

Land Use Planning and Land Management Policies, Instruments and Techniques

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LAND



CONVERSION

- Land is a capital good!
- Land can be bought and sold.
- The value (price) of land is derived from the value of its use (residential, industrial, commercial, public, agricultural).
- The market value (price of land) is derived from its location in relation to accessibility and availability of infrastructure & services (comparative advantages)

Some generally accepted views and postulations **1**:

1.Rising demand

Conversion rural-urban

2.Expansion of total area

Higher economic values in central city

3.Higher values of land

Increases pressure for economy in land use

Increasing densities in central areas



Some generally accepted views and postulations **2:**

4.Lengthy procedures for land transfer and cumbersome process for approving land development

Higher premium/land rent to be paid by users and benefiting owners

5.Inadequate institutional and legal frameworks

Increases demand that pushes market values of land upwards

6.Cumbersome institutional, legal and political contexts

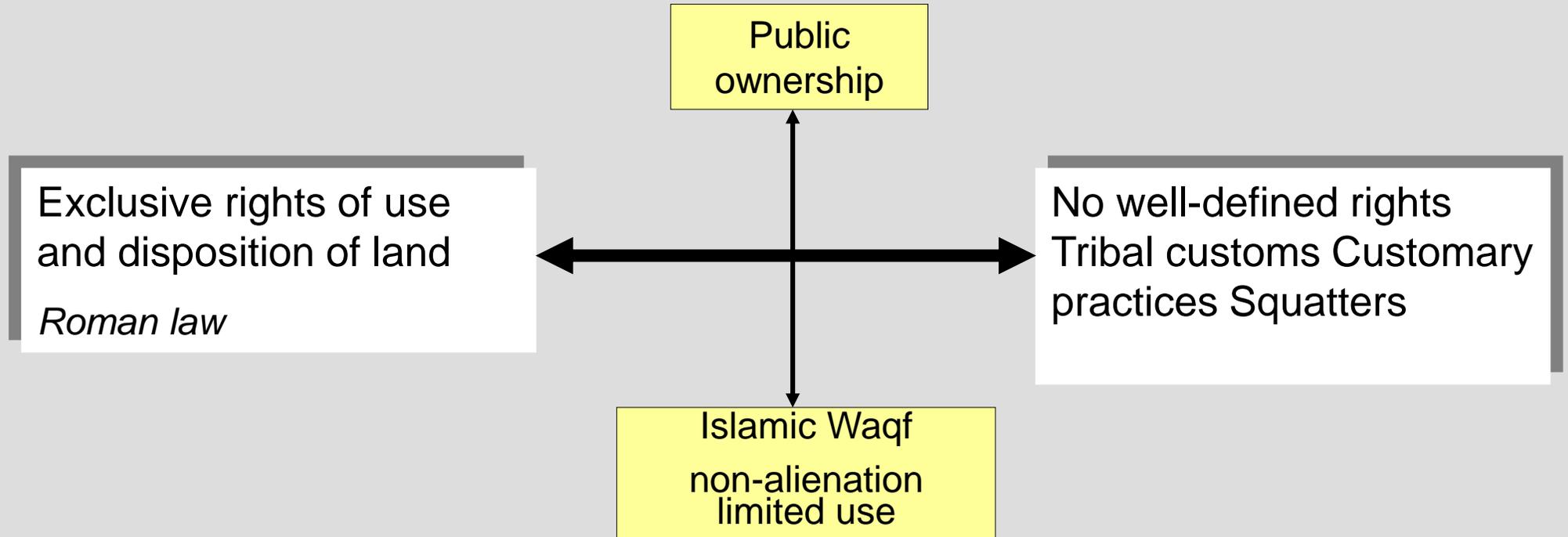
Scarcity of serviced land

Invasion of land, illegal subdivisions, pirate developments

Excessive land prices



Different forms of Land Tenure affecting urban growth patterns!



