



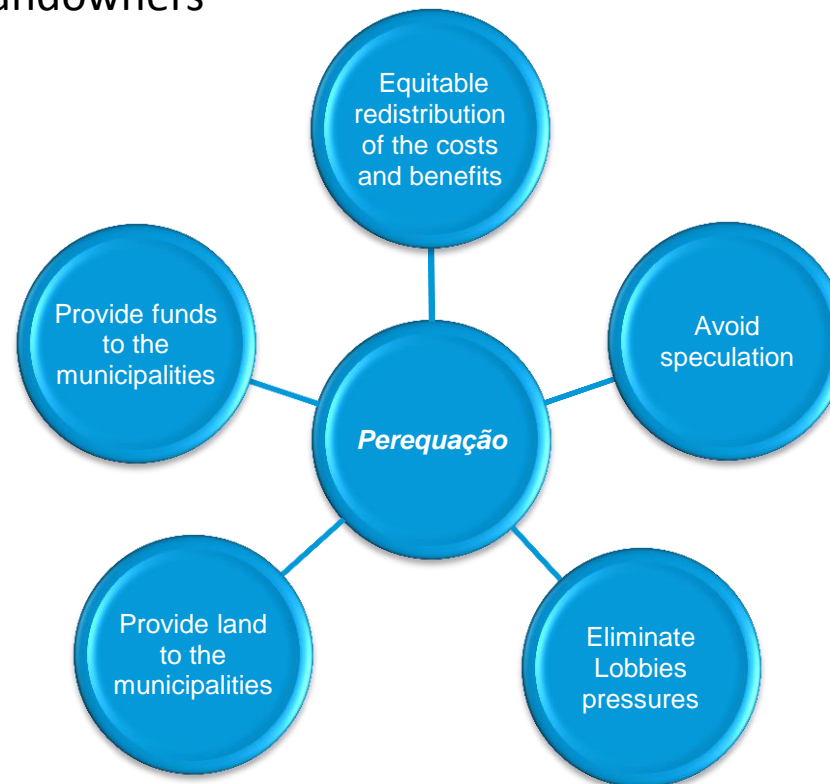
# MAJOR OVERVIEW OF THE PORTUGUESE LAND READJUSTMENT PRACTICE IN DETAILED PLANS



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# Equity and *Perequação*

- from the Latin expression *per aequere* (to make an equal distribution between different parts or to deal fairly and equally with all concerned)
- to guarantee an equitable redistribution of the costs and benefits amongst landowners





# Overview of the legal framework for LR

(Decree-Law 380/99 of 1999 - RJIGT)

## *Execution Unit*

### *Execution Systems*

Compensation

Cooperation

Imposition

### *Land Readjustment Mechanisms*

Gross Average Floor Area Ratio

$$FAR = \frac{\sum F_n}{S_g}$$

Average Area Transfer

$$AAT = \frac{\sum A_{Transfer}}{\sum F_n}$$

Allocation of the urbanization costs (AUC)



# PERCOM Project – Goals and Challenges

## Main objectives:

Characterization and critical analysis of Portuguese land readjustment practice in detail plans;

Contribute to proposing a more efficient and effective land readjustment execution model to address the problem of the conjugation of interests in the urban development process.

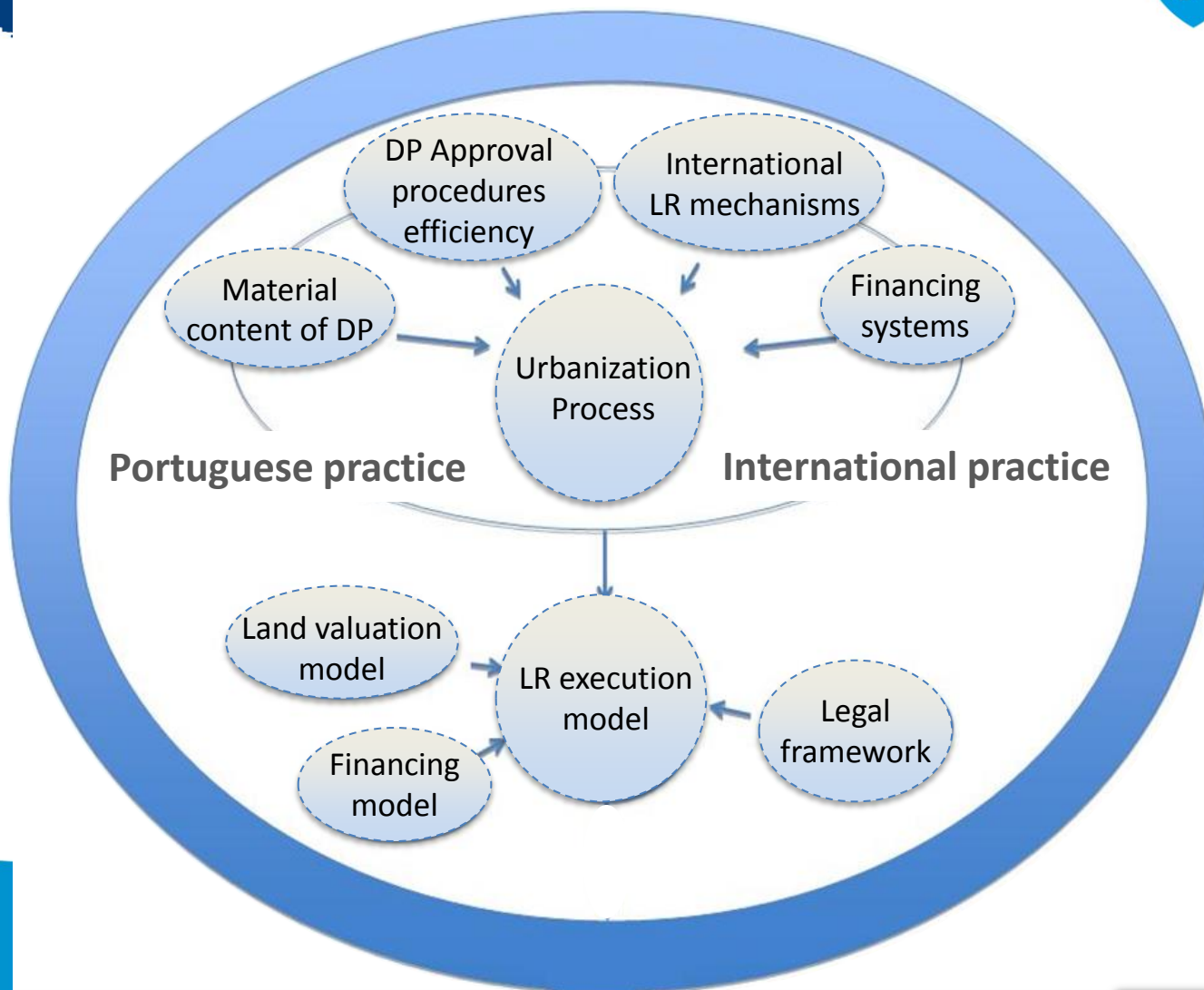
## Expected outputs:

