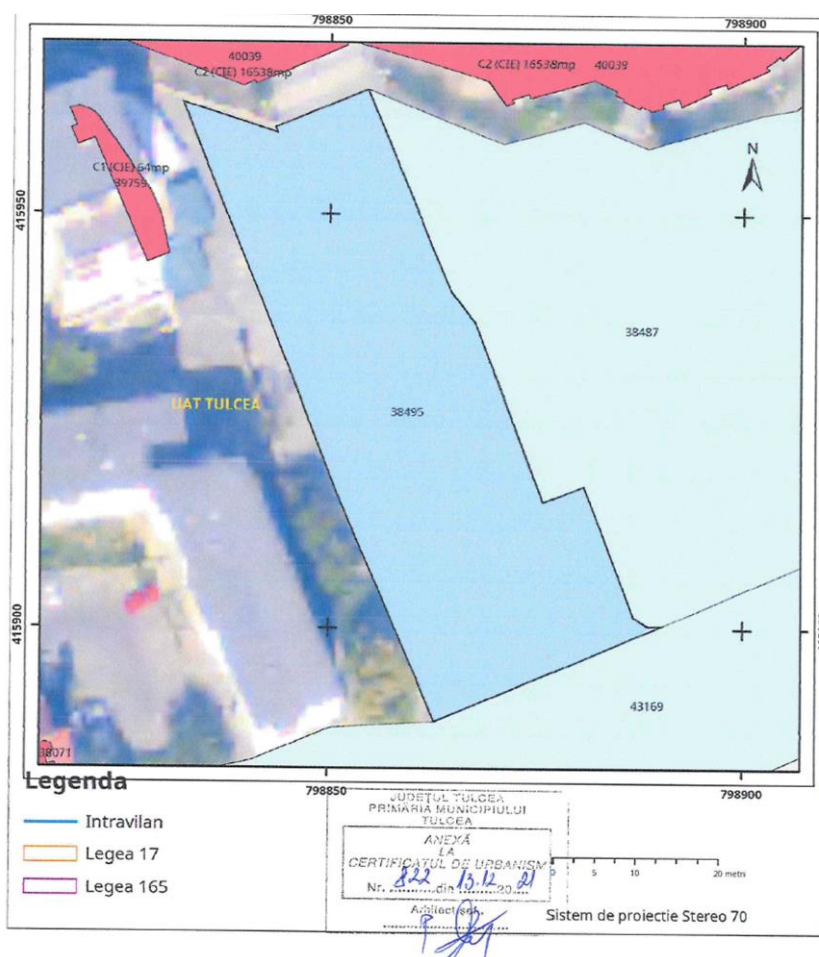
Application no.	115659
Day	08
Month	12
Year	2021

