

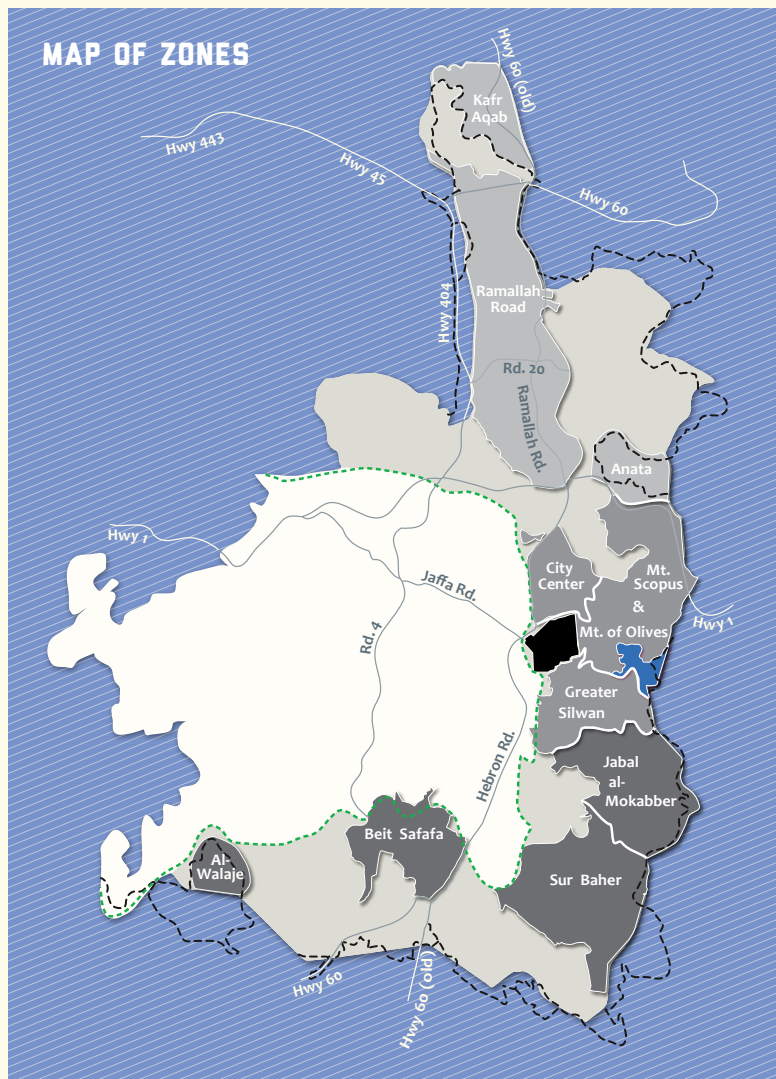
2.3 ASH-SHAYYAH

ABOUT THE NEIGHBORHOOD

Ash-Shayyah is located in central East Jerusalem, on the steep slopes descending from Jabal az-Zaytoon (the Mount of Olives) towards a small offshoot of Wadi an-Nar (the Qidron Valley) known as Wadi Abdallah. The neighborhood developed on three sides of the channel (north, east, and west), on land that belonged to the village of Silwan, near its border with at-Tur and Abu Dis. The borders of the small neighborhood include the Jewish cemetery on the Mount of Olives to the west, the municipal boundary of the city and the Separation Barrier to the east, the Jericho Road (which no longer leads to Jericho because of the barrier) to the south, and the ash-Shayyah road (at the point where it turns westward) to the north. Over the years, the area was settled by the landowners from Silwan as well as families from Hebron, who bought land from the villagers. By the 1970s, it was clear that a substantial neighborhood was developing on site. The homes were situated adjacent to the main roads, while the less accessible area remained as a land reserve for future generations. Until the 1990s, this reserve remained almost entirely vacant,

though today it is already mostly built up. According to approved plans, however, the entire land reserve (as well as additional areas) is slated for the expansion of the Jewish cemetery. This situation directly affects nearly one third of the residents of the neighborhood, while indirectly affecting all of the residents due to the limitations it poses on the natural development of the neighborhood.