Formulation of a land valuation model;

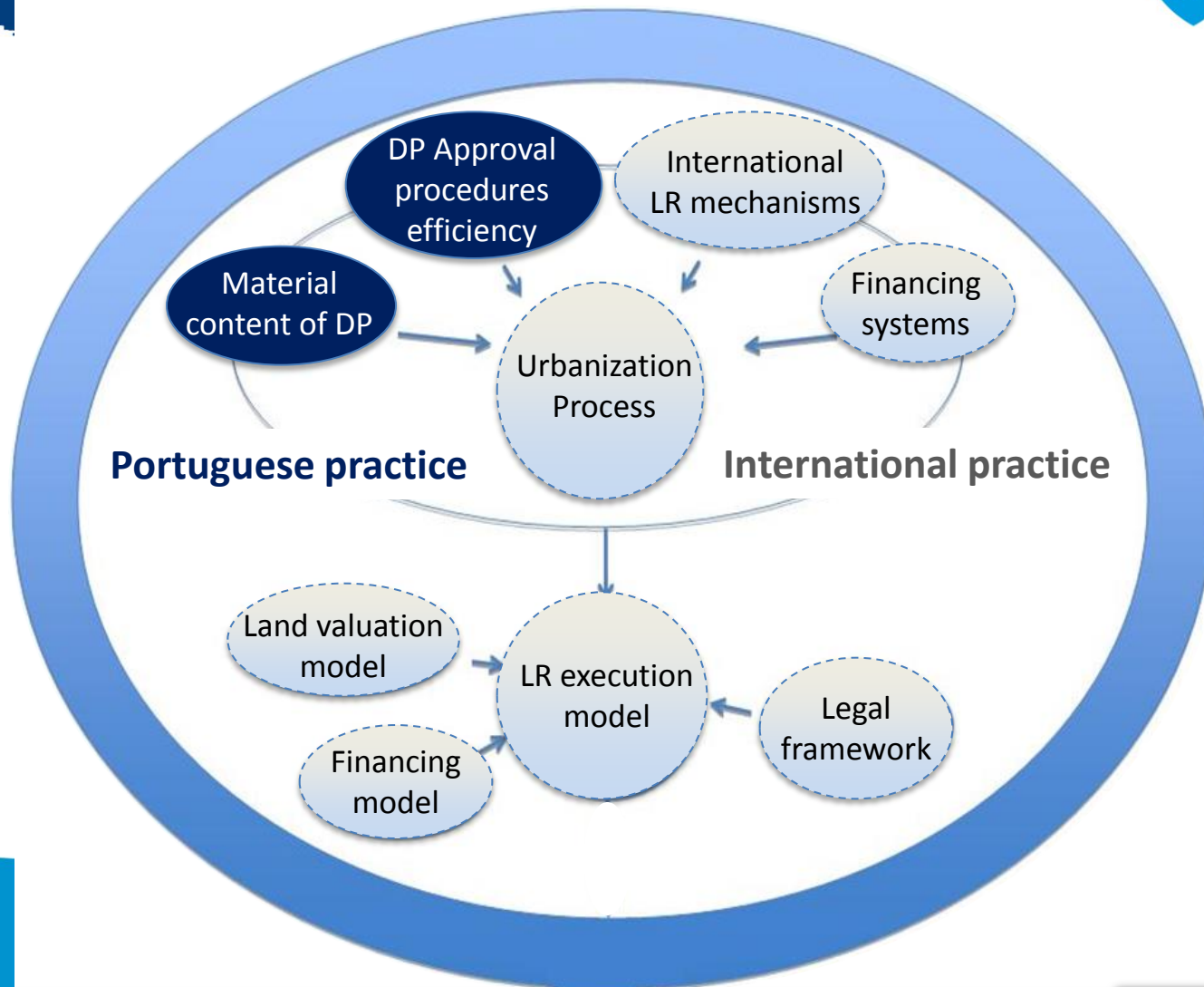
Highlight eventual amendments in the legal framework;

Identify ways to fund the execution of detail plans.

