

Investigation of Urban Public Views and Perspectives in the Framework of Architecture Laws and Criteria - A Case Study: Zahedan

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Abstract

The issue that is considered in this paper based on its dossier is the subject of views of buildings, face of structure and perspective of public place and naturally searching for roles and management tasks to it. This issue is related to outward face of campsite and residential structure as it is related to management of societies. After the revolution with growth of population and portion of urbanization, war reconstructions, vigorous expansion of cities in order to response the habitation of migrants and of course expansion of higher education, urban view and perspective has turned to one of the conversation centers as a part of the conflict of contemporary architecture of the country despite the system's special cultural tendency. Results of the investigation show the elimination of executive role of organizations over the time. Subject of the research is "view and perspective of public place in national laws and criteria and local rules and urban management role". This study is a library research and its method is findings' accumulation and content analysis referring to the collection of national laws and criteria of urban plans (Zahedan) in last four decades.

Key words: View and perspective of public place, Urban management, Designing services, Laws and criteria, Zahedan

INTRODUCTION

The historical cores and environments of our old towns have multiple insufficiencies. Lack of effectiveness, weakness of infrastructures, migration of local population, establishment of poor class, social issues and so force that these problems appear in face and perspective of these environments gradually. Urban managements from passivity, outstanding feature of these domains got old over the time and have converted to urban destruction centers, generally through weakness of knowledge, lack of efficient work force and sufficient budget. Historical structures have tolerated lots of erosions through fundamental weakness (brick as the dominant materials compared to stony architecture of Europe Ontheone hand and inaccessibility to needed knowledge and skill, lack of cultural approach and proportional volition of managers on the other hand.

Sporadic modernization has resulted in devolution of face and dignity of structure with urban expansion and increase in land prices with minimum facilities by residents without utilizing engineering or urban management guidance services.

RESEARCH METHOD

Research method of this study is library method and the used method was findings collection and content analysis with referring to collection of national laws including approvals of High Council of Urbanism and Architecture and laws of economical-social-cultural development plans of the country. According to the rich history of Isfahan of more than four decades of experience in urban development plans, other resources are the collection of rules and approvals of the mentioned plans. Among the documents, all of the related laws and regulations have been selected and approved with maintaining chronological order and analyzed in terms of content and finally, the conclusion has been done by data evaluation. Each of the laws has been criticized in terms of special words compared to urbanizing contemporary literature, specially urban designing. With emphasizing on content analysis,

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inclusion and defects of laws have been said and finally, analysis has been done in terms of need to executive tasks for local and connected to the government or citizenry urban management.

STATEMENT OF THE PROBLEM

The issue that is considered in this paper based on its dossier is the subject of views of buildings, face of structure and perspective of public place and naturally searching for roles and management tasks to it. This issue is related to outward face of campsite and residential structure as it is related to management of societies. If the formation of each of buildings of each kind in historical past has resulted in appearance of historical structures gradually in form of a culture and special valency system and public beliefs (Falamaki, 156: 1386), it has found another background in modern age and after the effects of industrial revolution with fundamental change in beliefs, culture of societies and their legal systems. With the advent of large-scale urban development, urban regime change, the rise of governments in a new form and formation of civil organizations with disability of common systems in managing the society, new form of performing the public rule based on performing accepted laws of society became to the guidance and management background of the society as the base of the definition of individual and community rights. The sensitivity of societies in laws codification against the problems on one hand and trying for more conformity of executive systems and its managing with the background of laws promise the growth and sublimation of the society. In the condition of our society, several references work on codification of laws, rules and regulations in the field of urban planning in the form of a documented and hierarchical legal system. The main reference of laws codification is Islamic council that made the establishment of Supreme Council of Urbanizing and Architecture of Iran possible on 22/12/51 as the special organization of codification of urbanizing rules in national scale with a law after several decades of activity in legislation (Ahsan, 1382 A:27). Another institution that works on codification of rules and regulations which are related to urbanizing and architecture from a special point of view, is handicrafts and tourism cultural heritage organization.