The plan for the Visual Basin of the Old City, approved in 1977, was the first plan to reserve much of the land of the neighborhood for the cemetery's expansion. The neighborhood plan, approved in the early 1990s, improved the situation only slightly, leaving the basic problem unchanged. Finally, the Jerusalem 2000 Outline Plan, awaiting deposition for public review, did not take any further steps to rectify the fact that this growing neighborhood is slated to become a cemetery. This is undoubtedly the most pressing issue for the residents.



FACTS

Population 11,000
Area 530 dunam



MAP LEGEND

East Jerusalem	Old City
Expropriated Land	Green Line
Northern Zones	Separation Barrier
Central Zones	Roads
Southern Zones	West Jerusalem

MAIN PROBLEMS IN ASH-SHAYYAH

Expansion of the Jewish Cemetery

The residents of ash-Shayyah suffer daily from the threat of their neighborhood becoming a cemetery. Nearly one third of the center of the neighborhood is built on land designated for the expansion of the Mount of Olives Jewish cemetery. Since most of the area is already built up, the reality is such that roughly 100 homes are threatened by potential demolition. Meanwhile, areas that are still vacant serve as the residents' only land reserve for future development. But the planned expansion of the cemetery hinders this prospect and threatens to divide the neighborhood into two separate and disconnected sub-neighborhoods. Today, the actual cemetery lies on the upper slopes of the Mount of Olives, without encroaching towards the valley where the neighborhood resides. Ironically, about 2.5 dunam in the southeastern part of the cemetery are used for burial despite the fact that the land is designated as residential.

Housing Shortage

With a substantial part of the center of the neighborhood zoned for the expansion of

the Jewish cemetery (see previous entry), the coupled by low building rights, the housing shortage in ash-Shayyah is particularly severe. This situation is exacerbated by the fact that outward expansion is virtually impossible, since the neighborhood is surrounded from all directions – by roads, adjacent neighborhoods (at-Tur to the north and Wadi Qaddum to the south), the Separation Barrier, and the existing Jewish cemetery. In order to alleviate the shortage and to enable the residential development of the neighborhood center, residents have tried over the years to have the cemetery-zoning in the heart of their neighborhood canceled (see inset).

The Separation Barrier

In the eastern part of ash-Shayyah, the winding route of the Separation Barrier demarcates the border of the neighborhood today, thus creating two anomalies: On the one hand, about 20 dunam, in the village of al-Izzariya, are located outside the municipal boundary of Jerusalem but on the Israeli side of the barrier; these home are disconnected from the rest of al-Izzariya and Abu Dis, and they function de facto as part of ash-Shayyah. On the other hand, some 80 dunam on which ash-Shayyah homes

stand, are located on the Palestinian side of the barrier even though they are officially within the municipal boundary. These homes are disconnected from their own neighborhood and from the rest of Jerusalem, and some of them literally straddle the municipal boundary. Most of the second, larger, area is included in municipal plans and was zoned as either open scenic area or open institutional area, with a single statutory road, which is now blocked by the barrier.

Lack of Public Schools

The children of ash-Shayyah do not have a single public school or kindergarten of their own. The larger of two plots in the neighborhood zoned for public buildings was not implemented and is only partially vacant; a local initiative calls for turning the vacant part into a playground. The smaller of the two plots houses a special needs school that serves the entire Palestinian part of the city. Additional plots designated for public facilities are located in adjacent at-Tur. One of these, which stands vacant, is situated adjacent to the border with ash-Shayyah and its development could be beneficial to both neighborhoods.

Infrastructure and Services

The severe lack of suitable roads impinges mostly on garbage collection and drainage. In the winter, running water mixed with loose garbage is a daily sight. The drains on Jericho Road become quickly blocked, causing strong water currents to flow southward onto Wadi Qaddum. Due to the absence of garbage collection, the residents are forced to choose between burning garbage or living surrounded by garbage, with the hazardous disruptions that entails. Moreover, due to the large amount of unauthorized houses to which there is problematic access, many people (roughly a third of the residents, if not more) live with improvised connections to water and electricity. In early 2012, following a letter by the residents to the municipality regarding the problems in their neighborhood, Abdallah Road, which serves as the main road of the neighborhood, was repaved. While the road was improved considerably, sidewalks and lighting were not installed.