# PERCOM Project – Methodology



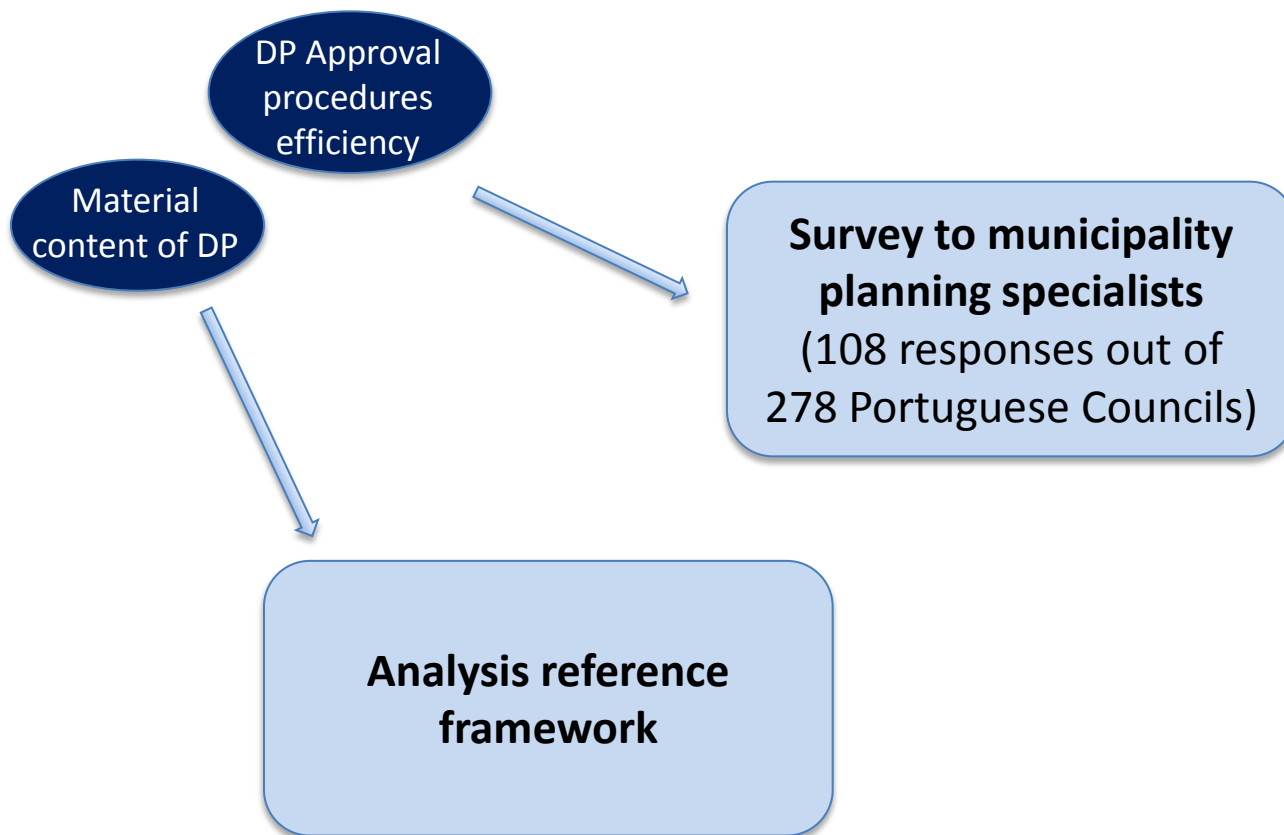
# PERCOM Project – Methodology







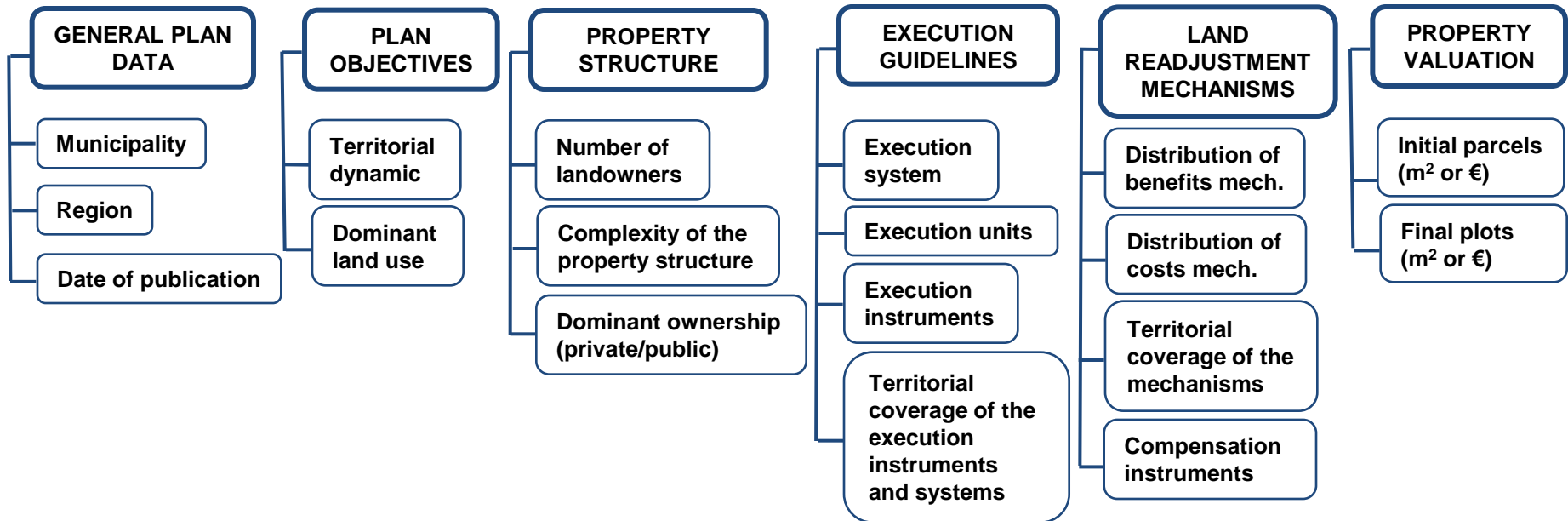
# PERCOM Project – Methodology





# Material content of Detailed Plans