Land: 1.765 sqm

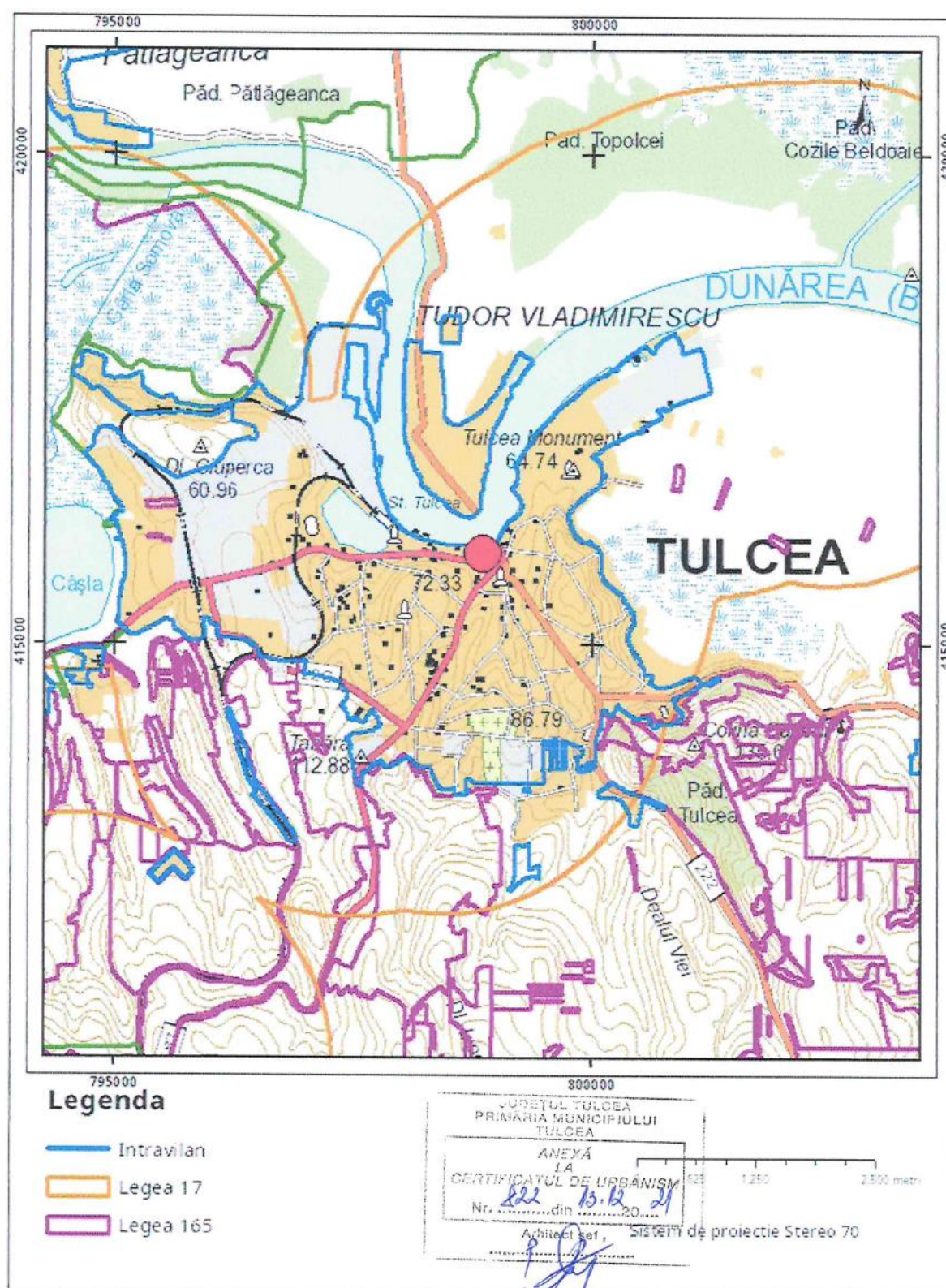
Land: Built-up area

Use category (sqm): Construction yards 1765sqm

Detailed plan



Overall plan



Technical tasks (intersections with the limits of special laws) Law 17, Art. 3 □

Electronically signed

Last update of the geometry: 12-03-2014

Date and time of generation: 08-12-2021 11:00



TULCEA Cadastre and Real Estate Advertising Office
Tulcea Real Estate Cadastre and Publicity Office

Verification code

Cod verificare



100110329245

CADASTRAL PLAN EXTRACT

for the building with **IE 49098**, UAT Tulcea /
TULCEA, Loc. Tulcea, Unirii str.

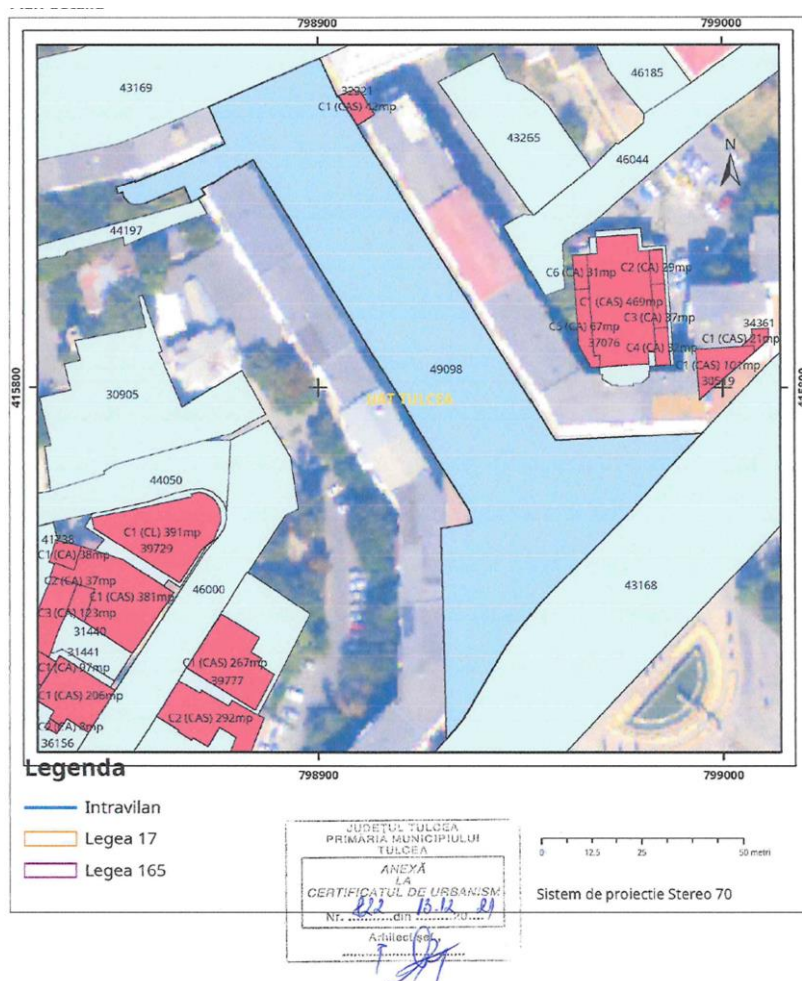
Application no.	115659
Day	08
Month	12
Year	2021