The Jerusalem 2000 Outline Plan

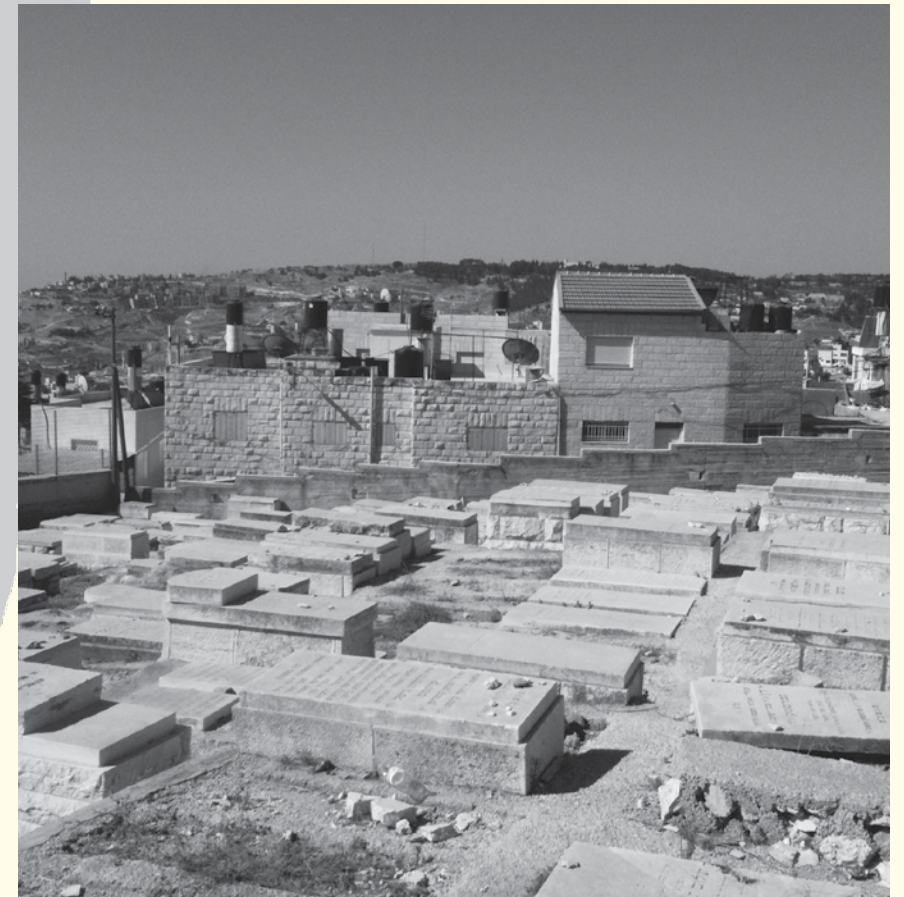
In the case of ash-Shayyah, the new outline plan for Jerusalem, awaiting deposition for public review, adopts the zoning set forth by the approved neighborhood plans. Instead of cancelling the zoning of the existing residential area of ash-Shayyah as a Jewish burial site, the Jerusalem 2000 Outline Plan leaves the residents of ash-Shayyah with no solution for their biggest problem and continues to prevent the neighborhood from expanding into its land reserves. At the same time, the Jerusalem 2000 Outline Plan ostensibly allows for the densification of ash-Shayyah, by introducing the provision to build homes up to six storeys in the area. This provision is subject to harsh conditions, however, which make it hardly realistic. In addition to the stipulation regarding the addition of only two storeys to an existing home, all new construction in the neighborhood is conditioned upon the plan having an area of at least 10 dunam, an adjacent road of at least 12 meters width, as well as strict parking quotas.