## Analysis reference framework



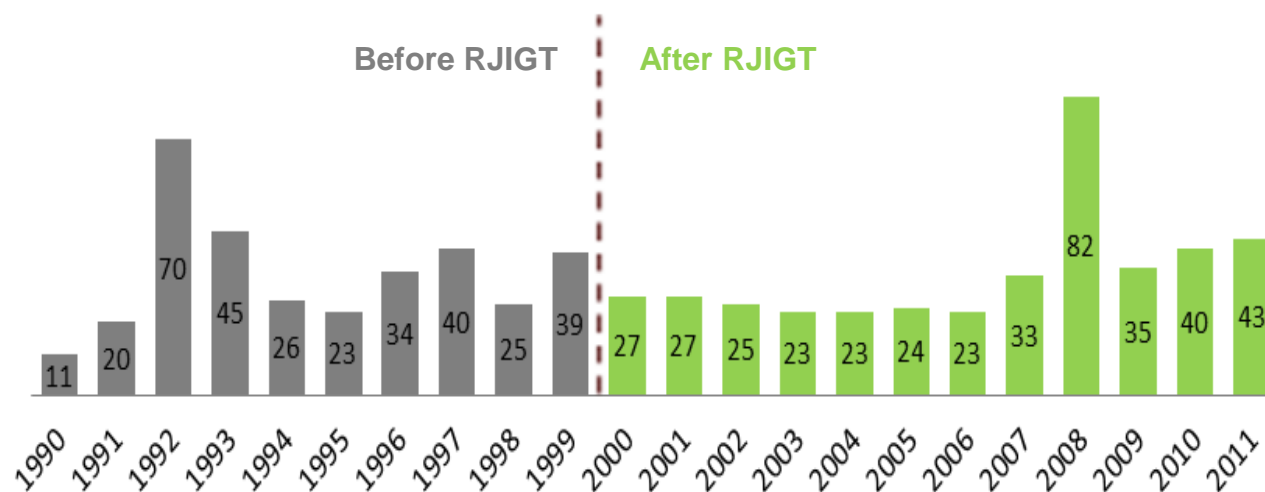




# Material content of Detailed Plans

Detailed Plans produced in Portugal

*Evolution of publication*



60% of the DP published after 1999 (RJIGT);