Legal forms: freehold _____ leasehold

Security of Tenure

The Need for Government Intervention

Variety of Objectives of LAND POLICIES

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graph TD; A[Variety of Objectives of LAND POLICIES] --> B[Equity]; A --> C[Efficiency]; A --> D["• Appropriate supply  
• Harmony of urban spatial structures  
• Equity  
• Distribution of population  
• Distribution of activities  
• Environmental control"];
```

Equity

Efficiency

- *Appropriate supply*
- *Harmony of urban spatial structures*
- *Equity*
- *Distribution of population*
- *Distribution of activities*
- *Environmental control*

The question is how to reconcile these objectives and the instruments of land management ?

URBAN LAND POLICY: Government objectives

To protect the urban & natural environment

To gear infrastructure investments with development

To maintain and enhance property values

To provide poor families with access to land and neutralise land speculation

OBJECTIVES

Policy Tools

Master plans

Land use zoning ordinances

Land parcelling regulations

Building codes

Land management tools: land sharing; land banking; land readjustment; TDR-transfer of development rights; land registration. Sites & Services;

Institutions

Land Development Agencies

Land Registration Offices

Land Cadastre

Land Banking Units

Land Management & Control Agency

Urban Land Operations Units

LAND: input to housing & urban development

Increasing prices not leading to increased supply due to common market speculation for high profits resulting in vacancy

Supply is fixed, inelastic but land-use expandable

Land is immobile and inflexible: each parcel is unique.

Total supply is fixed then increasing demand increases prices. This may produce inflationary pressure on prices.

Essential for human activities

Rights attached to land is called "TENURE" that expresses ownership, control and use

TENURE forms directly affect the urban economy via mortgages, tax revenue, market transactions

Social, economic and political values affect TENURE systems.