Face of historical context and perspective of public space in laws, rules and regulations of urban planning and urban management duties

3-1 national approved laws

3-1-1 criteria of face lifting in cities (approved criteria and regulation of face lifting of Supreme Council of Urban planning 28/8/1369)

Summary of items: liability of face lifting of all visible levels of buildings, issuance of construction end subject to face lifting accomplishment, liability of preparation of criteria in 6 months in cities which have comprehensive, detailed or directorial plans, regulation of general principles in 4 months through ministries of housing and country, in this resolution the liability of engineers and consultants to observing complete face lifting of visible levels has become sufficient to lowest requirements in urban living in a way that maybe the inappropriate economic status of the society could be considered as a factor in this issue historically and because of the synchronization of approval of the plan with a short time gap after end of the war and after-war reconstructions. Visible surfaces which can be seen from passages have been mentioned in the text of the resolution. This title is not respondent to inclusion of urban spaces, because it doesn't cover the squares, intersection of urban passages channel and public spaces of parks and open and green urban spaces. In fact, visible surfaces from public spaces should have been considered. The usage of high-grade materials has been mentioned in this paragraph and thus it has not assigned any restrict in the use of high quality materials. While, face of cities has been damaged by extreme diversity of materials and imported technologies and got confused and disturbed and it not necessarily related to inferior materials. For instance, paragraph 1 has mentioned to face lifting with high quality materials in an appropriate, beautiful and harmonious form and it has not specified that harmonious with what or with where? The combination and facing elements of a building should be harmonic with each other or views should be harmonic with the view of buildings around? Mentioned general principles in paragraph "4" signifies lack of priority and lack of urgency in preparing this set of criteria or maybe the complexity, ambiguity and difficulty in regulation codification has been desired. The basic subject of historical continuity in old residences of country that are not few in terms of number and extent, note to historical features of architecture of local urban planning in new reconstructions and developments regardless of common cultural visions in our society after revolution have been not noted. Although the mentioned approval has codified in the highest legislation institute of special architecture and urban planning, it has not mentioned to special words in this category such as context, context architecture, solidarity, structured system and so force. The issue of face lifting has been followed just for single buildings despite of the title of approval which is "criteria and regulations of urban view". Although urban plans (comprehensive, detailed, etc.) should prepare the criteria which is related to harmonic face lifting based on paragraph "3" of the approval, but it seems that general soul that is regnant on the approval is affected by single buildings and

basically, face words of bodies, perspective of street, urban face, sky line and profile of the city are not placed in this approval. Issues such as urban space and improvement of the quality of the environment has not been mentioned and no purpose has been defined in this regard within the frame work of approval from the perspective of society. In this regard, the stability and protection of elevations during the existence of building and also noting to architectural features of elevations according to historical periods of urban development (historical core, middle developments and new developments) could be mentioned in the approval. It would be pleasant if this regard had mentioned to the issue if indetermination of urban bodies along service and traffic axis to the side of new developments that will be under construction gradually for long years and obliged local management to codify appropriate approaches.

3-1-2 approved criteria of Islamic urban planning in preparation of urban plans (approved by the Supreme Council of Urban planning on 2.7.1375)

Summary of items: continuous studying of Islamic city and architecture in the past and at present and reaching to dominant principles and values and adjustment with new knowledge, principles and criteria of urban designing and architecture should become to the purpose of preparation and obligatory for all of the urban plans and architecture by ratification of Supreme Council. Although this resolution is not directly related to criteria of elevation and urban elevations, but it is more related to this issue compared to other urban planning laws. Date of the resolution is simultaneous with eight years after the war, large volume of reconstructions has been done in urban and rural domains and in the part of industries and infrastructures and in fact the crisis of accumulation of destructions and pressure of deficiency of housing has decreased, but the issue of irregular spread of cities, diversity of construction and forms and materials and construction technologies are leading to create unfamiliar and uncoordinated faces in biological centers. Codification of principles and criteria of design based on Islamic values and finally requirement of observation of consultants and engineering actives to these principles in urban and architecture scale has been dictated in the text of the law of continuous study about past and present Islamic cities and architecture of Iran and the world for reaching to dominant principles and values on their structure. Although the focal point of the legislation has been mentioned as “Islamic principles and values” and “Islamic-Iranian architecture”, but there is not a sign of local identity and culture directly. Even it has not mentioned to different urban domains, historical cores, middle and new developments and new settlements and it codifies a general and pervasive instruction in national scale which seems non-executive. In fact, the content of

the law has not been formed to response to an identified need and by the majority of society and it has formed under the influence of official ideology of society. The important point is that the title of urban designing in this field has been introduced in this legislation for the first time in legal literature.