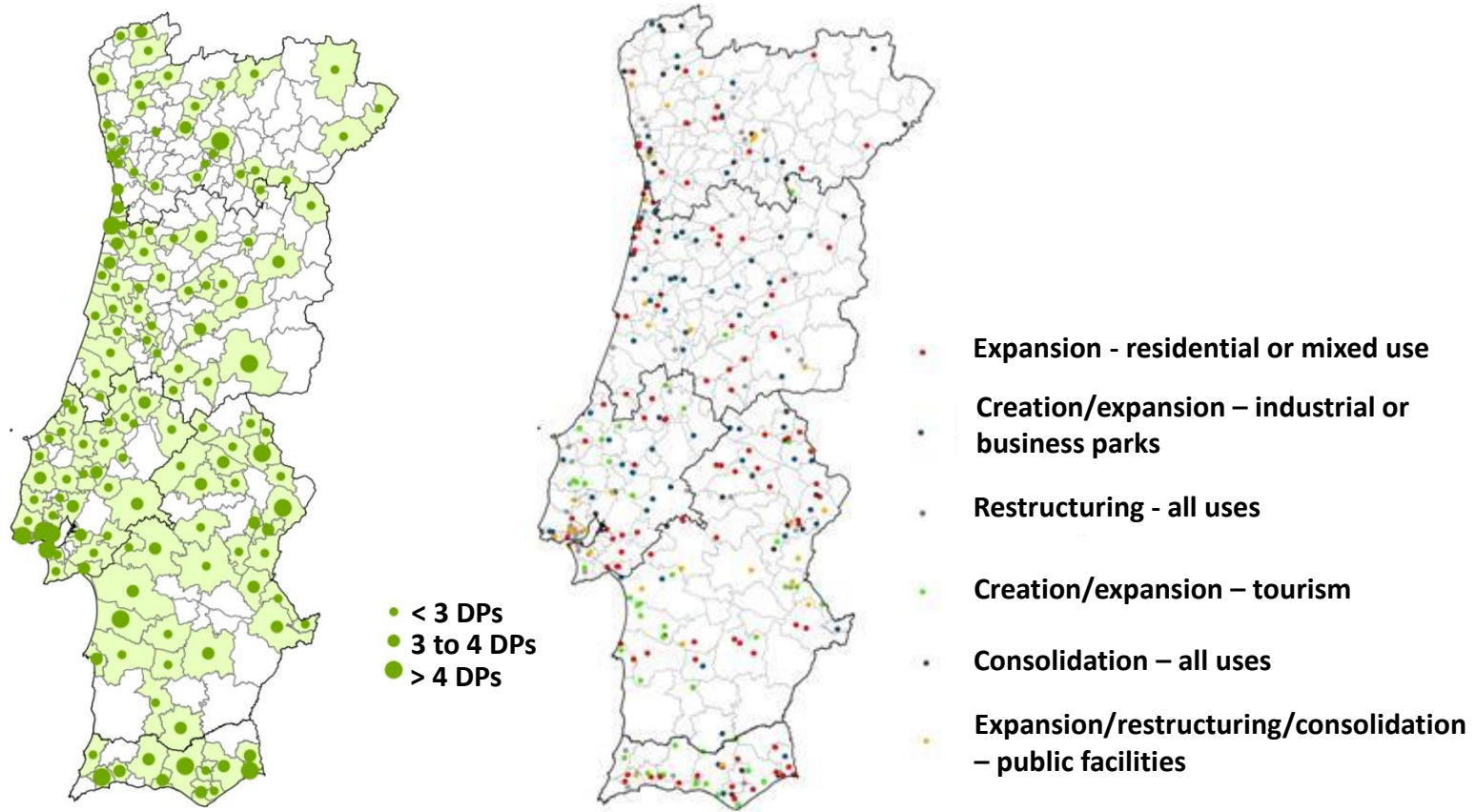
Amendments to the legal framework affects the evolution of publication;

DPs published in 164 of 278 municipalities in mainland Portugal after RJIGT



# Material content of Detailed Plans

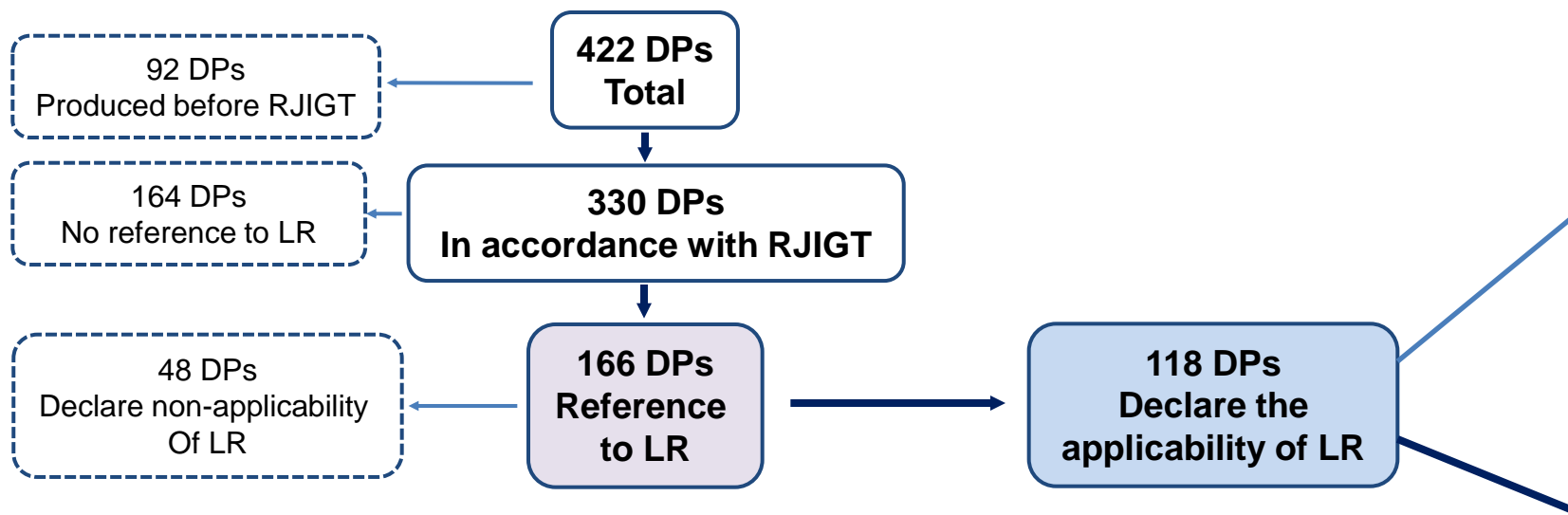
Detailed Plans produced in Portugal since *RJIGT*  
*Spatial distribution by use-dynamic typologies*