The cross-sector character of Housing

H O U S I N G	LAND	LOCATION VALUE ACCESSIBILITY LEGAL STATUS
	INFRASTRUCTURE	WATER, ELECTRICITY, SEWERAGE, DRAINAGE, ROADS COMMUNITY SERVICES, TRANSPORTATION
	LOCATION	EMPLOYMENT OPPORTUNITIES INCOME OPPORTUNITIES, COMMERCIAL INCOME GENERATION

Housing involves social welfare and reflects rise in the social & economic status.

ACTORS AND MOTIVATIONS TOWARDS LAND

POLITICIANS:
platform of social justice versus maintenance of pillar a society based on individual & private property

PLANNERS:
mosaic requiring conformity to norms and development control

Environmentalist
Land conversion and loss of green fields, factor of sustainable development

ECONOMIST: a factor of production whose price is defined by supply/demand

ARCHITECTS:
landscape qualities of sites

INDIVIDUAL: asset, privacy, security, base for production & activities

AGRICULTURALIST:
assesses land on basis of soil suitability, water resources and location for productivity

LAWYERS:
physical dimension to which individual and collective rights are attached

ENGINEERS:
structural qualities (stability, erosion, permeability...)

DEVELOPERS: objects of investment to create new values through activities and use of land

FORMAL / PLANNED LAND DEVELOPMENT PROCESS

Based on Paul Baross

Final Price/Value paid by final occupants

Private developers profiting
Land owners benefiting

OCCUPANCY

Building Construction

Supply Secondary Infrastructure Services

Recapture land price increase by taxes; final sale to occupants

Government intervention
Government investing in Infrastructure

Planning Design

Detailed designs

Land Consolidation

Land Parcelling; selling out large parcels for development (Private & Public)

Trunk Infrastructure Provision

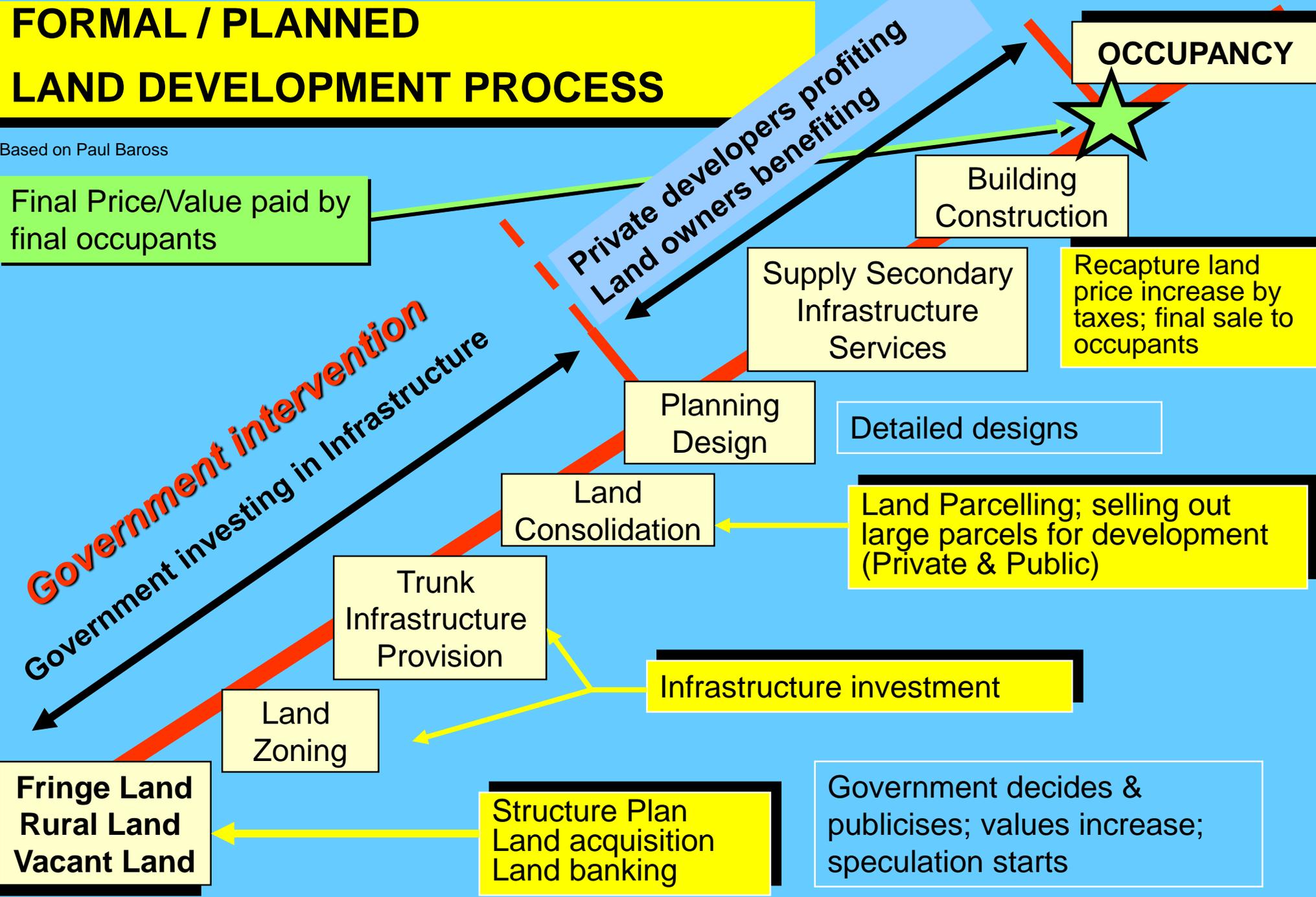
Infrastructure investment

Land Zoning

Government decides & publicises; values increase; speculation starts

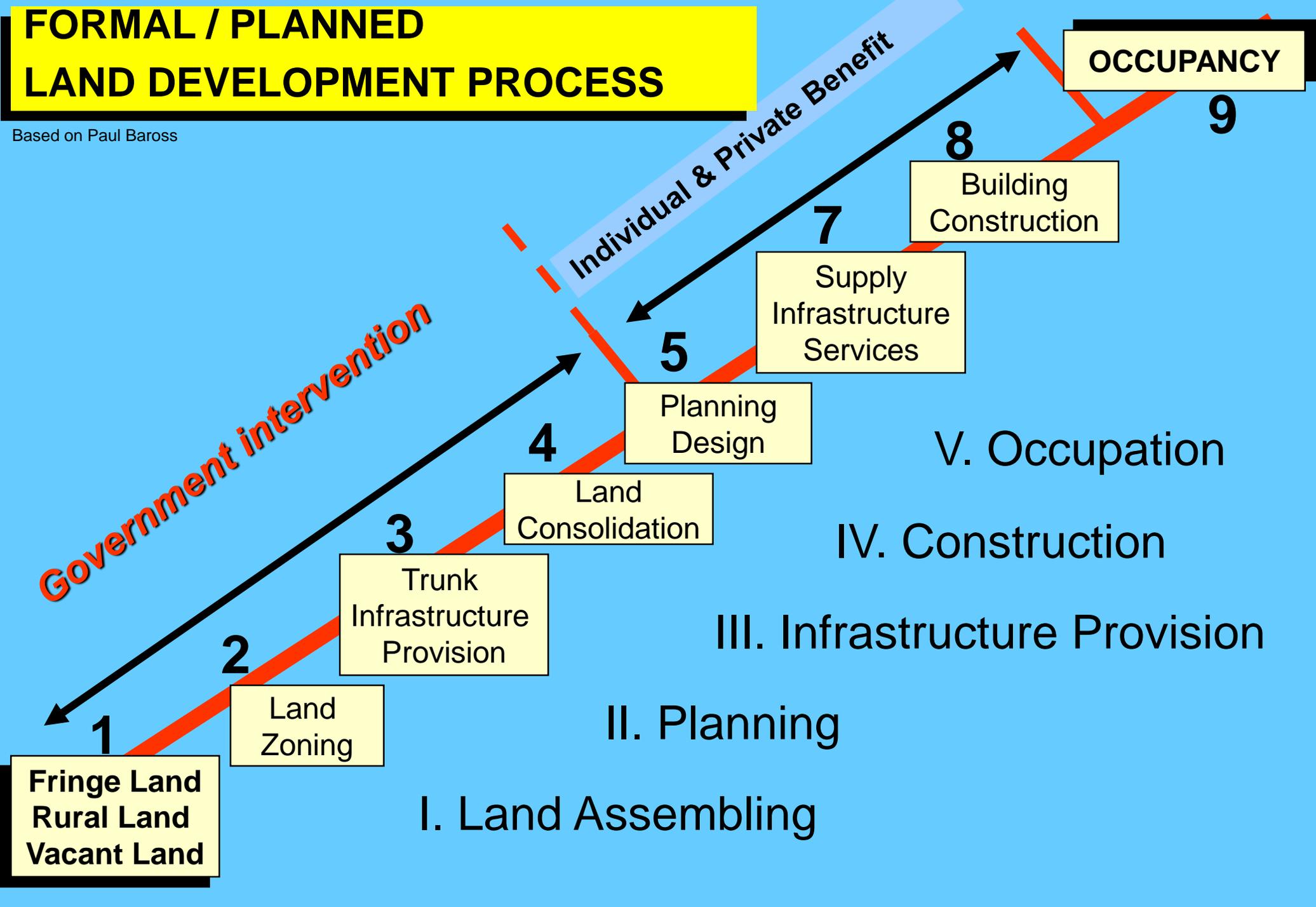
Fringe Land
Rural Land
Vacant Land

Structure Plan
Land acquisition
