

T49 Land Management Instruments Guide

Description

This tool will define the land management instruments that will allow the mobilization and valorization of land, as a result of public investment and regulations that will increase the possibility of having better urban financing.

Participants

This task is carried out by the technical team and the person or group of people who have knowledge and experience in the municipality's finances.

Instructions

Use Table A as a catalog, and place the instruments most compatible with the project portfolio in Table B, then do the same exercise with the lines of action, using Table C. Use as support the success stories on the application of land management instruments in the region.

Keep the following considerations in mind when defining land management instruments:

- *It is recommended that innovative international references be sought to complement the instruments previously used in the country, always evaluating their feasibility at the local level.*
- *In all cases, it is recommended to identify the entity in charge of implementing the instrument, according to their territorial scale and the institutional framework.*
- *Table B can be used to identify management tools for areas of development interest.*

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Table A. Land management instruments

Instruments	Description
Regulations for land coming from the agricultural regime	Process for the incorporation of ejido land into urban development.
Territorial regulation	Allocation of land tenure for occupants of spontaneous urban developments
Territorial reserves / Pre-emptive rights	Conformation of land bank for urban growth.
Priority Development and Construction Zone	The State and the municipalities may declare polygons for the development or priority or strategic use of real estate, under the scheme of public or private action systems, in accordance with the objectives set forth in such instruments. The acts of urban use must be carried out, both by the authorities and by the owners and possessors of the land, in accordance with such declarations and always adjusting to the determinations of the applicable Urban Development and Metropolitan Zones programs. For this purpose, the State will delimit priority development and construction polygons for the execution of actions, works, projects and investments in the following areas: - Areas with undeveloped land - Housing areas with potential for improvement - Feasible areas for urban regeneration
Parcel regrouping	It allows the execution of growth, improvement or conservation actions in a determined area of a population center, through the grouping and redefinition of properties and public spaces, by means of the association and common management of their owners and municipal authorities.
Payment of Building or Development Potential	In accordance with the parameters established in the population land management plan and prior authorization and payment of the building or development potential in favor of the municipality in the applicable properties, densification of buildings may be permitted, as long as the capacity of water, drainage and electricity services or urban equipment and mobility is not exceeded and ensured.
Inclusionary Zoning	It administers and regulates the basic coefficient of land use and occupation, based on urban capacity. The owners will have to contribute the compensation for the land use potential of the areas to be expanded to the municipality. Zones may be established where the owners or developers may administer the land use and occupancy coefficients, in exchange for land for the lower income population for the benefits of such increase, preferably in the area of the development.
Transfer of development rights	Rights arising from the development potential of a property with respect to those arising for residential, tourism, commercial or industrial uses. They are transferable for increased development (higher density) in other zones, ideally in accordance with a master plan, strategic development plan, land management plan, sector plan and/or neighborhood plan.
Performance Systems	Instrument that seeks to carry out specific infrastructure, equipment and public space projects and works that generate direct benefits to people and the urban environment of specific areas.

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Below are some case studies on the use of some land management instruments.

