



# The Governance of Land Use

## Country fact sheet Korea

### The planning system

#### *Levels of government and their responsibilities*

Korea has 3 levels of government. Below the national government, there are 17 regional governments out of which 9 have the status of province, 6 of metropolitan cities and 2 with special status (Sejong self-governing city and Seoul capital city). Metropolitan cities combine the functions of regional and local government. At the local level, there are 228 local authorities that have the status of city, county or district. These local authorities are further sub-divided into around 3 500 administrative units.

The national government has three primary functions related to land-use policies. First, it enacts the framework legislation that structures the planning system. Second, it provides a spatial framework for the country that guides its development. Third, it oversees and approves *City Master Plans* and designates the urban planning boundaries in the country. Furthermore, the national government is the primary actor when it comes to environmental protection, the designation of nature reserves and the protection of forests. It also designates rural, mountainous and heritage sites for which it can enact special provisions and planning regulations.

The regional level of government prepares strategic metropolitan or provincial plans depending on its status as province or metropolitan city. Regional governments also oversee and approve land-use plans prepared by local governments.

With an average number of 222 130 inhabitants, local authorities in Korea are the largest within the OECD by a considerable margin. They are responsible for strategic planning and the creation of zoning regulations for their territory. Furthermore, they provide building permits. Their primary instruments are three different land-use plans that vary in terms of their specificity (see below).

#### *Spatial and land-use plans*

Korea uses a hierarchical land-use planning system involving four plans in most of the country. At the national level, the *National Comprehensive Plan* provides a general framework that focuses on socio-economic development, environmental protection and well-being and contains spatial and non-spatial elements. It has a 10-year time horizon, with the current plan covering the 2011-20 period. Although it is legally binding for lower level plans, in practice it is mostly not restrictive on lower level plans.

At the regional level, *Metropolitan Area Plans* and *Provincial Comprehensive Plans* provide regional frameworks and focus on similar topics to the *National Comprehensive Plan*. They are legally binding for subordinate plans and – in contrast to the *National Comprehensive Plan* – may also include small scale land-use plans. Nevertheless, they are typically not highly restrictive. *Metropolitan Area Plans* and *Provincial Comprehensive Plans* are created by metropolitan cities and provinces, but need to be approved by Ministry of Land, Infrastructure and Transport of the national government. Although they are renewed every 10 years, they have a planning horizon of 20 years.

## Organisation of spatial and land-use planning in Korea

### General framework

#### National

**4TH NATIONAL COMPREHENSIVE PLAN (2011-2020)**

- 제4차 국토종합계획(2011-2020)
- High-level policy framework for national land use and conservation, socio-economic development, environmental protection, and well-being

**REGIONAL DEVELOPMENT PLANS**

- 지역개발계획
- Strategic guidelines for territorial and economic development

#### Regional

**PROVINCIAL COMPREHENSIVE PLANS**

- 도 종합계획
- Policy guidelines for lower level plans (county and municipal)

#### Municipal

**METROPOLITAN AREA PLANS**

- 광역도시계획
- Long-term development guidelines for metropolitan areas

**CITY/COUNTY MASTER PLANS**

- 도시기본계획
- Establish directions for future land use, land development and conservation in a city or county
- Comprehensive plans that include a variety of aspects on socio-economic development, environment, energy, culture and heritage, transport, infrastructure, etc.

**CITY/COUNTY MANAGEMENT PLANS**

- 도시관리계획
- Detailed local zoning plans covering a broad range of different land uses
- Typical scales: 1: 1 500; 1: 500

**DISTRICT UNIT PLANS**

- 지구단위계획
- Detailed zoning plans used to steer land use in dense urban areas
- Exist only in Seoul special city and in metropolitan cities
- Typical scale: 1: 500

### Sectoral Plans

**NATIONAL TRANSPORT NETWORK PLAN**

**WATER ENVIRONMENT MANAGEMENT MASTER PLAN**

- Sub-ordinate plans must conform
- Sub-ordinate plans do not need to conform
- Primarily policy / strategic guidelines
- Primarily land-use plans
- Strategic and land-use guidelines
- Partial geographical coverage

At the local level, *City Master Plans* are comprehensive plans that contain strategic elements and detailed land-use plans. They cover a very wide range of topics including socio-economic development, housing, transport, infrastructure, public health, disaster prevention, environmental protection, sustainability, culture, and heritage protection. Just as with the higher level metropolitan and provincial plans, they cover a 20 year period, but are replaced every 10 years. They are prepared in consultation with citizens and independent experts.

The *Urban Management Plan* is the main zoning plan in Korea with scales of 1: 1 500 to 1: 500 and imposes legally binding restrictions on land-use for land owners. It is drawn-up by local governments and approved by regional governments. It concerns a similarly wide-range of topics as the *City Master Plans*.

Furthermore, in Seoul and the six metropolitan cities, *District Unit Plans* exist as the lowest level of land-use plans in order to steer the development of small neighbourhoods and individual blocks in densely populated areas. Zoning plans in *District Unit Plans* have a very large scale of typically 1: 500.

### ***Major laws and regulations***

The *National Land Planning and Utilisation Act* provides the legal basis of the Korean spatial planning system and the *Building Act* is the main source of building code regulation. Besides this framework legislation of the planning system, a large number of other laws have direct impact on land use. Several acts on urban development and housing aim at ensuring a sufficient supply of affordable housing, promoting sustainable residential development and revitalising residential neighbourhoods with aging housing stocks. In particular, the *Industrial Sites and Development Act* has the goal of ensuring a sufficient and spatially balanced supply of appropriate land for industrial use in order to foster economic development. The *Urban Traffic Readjustment Promotion Act* promotes the modernisation of transport infrastructure and the efficient management of urban transport systems.

### ***Co-ordination mechanisms***

Vertical co-ordination of land-use policies is primarily ensured by the hierarchical character of the spatial planning system; lower level plans are generally required to correspond to higher level plans. Horizontal co-ordination at the national level takes place through the *Central Urban Planning Committee* within the Ministry of Land, Infrastructure and Transport. At the regional level, metropolitan and provincial governments have similar committees to co-ordinate policies.

### ***Expropriations***

Expropriation of land in Korea is possible for public uses and for private uses if the private use is in the public interest. However, expropriations for private uses are generally rare. Expropriations can occur for a relatively large number of reasons, including the construction of infrastructure, housing, commercial and industrial developments, mining activities and the establishment nature reserves. In all cases, fair compensation has to be paid to the land owner.

### ***Recent and planned reforms to the system of land-use planning***

The current system of land-use governance was created in 2002 when the new *National Land Planning and Utilisation Act* was enacted. The reform established *District Unit Plans*, introduced a distinction between urban and non-urban areas and strengthened regulations to protect the environment and limit unplanned developments. Furthermore, it reduced overlapping and contradicting regulations. Since then, no major reforms to the system of land-use governance have occurred.