Land banking



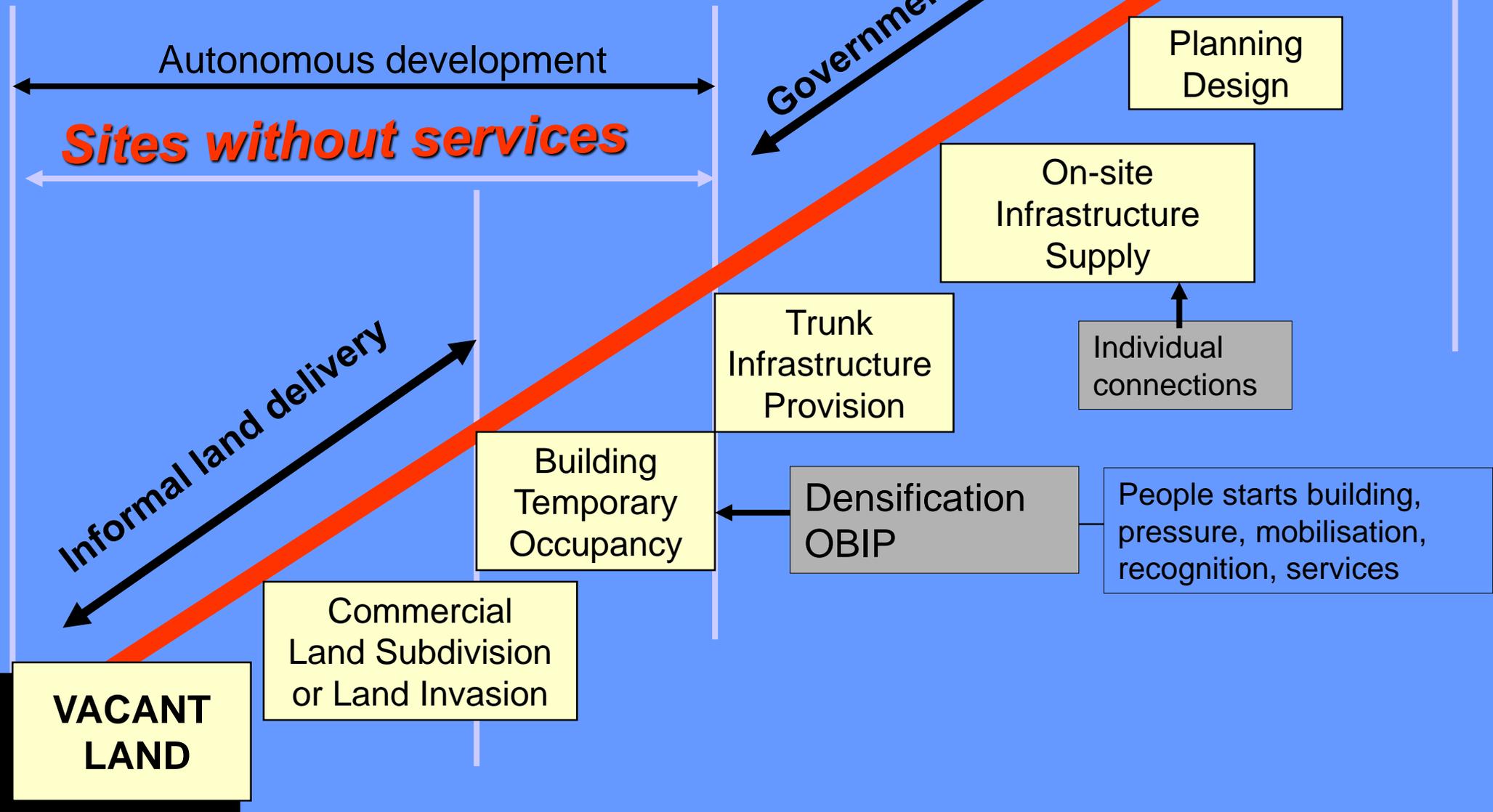
FORMAL / PLANNED LAND DEVELOPMENT PROCESS

Based on Paul Baross



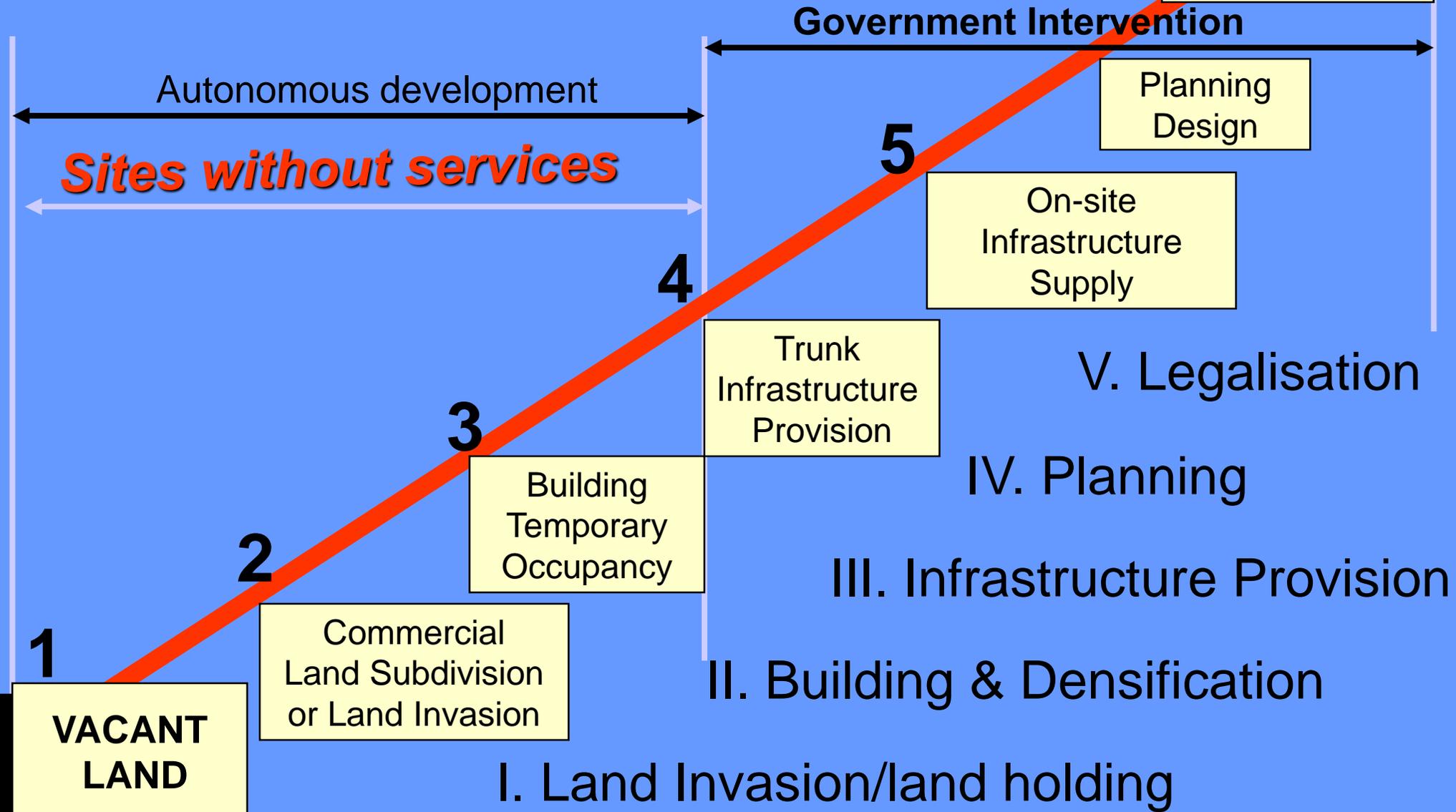
INFORMAL / UNPLANNED LAND DEVELOPMENT PROCESS

Based on Paul Baross



INFORMAL / UNPLANNED LAND DEVELOPMENT PROCESS

Based on Paul Baross



5. Occupation
4. Construction
3. Infrastructure Provision
2. Planning
1. Land Assembling

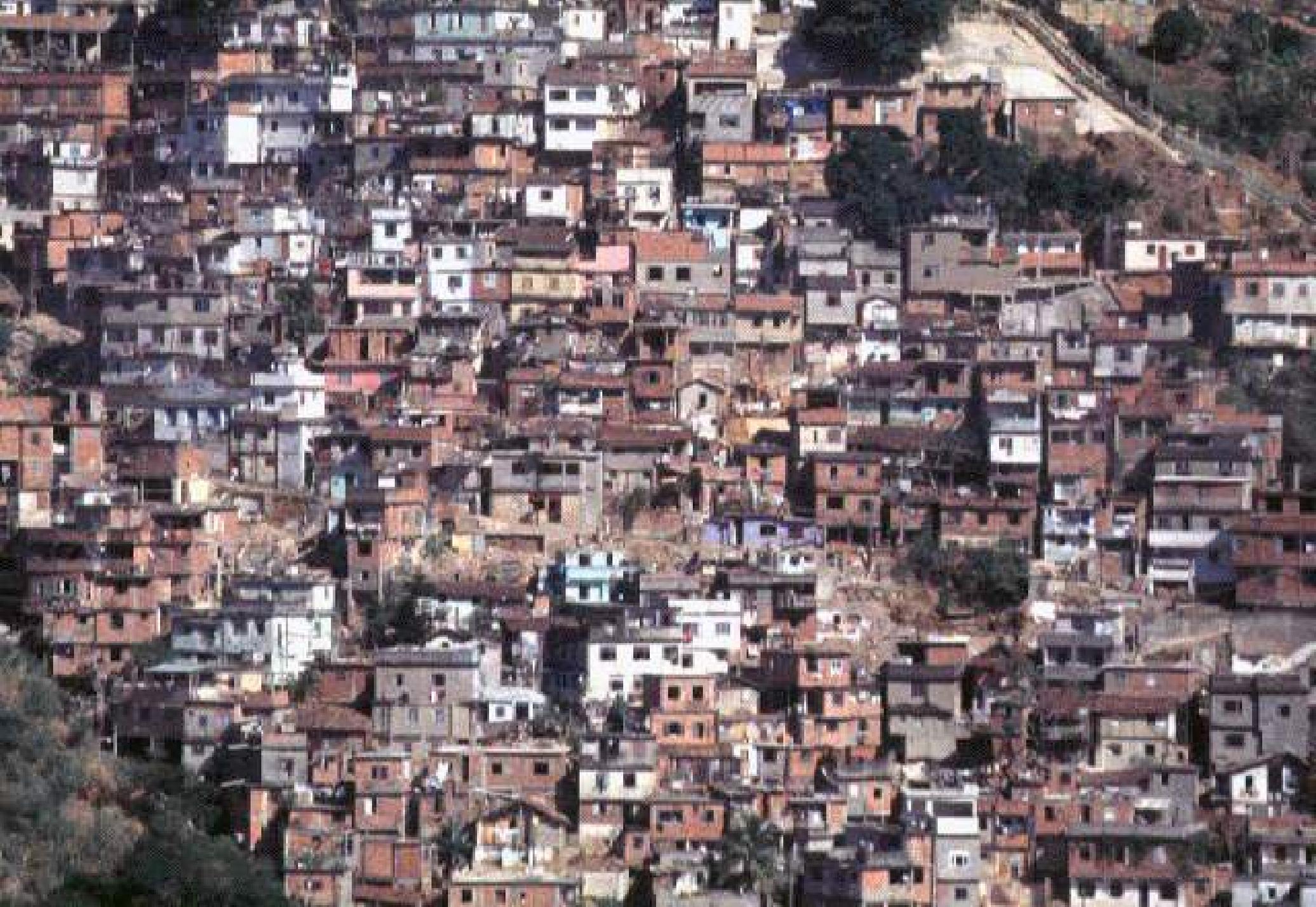
FORMAL LAND DEVELOPMENT

5. Legalisation & Regularisation
4. Planning
3. Infrastructure Provision
2. Building & Densification
1. Land Invasion / land holding /
Parcelling

INFORMAL LAND DEVELOPMENT

Formal x **Informal**











**Illegal subdivision
in Campo Grande**

•Bairro Aurora - 448
plots - 2240
inhabitants



Illegal subdivision in Guaratiba called Jardim Maravilha - 11,754 plots (1720 are occupied) - 5527 inhabitants



Land Use Planning Instruments

- Zoning Ordinances: . Municipal decrees, laws, norms.
- Land Use Norms: . Linked to master plans;