# Material content of Detailed Plans

Detailed Plans produced in Portugal since *RJIGT*  
*Applicability of LR*

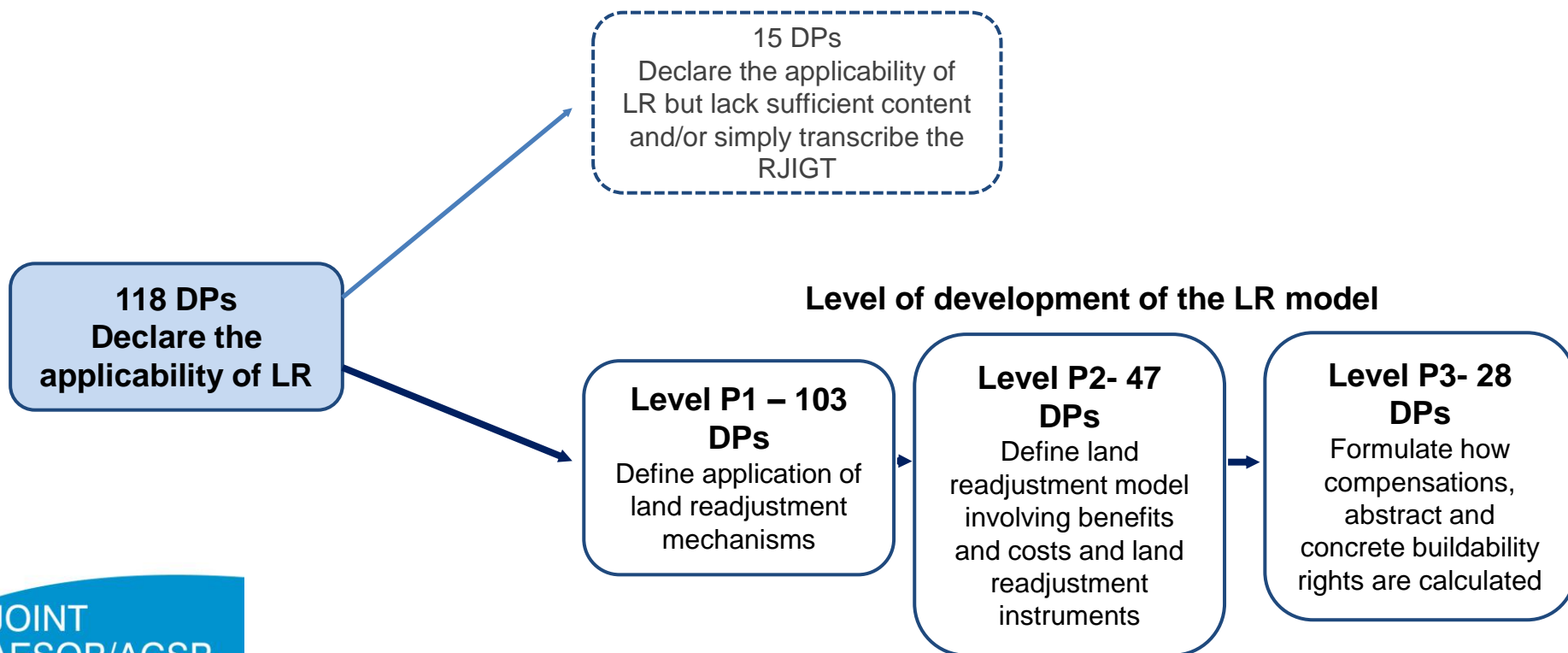




# Material content of Detailed Plans

Detailed Plans produced in Portugal since *RJIGT*

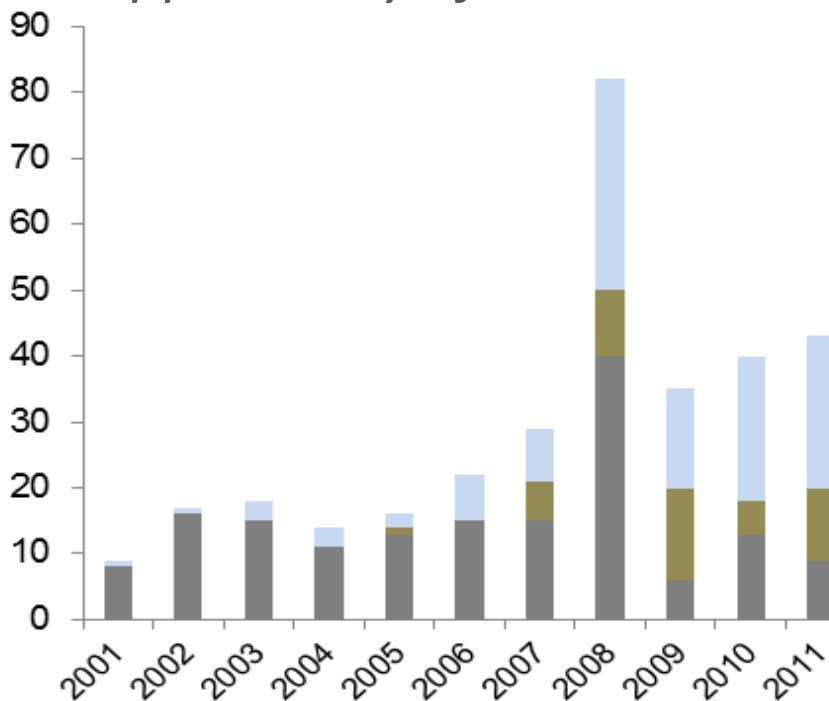
*Applicability of LR*



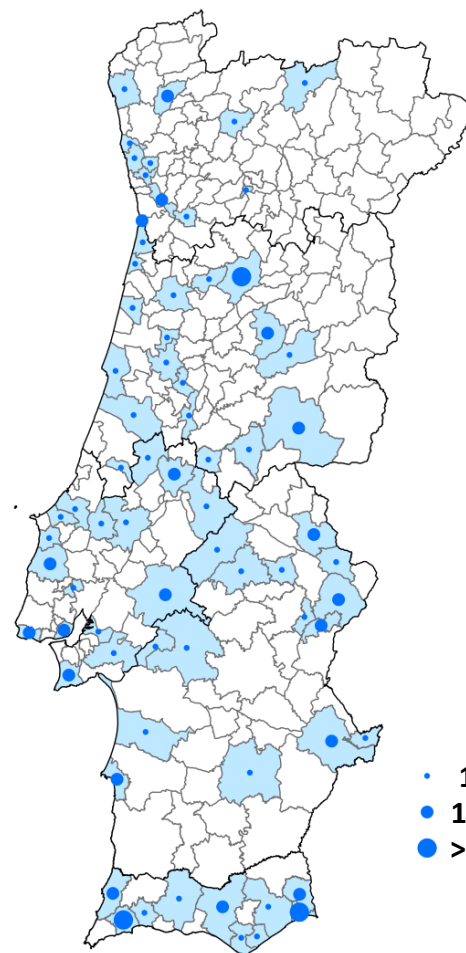


# Material content of Detailed Plans

*Evolution and spatial distribution of the applicability of LR*



- Declare the applicability of LR
- Declare the inapplicability of LR
- With no mention to LR



- 1 DP
- 1 to 4 DPs
- > 3 DPs



# Municipal planning specialists perspectives

## *Effectiveness of Detailed Plans*



Heritage protection;

Planning and siting of facilities and infrastructures;

Redevelopment of illegal urban areas.



Short and medium-term expansion of the urban space;

Incorporating assembly processes;

Medium to long-term urban expansion.