Case 1: Grenade Cooperative Actuation Systems (GAS)	
Location: Mexico City	Year: 2015
In April 2015, the Agreement by which the Sistema de Actuación por Cooperación Granadas (SAC Granadas) was established in the Mayor's Office of Miguel Hidalgo was published in the Official Gazette of the Federal District. The polygon of the SAC was predominantly industrial and totally or partially covers 12 neighborhoods of the Miguel Hidalgo District, covering an area of 363 hectares. The transformation of the Granadas area was a process that began long before the SAC. With the exit of the industries, a land supply was generated that was taken advantage of by real estate developers. The Granadas Particular Ordinance (NPO), prior to the SAC, triggered an accelerated development of offices in the sector. Currently, the area benefits from large investments in infrastructure, and offers housing in a central area of the city, public spaces, cultural facilities, and commerce, among other attractions.	
Case 2: Parque La Mexicana Cooperative Action Systems (SAC)	
Location: Mexico City	Year: 2016
It was established between the Government of Mexico City, through the Ministry of Urban Development and Housing and the Santa Fe Neighborhood Association, whose main objective is the creation of this unique space in its design and services, including an artificial lake, a skatepark, amphitheater, bike path, jogging path, children's areas and areas for pets, which are determined thanks to the monitoring tables and the interaction with neighbors, citizens and citizens that allow consolidating the actions of the Park. It has a subway storm tank that will capture rainwater and store it for irrigation during the hot season. Above this tank there is an artificial lake that has been adapted to the geography of the land, which consists of two bodies, and in one of them there is an islet as a stage for cultural activities and whose investment amounts to about 2 billion pesos.	
Case 3: La Candelaria, Medellín PILaR	
Location: Medellin	Year 2015
Participatory and Inclusive Land Readjustment (PILaR) is a mechanism through which land units that have different owners and claimants are combined into a single area through a participatory and inclusive process for unified planning, re-parcelling and development. The development includes serviced urban land delivery made possible by the provision of infrastructure, public space and other urban amenities at a reasonable standard. PILaR relies on negotiated processes that allow local authorities, citizens and groups to articulate their interests, exercise their formally and socially legitimate rights, meet their obligations, and mediate their differences. In the context of PILaR, participation engages not only landowners, but also other stakeholders like renters, informal occupiers, etc. who need to be sufficiently consulted and involved in the decision-making process. Their views and interests are taken into account while winning their trust, support, acceptance and ownership of the process. This process then leads to outcomes that are inclusive. This means that a PILaR intervention would create neighbourhoods that bring together different income and social groups as opposed to segregated neighbourhoods and gated communities. It also means all stakeholders in a project share both the costs and benefits of the project in a fair and equitable manner.	

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A key benefit of PILaR is that it puts stakeholders at the heart of planned city extensions and redevelopment endeavours throughout the project cycle. The emphasis is on meaningful participation by all actors, including the effective engagement of poor and marginalized people. PILaR also embraces academics, financial institutions as well as public and private sector developers who agree to operate under an appropriate governance, legislative and regulatory framework which should create a win-win situation for most, if not all, parties involved.

La Candelaria is where the global pilot of the Participatory and Inclusive Land Readjustment (PILaR) is taking place. The pilot is a joint initiative of Medellín's Institute of Housing and Habitat (ISVIMED), Medellín's Department of Planning and the United Nations Human Settlements Programme (UN-Habitat), whose officials accompanied the visit.

Instructions

1. *Discuss and answer the following questions, as a guide for selecting instruments.*

- What are the prioritized projects and what is their scale of intervention? What is the objective of each one?
- Which institution(s) is/are responsible for approving, implementing, updating and regulating each of the prioritized projects?
- Are there precedents of any land management instrument that has been previously used at local / municipal / regional level? How successful was it?
- Are there national/regional/metropolitan urban development plans that recommend land management instruments? Are they legally binding? What is recommended for the local context?

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2. Place in the following table the instruments that the team considers appropriate for effective land management for each strategic project in the portfolio. You can use this same table to propose land management instruments for other scales of application outlined in Block F Land Management Plan. An example is shown below in red.

Table B. Proposed Land Management Instruments for the Strategic Project Portfolio		
Strategic portfolio project	Description	Land management instruments compatible
Neighborhood Center (Nichupté Bridge)	This project consists of the integration of the Glorieta Antigua Torre de Control into the space designated as a green area to the north. Through the incorporation of proximity facilities (free first floor), the humanization of the public space and local commerce, it seeks to create incentives to attract the population and encourage activities of permanence in the vicinity. The project is defined based on the vocation of the existing space and enhances the area with consolidated vegetation.	Performance Systems Payment of Building or Development Potential Inclusionary Zoning

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3. Place in the following table the instruments that the team considers appropriate for effective soil management for each action line, if applicable. Modify the table as appropriate.

Table C. Proposed land management instruments for lines of action		
Strategy	Line of action	Land management instruments compatible
1	1.1 Urban intervention in the Glorieta Antigua Torre de Control.	Payment of Building or Development Potential Inclusionary Zoning