3-1 paragraph “b” of article 137 of the third development plan of the country (approved on 17.01.1379)

Abstract: in order to identifying the appearance and layout of cities and villages appropriate with Islamic-Iranian (native) culture and prevent the destruction of valuable buildings, the Ministry of Housing will launch to codification of rules and regulations and notify the engineering associations by the end of the third plan. The used words, coverage scale and theoretical and cultural load than previous legislation show a deep qualitative change. By date of the legislation, about twelve years has passed from end of the war, war reconstructions have been finished and most of the infrastructures of the country have been formed and is in development. In many of historical cities, context improvement offices have been formed and are operating for years (Hashemi, 14:1369). In this legislation, identity and identifying, face of cities instead of urban evaluation, architecture and urban planning culture and indigenous word are used for the first time. In this legislation the purpose is not limited to only face lifting and elevation of single units of architecture, but it has been expanded to the structure of cities and beyond, identity of view and structure of cities and villages has been targeted. Another point of this legislation is direct mention to feature of architecture and Islamic-Iranian urban planning culture with emphasizing on the word “native” and adaption of all buildings with mentioned features. Prevention of destruction of valuable buildings and elevation is another part of this legislation that mentions to historical buildings, valuable bodies and monuments in urban and rural environments. The growth of general knowledge in the society and special knowledge and experience of regulators of this legislation that the knowledge that resulted in codification of the legislation on 28.08.1369 could be clearly seen in the recent law and understood by comparing these two. Ministry of Housing is bound by this law to launch to research and codification of criteria and regulations of visualization in all of the constructions of the country and report it by the end of the third development plan (Ahsan, b:3 1382). Although, the used literature in this law is more special and with deeper cognition of city has been regulated, but it still doesn't note to public space and urban space to the extent that it notes to constructions and buildings. Although it discusses about face of the city and considers its identification as the purpose but it knows the implementation of it is only dependent

on enforce the principles and criteria of architecture and Iranian-Islamic (native) urban planning culture and despite of expansion and change of expanse scale of cities than past that traditions and custom of the society were respondent to management of society, leadership of constructions and urban renovation and expansion, it doesn't ask a responsible beyond the codification of mentioned regulations in urban construction management for reaching to desired urban face from policy organization of housing and urban planning. This point seem to be the weak point of the legislation that in the process of codification of regulations by named ministry this defect reflects and results in single construction managements and not leadership of general process of skeletal formation and creation of urban spaces. But is cities according to the extent of the field, high costs and limited budget of cities and perhaps due to mayors' lack of belief it went unnoticed. According to the legislation, current Ministry of Housing and Urban Planning has been bound to launce to the study and codification of regulations and report them to all municipalities, related organizations and engineering associations of the country by the end of the third plan (Ahsan, b: 3, 1382). Thus, from the perspective of the recent law, no obligation for urban management towards appearance and face of the cities has not been introduced except reporting the regulations of visualization to each construction applicant. The formation of urban bodies in development parts is just dependent on owners' wishes and their profits and market fever. Urban managements doesn't assign any responsibility to themselves for intervention or encourage the development and urban regeneration contrive in worn or historical parts. This law implicitly has forgotten formed parts of the cities of any age and any conditions indirectly with mentioning to ruling all of the constructions of the country. The legislation also doesn't consider any responsibility for urban management toward the formed parts of the city, historical contexts, worn contexts and middle and new developments regardless to their defects, exhaustion and gradual confusion and for reaching to purposes of the legislation.

3-1-4 regulations of qualitative improvement of urban face and perspective (clearing and rehabilitation of elevations and walls, making sidewalks appropriate, regulating the urban landscape (approved on 25.09.1387)

Summary of items: the legislation includes a)generalities b)definitions c)general regulations d) Organization of implementation of regulation and d) regulations review parts. Discussed regulations: observance of human scale, harmonious grading and morphology in historical context and vernacular materials, selection of materials without environmental pollution and with possibility to recycle, appropriateness, multiplicity and position of boards and