NOT WILLING TO ACCEPT THE DECREE

The residents of ash-Shayyah are unwilling to accept the awful decree sentencing their neighborhood to become a cemetery. Over the years, they have tried, relentlessly, to change the impending land designation. In 1995, a small-scale detail plan (# 4684) was approved to change the designation of a small plot of land from burial to residential. This plot is located at the opposite end of the neighborhood from the actual cemetery, and therefore the success in changing the zoning did not herald further progress towards saving the neighborhood's land reserves. During the first decade of this century, three more plans were submitted to change the zoning, the largest of them on almost 15 dunam. All three plans were tied up in years of bureaucratic red tape, despite clear evidence that was brought forth in the residents' defense – a letter from the Chairman of the Local Planning and Building Committee of the Jerusalem Municipality stating that there must be an error in the Jerusalem 2000 Outline Plan with regard to the land designation in ash-Shayyah; and another letter from the Cemetery Supervisor at the Ministry of Interior, stating that the ministry has no interest in the land. The two smaller plans were eventually rejected, while the large plan was finally approved, after arduous legal proceedings (2013). Thus, 15 dunam of the area have been re-zoned, but the fate of the remaining 75 dunam is unknown.



Ruins of a Home (photo Bimkom)



Close Quarters (photo Bimkom)

APPROVED PLANS IN THE NEIGHBORHOOD

Part of Outline Plan # 3085 for ash-Shayyah and at-Tur	355.1 dunam
Part of Outline Plan # 2668 for Wadi Qaddum and Ras al-Aamud	9.0 dunam
Part of Local Outline Plan # 9 for the Visual Basin of the Old City	87.1 dunam
Total Planned Area	451.2 dunam
Unplanned area	78.4 dunam
Total Area of Neighborhood	529.6 dunam

Two small-scale detail plans (on a total area of three dunam) were approved in the neighborhood, one of which changed the land designation from burial to residential (see inset). In addition, according to Detail Plan # 4585b, part of the Eastern Ring Road will be dug in a tunnel under the neighborhood without changing land designations above ground.

ZONING STRUCTURE ACCORDING TO APPROVED PLANS ▪ DESIGNATION VS. USE

Designation	Plans		Land Use
	dunam	%	
Residential*	181	34	Land designations and allotted building rights are extremely limited and do not correspond with the actual residential layout of the neighborhood. Homes are built densely on the northern and western slopes of the valley as well as along the Jericho Road, while the eastern slope is built more sparsely. East of the ash-Shayyah Road, a cluster of homes built on land zoned as various kinds of open spaces, remains beyond the Separation Barrier, while another cluster is caught within the barrier but beyond the municipal boundary (see: The Separation Barrier).
Open Spaces	101.5	19	There is not a single public playground in ash-Shayyah. The approved plans do not designate open spaces as public. Instead, vast and remote areas are designated as either open institutional area or open scenic area.
Roads	50	10	The network of planned roads is sparse; it includes roads that are based, to a certain extent, on the existing roads, however many vital existing roads do not appear in the plans and thus do not receive essential municipal services and infrastructures. The Aweis sub-neighborhood, in the western part of ash-Shayyah, can only be reached via the cemetery access road, which is very narrow and closed off during funerals.
Public Buildings and Institutions	23	4	Ash-Shayyah has no public school or kindergarten to speak of. Of the two plots designated for public buildings (on a total of approximately 5 dunam), the smaller one is home to the an-Nur School for Special Education, which is a city-wide facility, and the larger plot has not been utilized because it is only partially vacant (see: Lack of Public Schools). In the center of the neighborhood, the small plot where the mosque stands is designated for institutional use. In addition, east of the as-Shayyah Road, three monasteries stand on large plots also designated for institutions.
Cemetery	91	17	A substantial part of ash-Shayyah is zoned for the expansion of the Mount of Olives Jewish Cemetery. However, these areas are already mostly built up. While roughly one fifth of the entire area of the neighborhood is designated as a future cemetery, the area includes almost one third of the central, denser, part of the neighborhood.
Other	83.5	16	Three dunam are designated and used as a gas station, and two dunam are designated and partially used as a special commercial area. The rest of this area refers to unplanned land on either side of the Separation Barrier.
Total	530	100	

* Approved building rights allow for a 50% building ratio with two storeys.