- Planning Guidelines: . Linked to City Planning Ordinances
- Land Parcelling Norms: . Linked to National norms
- Building Permits: . Applied city-wide by municipalities
- Development Applications: . Requests by individuals/firms/developers
- Development Permits: . Approvals/concessions by municipalities

Land Management Instruments

ADMINISTRATION

Land expropriation

Pre-emption right

Compulsory Replotting

Cadaastre

Land Information System-LIS

MANAGEMENT

Land Bank

Land Pooling

Land Readjustment

Land lease

TRD-Transfer Develop.Rights

TAXATION

Real estate property taxes

Land transfer duties

Development charges

Betterment & servicing charges

LAND RE-ADJUSTMENT



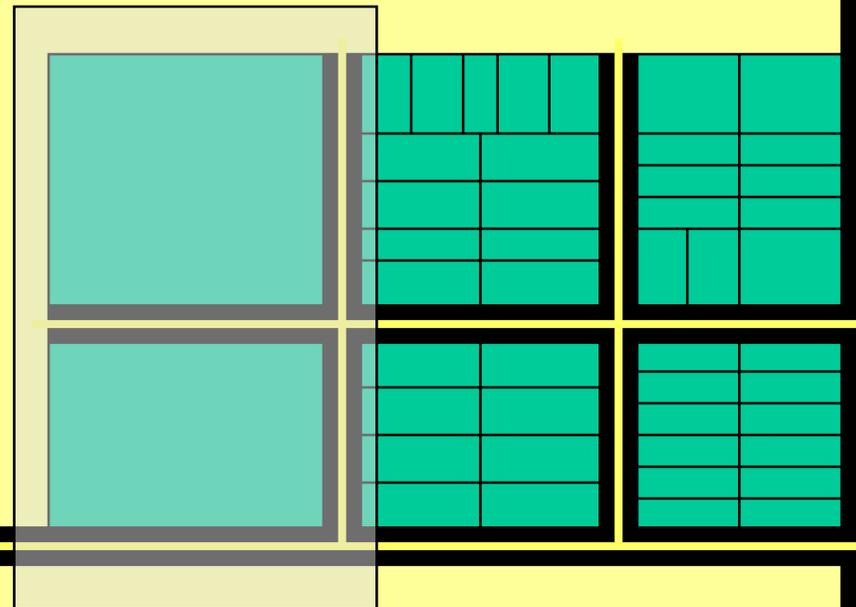
Privately owned
undeveloped /
'unserviced' land

Market price = x

Land Developed / serviced
by Municipality

Land returned to original
owner

Market price = x



LAND RE-ADJUSTMENT

A municipal government or other public agency declares privately owned land that is about to be developed as a land readjustment project!