codification of regulations, elimination of projection and encourage to create semi-open spaces, store and entrance, note to architecture of corner, harmony in slope ceilings in standard places, prohibition of using unfamiliar architectural forms and velar elevations, requirement of coverage of installations in elevations, proportion of height and volume of buildings with citizens' rights, encourage of green roof, regularization of existing signs and kiosks, flooring of passages regulations, development of green spaces with vernacular plants, regulations of regularization of urban facilities, development of reception to sidewalks' space activities, emphasize on delivery of volume plans and harmonious rendu of material with neighbors for getting the authority to execute, formation of committee of quantitative development with presence of university professors and representatives of organizations with related educations and determination of tasks in the legislation, necessity of preparing and reporting the general principles of regulations of urban face in one month by Ministry of Housing and country have been said directly. One of the feature of the legislation is that the issue of qualitative development of urban face and perspective, clearing and improvement of elevations (existence part), making sidewalks appropriate and regularization of public space in terms of elevation materials, urban furniture, vegetation and urban facilities and signs have been considered in a related legal package beyond the regulations of elevation and visualizing the urban bodies (Secretariat of Supreme council of urban planning and architecture of Iran, 99: 1388). In the part of law contrary to previous legislations that was kept quiet, except for future developments and new cities, mentioned existing urban contexts and local plans of reorganization of urban perspective should be prepared within five years after the notification of the legislation. In the part of the purpose of the legislation, the relationship between regularization of urban face and perspective and appropriate living condition has been mentioned. Thus, apart from a significant growth of legislatures, expressing this issue in a legal resolution is considered as a valuable point for civil society and its social life. In the following it has mentioned to revival of past urban planning architecture culture renovation and prevention of appearance of visual and functional inconsistencies in urban spaces, increasing social interactions to balance the civil living flow. In another paragraph, the issue of selection of materials with the capacity of recycling and clearing without environmental pollution has been mentioned that is influence by principles of sustainable development and protection of environment.

In the following: color and context of materials in historical context should be harmonious and be from vernacular materials preferably (Haman: 100). In the same part with the aim of improving the appearance of existing buildings and

five-years deadline it has been said that: the municipalities are allowed to act towards the improvement of existing buildings façade materials. This legislation has responded to existing facades and proposed some responsibilities for urban management compared to previous samples, but it can be seen that the legislation didn't have been notified and no direct task is defined for municipalities or urban management. On the contrary, in regulations which are related to skeletal organizing of urban spaces owners are required to launch to eliminate or cover the installation elements of building in form of visualizing within five years after the notification of the legislation. While a part of existing installation elements in public space and not in private ownership that is in control of government services companies but unfortunately no responsibility is introduced for them in the form of a resolution for organizing urban space. The legislation has discussed about organizing the signs and urban advertisements, prohibition of projection, providing encouraging regulation for creating semi-open spaces and veranda, importance of architecture of corners and intersections, color and materials and slope of gradient ceiling, prohibition of using velar elevations and necessity of covering installations of the building in other categories. Based on regulations of monitoring on implementation, giving the volume plan with rando of proposed materials in harmony with neighboring buildings in terms of form, genre and color of materials, morphology and grading in neighboring units for obtaining the license of building has got necessary. Issuance of end of the work and certificate of lack of wrongdoing are also relied on execution of provided plans and supervising engineers will be responsible for execution of approved plans (elevation and volume in particular). In the form of organization of execution of legislation and to codifying the local regulations, complete and contrive of conditions of furtherance of current law, creation of intersectional committees with the title of "qualitative improvement of urban and perspective face committee" with secretaryship of Organization of Housing and Urban Planning with the purpose of harmonizing all of the related urban management institutions with each other with membership of agents of municipality, consultant engineers of plan of the city, cultural heritage, engineering system, Islamic guidance and two persons from the faculty of architecture and urban planning of the province that have been anticipated could clearly be seen in the text of the legislation that urban management specially municipality is not bound to do an action directly. The thing that is discussed is more alike and advice and not imperative principles. Because every action needs money and a special budget should be defined for it, while it is near two decades that government has stopped all of its financial aids to municipality of big cities. On the contrary, the text of legislation is in highest level of precision in defining

the responsibilities of private section and owners. This fundamental weakness made every valuable idea and action ineffective and sterile like a vicious cycle. The fundamental problem is that the earning situation of municipalities should be defined and executed in a sustainable, legitimate and legal way before the codification of such laws. Considering successful and diverse foreign experiences and on contrary not very encouraging national experience in the fields of urban repair, revive and recreation it seems that it is not possible to obtain desired result without intervention of urban management. And as it has been said in the legislation: achieve the appropriate conditions of living, revive of reach past culture and organizing the urban face and perspective. In fact if we consider the internal spaces of the building available and of private ownership rights, in fact the external face of the building is a part of the public right issue and constitutive of the face of public space. If the owners are rightful to enforce the proprietary rights and can use and determine the condition of internal space, logically the urban management should be able to control the state and quality of external face of the building as the agent of all citizens. In the absence of this management or its passivity we should be witness of losing this public right, unhealthy competition, contest in urban bodies and perspectives. The thing that happened in historical contexts and generalized in worn contexts during next ages (depart from all of the economic, social and physical reasons of these fields) was appearance of poverty, lack of motivation and neglect in innovation of elevation and structure of building that has converted to a general norm and finally to a full-scale difficulty in absence of a smart urban management. If municipalities had been responsible to intervene in existing context and organizing the face of the city from the distant past and with such laws and had debited the owner with legal approaches and recording in file of estate for related costs, at present our cities would not have seen the importation of such difficulties to this extent and scale. Another aspect of the issue is that designing and skeletal intervention especially in historical context needs high expertise that would costs a lot naturally. Residents of these contexts generally are not able to pay these costs but urban management can play a fundamental role in this regard with playing and effective role with providing designing services for owners or defining executive projects of organizing the passage or neighborhood and then giving a part of these costs from residents. Unfortunately, this approach (providing designing services to poor applicants of the society) has not been seen in laws and also organizing parts of existing condition in the legislation are not irrevocable.