Land: 5.203 sqm

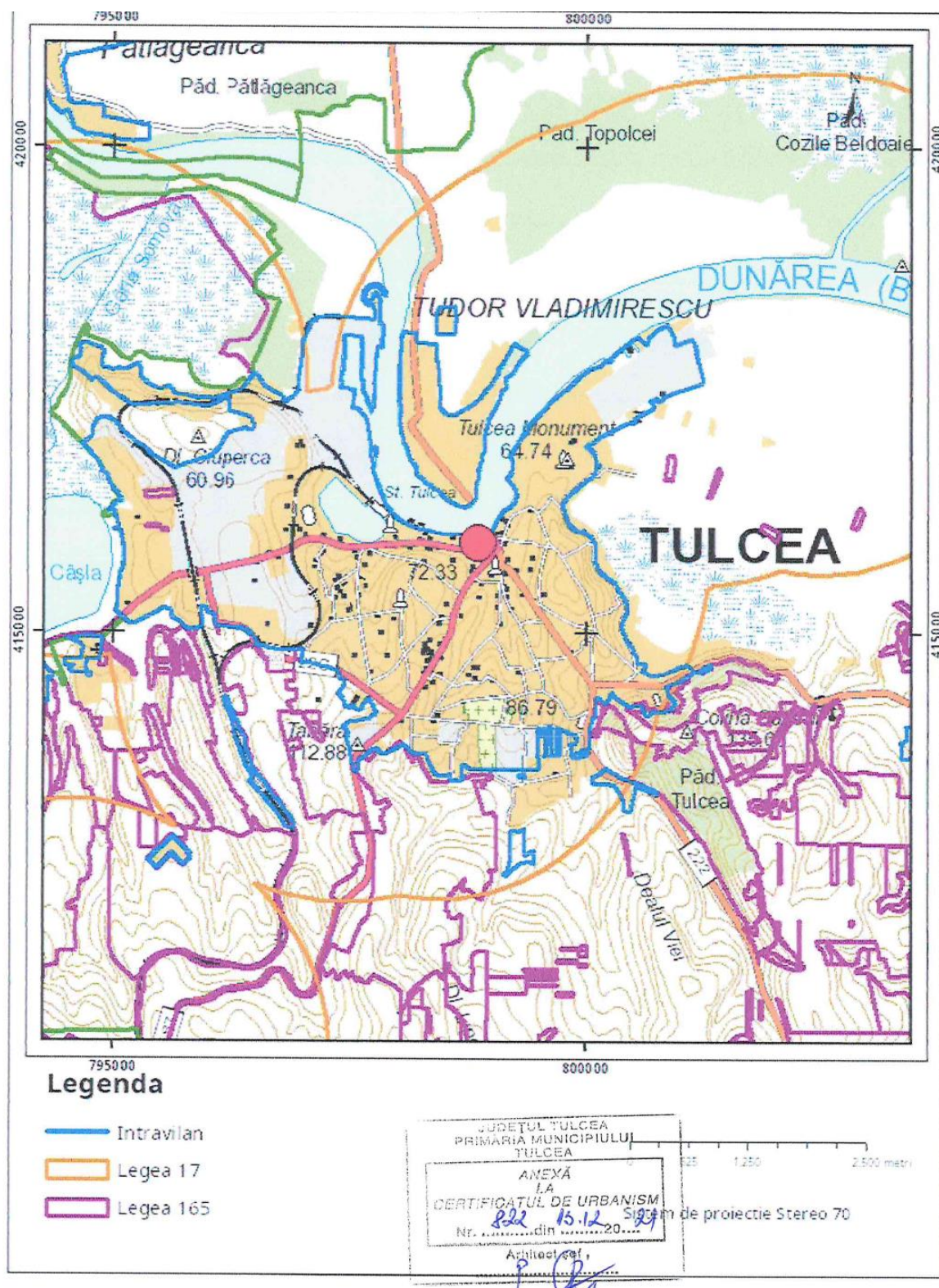
Land: Built-up area

Use category (sqm): Road 5203 sqm

Detailed plan



Overall plan



Technical tasks (intersections with the limits of special laws) Law 17, Art. 3 □

Electronically signed

Last update of the geometry: 12-03-2014

Date and time of generation: 08-12-2021 11:00