# Municipal planning specialists perspectives

*Effectiveness of LR application*



Equity between landowners;  
Promoting quality urban design;  
Availability of land and buildings to the municipality.



Ensuring the economic viability of the urban  
development process;  
Agility of the execution process;  
Reduction of the financial risk;  
Municipal funding for the infrastructure, compensation  
and expropriation costs.



# Municipal planning specialists perspectives

*Main obstacles and suggestions*

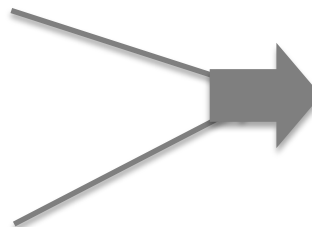
## Obstacles:

**Lack of civic culture of spatial  
planning;**

Absence of, or outdated, land  
registry records;

**Conflict between private and  
public interests;**

Lack of know-how on the part of  
municipal technicians regarding LR  
mechanisms.



## Suggestions:

**Redefinition of the  
expropriations legal code;**

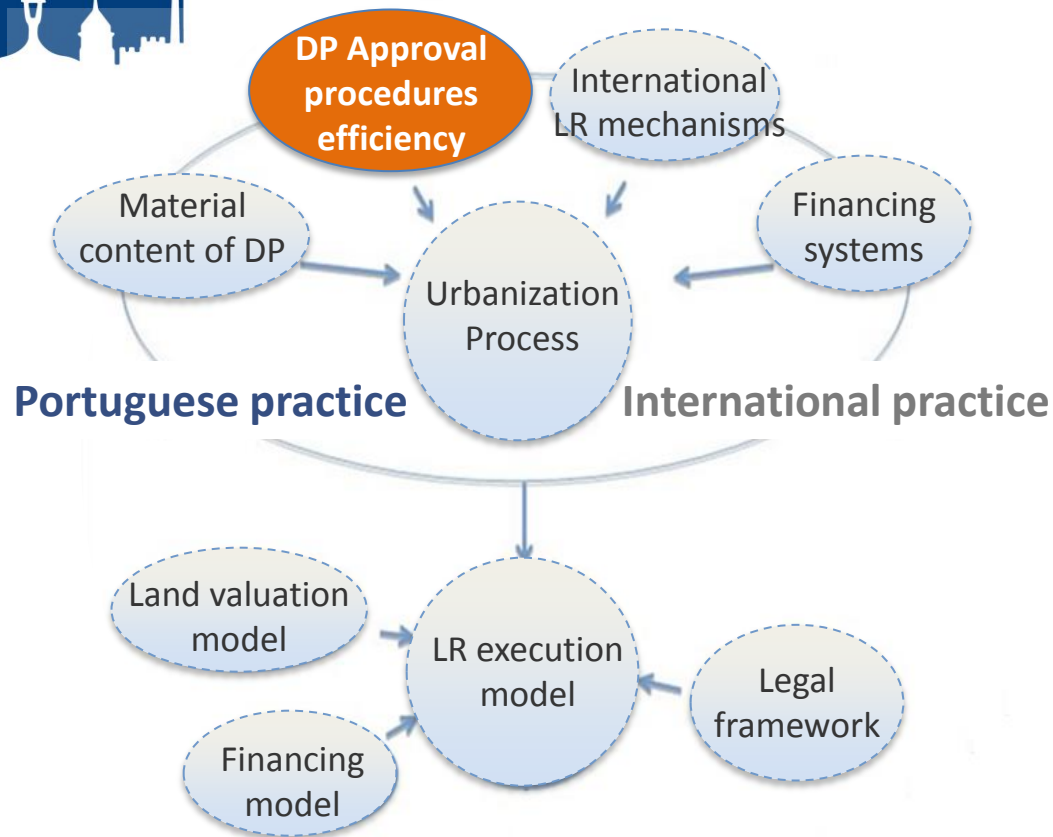
**Availability of compulsory sale  
mechanisms.**