3-1-5 codified laws and regulations in the field of cultural heritages which are related to urban elevations (approved by Council of Historical Context of Country, approved in spring 1389)

Instruction of preparation of special historical context that cultural heritage of provinces in cooperation with municipality or Organization of Housing and Urban Planning or other organizations can launch to preparation of a special plan for their city based on that: in part of proceedings of these regulations three sub-domains has been mentioned which are the domain, feature and criteria of proceedings and to some items including “unity of urban identity” the relationship of context with natural environment and architecture species and urban patterns scale open and green view and perspective. It is obvious that although according to paragraph “c” of clause 166 of the third plan and then the fourth plan, organization of cultural heritages would be responsible to organizing the criteria and determining the range of historical contexts but eventually the organized regulations are not irrevocable and they would be executed only if urban organizations declared that they are ready for intervene and execute the organizing plans. Thus, Organization of cultural heritages as the representative of central government doesn't take the executive responsibility in context of the cities and doesn't accept any cost or investment and this is the source of dichotomy and disagreement with urban management and municipalities as local managements. On the contrary, municipalities know the cultural heritages as the trustee of historical context, representative of central government and responsible of organizing the context. This dichotomy is the source of collision of named organizations and uncertainty of context, accumulation of burnout and poverty in these field as a result. In suggested protective regulations in any qualitative condition and in any degree of burnout of historical context, no executive duty has been defined for cultural heritages. Also in the case of single residential units that doesn't have the necessary power to enjoy and purchase engineering service and execution of facade no facilities have been taken to consideration.

3-1-6 laws relating to the duties of Islamic councils of city and village clause 156 of the law of the third development plan and executive regulation 8.10.81 Supreme Council for Urban Planning and Architecture of Iran

In this legislation, act of monitoring the protective implementation of buildings, complexes, sites and historical contexts which are included by regulations of cultural heritage of the country has been emphasized. In this regard, assistance, participation in beautification and security of cultural spaces and historical contexts and buildings have been discussed with observing proportionality with feature of historical contexts. It is obvious that without providing the necessary budget or defining the legal approaches of income security, the transfer of responsibilities on the shoulder of councils is generally ineffective and is more alike ethical recommendations. In addition, there is not any coercion on implement of these items and controllers

factor has not been introduced in execution of law as well. Not an obligation has been crated nor anyone is respondent in the event of non-performance of law. The comparative study of rules of facade is given below.

Points that have been extracted form investigation of the law of regulations of face lifting in cities

- Considering lowest necessities
- Limited plan of facade in the form of layers that are visible from passages, exclusion of all public spaces
- No restriction of materials for special sections
- No use of special words
- Connection with other urban planning rules, no pure connection with subject of elevation

Approved regulations of Islamic urban planning in preparation of urban plans

- Continuous study about past and current cities and Islamic architecture of Iran and the world
- Codification of designing principles and regulation based on Islamic factors and obligatory of consultants and engineers for observation
- Title of urban planning in legal literature (elevation) for the first time approved regulations of Islamic urban planning in preparation of urban plans

Paragraph “b” of clause 137 of law of the third development plan of the country

- Qualitative change in usage of special words: identity and identification, face of cities instead of urban elevation of vernacular architecture and urban planning
- Noting to scale of face and structure of the city (cities and villages)
- Direct mentioning to vernacular architecture and urban planning features and prevention from destruction of valuable buildings and bodies
- Plan of generalities, definitions, general criteria, executive and review organization
- Approach: securance of health and welfare, creation of appropriate living condition, increase of social interactions and organizing the flow of civil living

Regulations and rules of qualitative improvement of urban face and perspective

- Qualitative improvement of urban face and perspective, clearing and improvement of facades (existing), making sidewalks appropriate and organizing public spaces of city (materials of elevation, urban furniture, vegetation, urban installations, signs and functions)
- Noting to existing contexts simultaneous with future developments of new cities
- Providing regulations of construction and visualizing in historical parts of the cities for the first time

- Proposing responsibilities for urban management without executive tasks for municipalities
- Creating “Council of qualitative improvement of urban face and perspective” with secretaryship of housing organization with the purpose of coordination between urban management organizations

Laws and regulations of cultural heritages that are related to the issue of urban facades

- Instructions of preparing special plans of historical context
- Emphasizing on several items which are “unity of context”, “relationship between context and natural environment”, “urban identity”, “observation of scale”, “form and kind of architecture and urban patterns”, “open and green space” and “view and perspective”
- Lack of definition of executive tasks for municipalities and organization of cultural heritages

Laws relating to the duties of city and village councils

- Monitoring the execution of protective regulations of buildings, complexes, sites and historical contexts by councils
- Assistance, participation in beautification and safety of cultural spaces, contexts, historical buildings and markets with observing the feature of historical contexts
- Lack of seriousness in presenting a supervisor on execution of law (the council)

Points which have been extracted from the investigation of regulations of urban improvement plans of Isfahan (four decades)

Regulations and rules of the comprehensive organic plan

1. Very limited regulations of elevation of buildings and face of city
2. Behest of codification of regulations in detailed plan for historical contexts
3. Behest of codification of regulations for slums in the detailed plan
4. Not using the special words (urban restoration, urban design, urban space and face)
5. Lack of explanation of duties for urban management in this area
6. Providing multiple constructional and urban planning regulations on quality of urban face

Rules and Regulations of Detailed Plan in General Plan of Rasht

Providing regulations in two fundamental groups, first: guide of architecture details and extensions in bodies, necessity of typology and architectural principles and

foundations of the building, legal necessities, special installations and regulations of historical context

Second: proposal of body-building of axes and service centers and preparing urban planning plans of details, prioritization of execution, improvement of quality of environment by organizing urban installations and necessity of guiding and controlling the architecture of important and public buildings by the expert committee

Rules and Regulations of Reviewing Plan of Detailed Plan

Adjusting criteria in two categories: criteria of arena and privacies of historical buildings and sites and criteria and regulations of visualization: necessity of observing the principles and foundations of these sites, coordination with valuable monuments, harmonious architecture, the use of special materials, roof architecture, lack of salience, necessity of conformation of plans by cultural heritage and respect to existing density, the ratio of fullness and emptiness and skyline in protection privacy of market area

Second: necessity of respecting to approved laws of visualization, visualization of overlooking levels, limitation of openings and glass surfaces, avoiding the use of unfamiliar forms and colors, respecting to minimums in basic materials, coordination at the level of openings and heights, lighting, painting and wall posts, fences around buildings and parks and necessity of presenting the elevation with details to municipality

Considerable decrease in executive duties of urban management compared to the previous plan, particularly in organizing historical contexts and worn contexts

Set of circulars, regulations and instructions that are the criterion for action of municipality

- Including hundreds of instructions or legal regulation that are provided in the form of a software containing number, date of notice, subject and text of the letter, accessions, issuing reference and subscriber manager’s name
- Free design for lower classes by the adjutancy of urban planning (very limited)
- Lack of definition of executive duties for municipality compared to improvement and existing urban and historical contexts areas.

CONCLUSION

Scanning what was discussed, shows the fundament defects in laws relating to development and civil of country urban planning system said by some of the most high-level managers of current ministry of housing and

urban planning of the country. As basically, fundamental revision in laws of urban planning and codification of general law of urban planning has been mentioned as the first priority of ministry in years 76 to 82. According to this description it is normal that subject of elevation and perspective of public space has a low importance and place in national organizing system and to codifiers of laws.

Despite more than one hundred years of experience in legislation in the country, the first urban face law has approved in 1369 after 13 years from start of the activity of supreme council of urban planning and architecture and after about 2 years after end of the war. This time is simultaneous with ages that high volume of constructive activities is focused on reconstruction of the country. Thematic list of laws and regulations of urban planning also shows the extensive rate of laws relating to general, quantitative, technical, standards, purlieus, expression of development plans and only few topics has discussed on steps of space details and qualities. Even the issue that has been listed in subcategory of urban planning regulations has been mostly focused on legal and administrative systems, population increase and development and just a few titles are related to qualities of urban environment, human aspects and scale. Despite of expected orientations after the revolution, organizing laws have not mentioned to the issue of historical contexts and reviving and organizing them and even in the topic of development plans and description of "special detailed" plans historical context has not been discussed directly and no appropriate services have been codified for it. Regulations of visualizing have been codified in 1369 for the first time and latest related legislations have been codified in 1375 and 1379 and the last case has been approved in 1387. During the process of codification and notification of these laws, change of the view point of legislators to reaching to the purpose of urban elevation from working on single buildings to urban face and perspective and in terms of just visualizing the facades to qualitative improvement and formation of urban space is clearly seen. With growth and complexity of issues in many laws, using of special words due to the growth of urban planning knowledge has gradually become common in codification of laws, in recent samples the issues of urban identity, quality of space, clearing, possibility of recycling and using vernacular materials (resulting from the growth of sustainable development trends) have been taken to consideration. Nevertheless, the architecture issues never have been mentioned in laws in the field of structured coherence and order. In this regard, although noting to historical contexts and regulations of visualizing in that human scale, grading and similar morphology to historical context have been considered, but the issue of historical