## Final Notes

- ▲ Diversified contents and development levels of LR in DP;
- ▲ The implementation of LR in DP is scarce;
- ▲ According to Municipal Specialists DPs aren't effective for assembly processes;
- ▲ Despite the low application of LR mechanisms, **Municipal Specialists recognize LR:**
  - as an **equity tool** for the urbanization process;
  - as an effective tool to promote **clarification and transparency** of the costs and benefits resulting from a plan
  - as an efficient tool to provide a **rational use of the land**
- ▲ **Municipality specialists identify the lack of a civic culture as a major obstacle for the application of LR and demand more powerful instruments that overpass landowners' unwillingness.**

# Future research



## DP Approval procedures efficiency

Case study analysis:

- Execution degree;
- Elaboration time and procedures;

Interviews to municipal planning specialists;

Interviews to the Planning specialists of all the Regional Development Coordination Commissions (CCDR).

# Future research

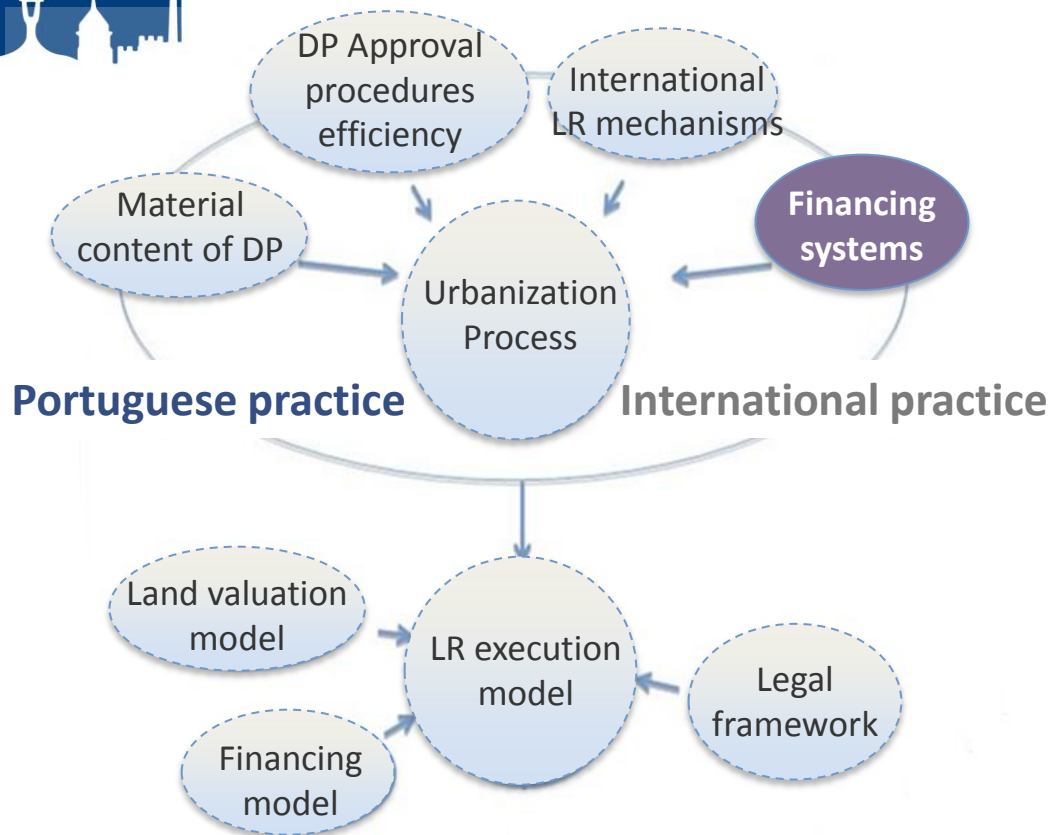


## International LR mechanisms

Overview of the LR Legal framework and practices outside Portugal;

Search for practices that overcome the application barriers of LR in Portugal.

# Future research



## Financing systems

Gauge the interest of investment banking in the urbanization process;

Analyse financing execution programs of plans implemented in Portugal;

Search for financing systems for the urbanization process applied in other countries.





<http://projectopercom.ist.utl.pt>

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