continuity in old cities, noting to forms, elements and historical feature of architecture and their vernacular urban planning in new reconstructions and developments has not been noted, not in early regulations nor in new laws. Likewise, although in all previous regulations, the proposed regulations were noting to innovations, new cities and development parts but in recent regulation existing urban contexts have been targeted for the first time and local plans of urban perspective organizing should be prepared for them. In recent decades despite of the codification of many regulation, none of regulations has resulted in a special executive duty from municipalities. Creation of responsibility of municipality in the form of regulations that need costs and with stopping all subsidies that government gives to municipalities, execution of regulations will be realized only to the extent of providing administrative regulations and proceedings. In absence of definition of sustainable incomes for municipalities, enforcing urban management on the issue of face and perspective of public space has stopped to the extent of providing the regulations and controlling single buildings. Regardless of change or scale of city than past and the age of ruling of tradition and norm, organizing regulations have noted to buildings and although they tended to urban space in the last regulation but they do not define duties for urban management and its guide role in general process of formation of elevation and perspective of public space of city proportionate with scale of the city. In all legal regulations, criteria of cultural heritages and including local approved regulations, no responsibility for urban management for facades in changing areas of the city in axes toward the development part has not been anticipated even in existing parts of the city for arid, destroyed and abandoned parts that need repair. Areas where citizens are forced to endure for long periods in daily view does not have appropriate quality and perspective. Eliminating concentration, increase of options of local managements and contriving identity vernacular architecture features revival through creating special committees of improvement of urban face and perspective to codify local regulations, coordination and contriving of execution with emphasizing on expertise of all members has been anticipated in the recent regulation and although the issue of revival of historical contexts and worn context is the purpose of other laws but in the laws relating to the issue of public face and perspective no responsibility has been defined not for governments nor for urban managements to urban recreating, encouraging and stimulating the development in such contexts or providing proper patterns to residents. Even the development of different international knowledge and experience could not be reflected in this way as the cheapest and most popular approach of enforcing the rules for necessity of attracting participation and

comments of most of people or force the urban managers to play the appropriate role. Although residents endure most cost in the contexts by building their home compared to urban management but due to disability for purchase appropriate engineering service the final product does not have a proper quality and appearance. During the process of organizing national laws and regulations of cultural heritages or even regulations of urban plans, this classes has not been notice in any provided issues of engineering services. In the framework of regulations of urban plans of Rasht and during recent decades the process of genesis and codification of urban regulations could be seen from early steps to current more complicated steps. This complexity can be seen, in particular about legal, license issuance and cases relating to municipality issues. This complexity has developed with approval of national laws, public growth of urban planning knowledge in the country and increasing growth of economy of urban construction and land. But in the frame of this regulations, the decreasing process of executive duties of urban management about the face and perspective of public space, organizing the urban axes could be obviously seen even in special public or monumental places of the city. The general approach of criteria and its complexity has tendency to applicants of constructions and avoiding of executive definition for municipality. In these regulations, development frameworks are not defined as priorities of execution of urban plans and management system and in the case of existence in previous regulation, they will be eliminated in the edition of regulations of recent urban plans. What remains is removal of plan and responsibility and replacement of taste and tendency of managers of municipality in executing urban plans.

Postscripts

1. Most clauses of this law is related to legal and administrative systems and is related to the quality and quantity of structural conditions of cities lesser. Several clauses have noticed to qualities of urban environment, human aspects and scale. Form more study Rok: (Ahsan, 1382)
2. Special plans are: plans for parts of the country that have special feature due to the existence of natural or constructed factors or new development and civil plans and the influences of them on their sphere of influence region and need designing for coordinated development in their sphere of influence region (Ahsan, 125: 1382)
3. For instance, only the special presence of mosque have been mentioned among all of the elements of Islamic architecture.
4. It should be noted that according to text of the regulation the related criteria should be codified and approved by supreme council of architecture and urban planning during the year but it didn't happen in practice.
5. In part of general regulations some items including regulations relating to face and perspective, regulations relating to structural organization of urban spaces and regulations relating to organization of urban infrastructures and organization of urban functional spaces have been mentioned.
6. For more information Rok: (regulations and criteria of qualitative improvement of urban face and perspective, 1387).
7. It is interesting that according to the regulation, members of the committee should have one of these three specialties: architecture, urban planning or landscape architecture and having recruitment relationship of representatives with relating organization is not necessary (secretariat of supreme council of urban planning and architecture of Iran, 104: 1388).
8. Protecting the unification of structured system of historical contexts includes physical, functional, social, cultural, geographical, historical, aesthetical, conceptual and mental structures and also protecting the physical unification in terms of vernacular materials, color, form, structure, etc.
9. Protection and revival of natural base of historical context and also protection and revival of axes and natural edges of historical context
10. Protection and revival of historical and cultural identity of city and also protection and revival of spatial-physical values and other features of historical context signs
11. Observing the proportions of grading of context and changes in historical contexts should emphasize on protection and revival of proportions and combination of traditional plaques with adopting plans which are compatible with capacity and scale of the building and context.
12. Protection and revival of criteria, patterns and proportions of architecture of urban contexts and divisions with emphasizing on signs of context and revival of centers of neighborhoods noting to topography of land, continental orientation and natural factors. In this regard, standardization of pattern of new buildings with original samples has been emphasized and elimination of nasty extensions of valuable buildings' face and reconstruction of lost historical elements have been noticed.
13. Elimination of green face of historical contexts (trees, vernacular plants, vegetation, etc.) and revival of existing gardens as well.
14. Lack of construction and elimination of buildings and installations that result in vision rupture to views, skyline of context or isolation and loosing landscape of

historical buildings and context and also prevention of crossing of power transformation lines and channels (water, electricity, gas, telephone, etc.) from public landscape and view.

15. Regarding to other laws relating to duties of cultural heritages organization and relating to the issue of context, elevation and face of public spaces following items can be mentioned: “preparation and execution of necessary plans for control, protection, repair and revival of buildings and valuable collections of statute, “determination and declaration of protective and functional field and privacy and criteria of buildings, historical collections and contexts of city or village to councils of city or village”, preparing cultural historical structure plans of historical cities that determine the area of historical-cultural contexts and protection and revival of their reconstruction and improvement regulations”. In all of the mentioned items in none of regulations organization of cultural heritages has executive duty about historical contexts or commitment of costs in this regard. Even in the text of the laws, the liability of this organization in definition and execution of sample project as the stimulation of development is not seen.

REFERENCES

1. Ahsan, Majid (1382) A. collection of urban planning laws and regulations first volume from the beginning to the end of 378, center of studies and researches of urban planning and architecture
2. Ahsan, Majid (1382) B. collection of urban planning laws and regulations second volume 1379-80, center of studies and researches of urban planning and architecture
3. Secretariat of supreme council of urban planning and architecture of Iran (1388). Regulations of urban planning and architecture and improvement and civil plans approved by supreme council of urban planning and architecture of Iran
4. Municipality of Rasht (1365). Regulations of detailed plan of general plan of Rasht (organic). Sixth edition 1364, Rasht
5. Municipality of Rasht (1388). Rules and regulations of urban planning and constructive of detailed plan of Rasht reviewing plan
6. Approved on 9.11.1390 commission of fifth clause, consultant engineers of municipality of Rasht (1390). Collection of circulars, laws and instructions that are performed in urban planning, CD.
7. Council of historical context of the country (1389). Regulations of protection of historical contexts of the country, organization of cultural heritage of crafts and tourism of assistance of protection, revival and recording of artworks.
8. Ghanami, Omid, Samadi, Younes and Cheraghi, Sousan (1386). Collection of laws, regulations, bylaws, circulars and promises of organization of cultural heritages, crafts and tourism industries”, organization of cultural heritages, crafts and tourism industries, cultural and communications assistance, office of cultural affairs.
9. Falamaki, Mohammad Mansour (1386). Restoration of historical buildings and cities, University of Tehran publications, sixth edition, Tehran
10. Mehryar, Mohammad (1369). Gathering of investigation of urban planning experiences in historical contexts of the country, Ministry of housing and urban planning, organization of cultural heritage

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