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Participative master plans: an assessment of their application in ten municipalities of Minas Gerais, Brazil

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ABSTRACT

This article is the result of a research on the evaluation of master plans implemented according to the approved deadline established by the City Statute. Many cities met this deadline, elaborating their plans quickly, presumably in order to fulfill the legal requirement. Difficulties, such as lack of understanding by city officials about the importance of urban planning and its legislation, as well as, ideological reasons, have made master plans never used. The challenge is not in its planning, but in its implementation. The research had as main objectives: to identify what was applied in the first years of some plans and understand the obstacles for their requirements' implementation, in order to propose recommendations for future plans and municipal administrations. Initially, there was not a specific number of plans to be analyzed. Difficulties in obtaining the plans and information about them reduced the analysis to ten cities. A low rate of plans' implementation was observed. Among the difficulties encountered, there was lack of political commitment, lack of human and financial resources, the disruption of regulatory actions and underestimated deadlines. Despite the regulation, only three cities have created their planning agencies. There is some favorable evidence for the implementation of the plans, considering that, among the ten cities analyzed, seven had their planning boards in course.

KEYWORDS: Master plans: application. Master plans: small sized cities. Participatory Master Plans: Minas Gerais, Brazil.

Introduction

The present work has part of its importance grounded on the necessity of assessing the application of master plans. The implementation of these plans is the greatest challenge, hence history presents us with very few successful cases and, even then, showing partial results. The simple requirement of elaborating and approving a plan has never guaranteed any positive result (VILLAÇA 1999). Years go by and there still exists a false valorization of plans and a lack of seriousness in the treatment given by the public sector for the subject (VILLAÇA 1999). On the other side, some may visualize positive aspects and the next challenges:

“Even by identifying big problems, recognizing limits, considering the difficulties in all levels faced by municipalities to put forward democratic policies on urban planning and governance, in my point of view, it seems difficult to deny that in recent years there have been intense experimentation in the search of new potentialities effectiveness promoted by the Constitution and the City Statute.” (CYMBALISTA, 2007, p.30)

The Ministry of Cities, through the National Secretary of Urban Programs (SNPU – Secretaria Nacional de Programas Urbanos), started up the project *Evaluation and Qualification for the Implementation of Master Plans National Network*. It had the intention of promoting a qualitative assessment of Master Plans prepared by Brazilian municipalities after the City Statute in 2007. During the research, 526 master plans were assessed, as well as their implementation processes. The idea was to prepare a national report, which would reflect the assessment results in a framework of Brazilian master plans created after the City Statute, pointing out main advances, as well as the difficulties to be overcome in the next stage of master plans elaboration for Brazilian cities (MINISTÉRIO DAS CIDADES, 2011). The research indicates that “new plans are not objective and do not favor neither changes in the cities’ social appropriation forms, nor they emphasize the promotion of access to housing” (OLIVEIRA & BIASOTTO, 2011, p.57).

In the urban and regional planning field, many studies deal with issues and characteristics of metropolises and also medium sized cities. Nevertheless, discussions regarding demographically small sized cities, considered here as those with a population of less than 100,000 inhabitants, are rare. According to Rolnik (2008, p.68), “our experience in urban planning is built on large and medium sized cities”. Rolnik understands that “the approach to the ‘master plans for small municipalities’ theme is the start of a reflection for the definition of new parameters”.

Seeking the comprehension of the urban planning conditions in cities demographically ranked as small sized, the Department of Architecture and Urbanism at the Federal University of Viçosa (DAU/UFV), develops a research line within the undergraduate and graduate programs. As part of this research, the

result presented here emerged from the objective of preparing an assessment of participative master plans implementation approved on or before the deadline established by the City Statute as October 10, 2006.

The implementation of a Master Plan has two main difficulties: the necessity of understanding the planning objectives and the role of legislation in planning by public officials (STEPHAN, 2005). The preparation of a plan, besides complying with what is legally established, eventually surrenders to the pressure of a small group of people interested in its existence. It is worth emphasizing that the challenge is not creating the plans, but implementing them.

According to Maricato (2001, p.116) “the distance between planning and governance still plays an ideological role by disguising archaic practices [...] with modern words and concepts”. Urban planning and governance are, potentially, strategies and tools for the promotion of positive social changes (social-spatial development, urban development); nevertheless, they are not a worthless resource to alleviate difficulties (SOUZA, 2002) and not even had any priority in the municipality. Urban planning and governance must be considered as practices; in this sense, must be clear practices and explicitly self-assumed policies.

Stephan (2005) carried out a research, developed for his doctoral dissertation, and on the evaluation of master plans implementation for medium sized municipalities in Minas Gerais that were prepared during the first decade of the constitutional requirement. The author confirmed that there has been a low rate of plan implementations, and identified that, among ten plans analyzed, those that got the best results on the effectiveness of the precepts were Passos, Pouso Alegre and Betim, ranking 46.1%, 46.1% and 35.6% respectively. In the first two plans, the majority of precepts applied were related to land use control that historically are characterized by self-applicability (VILLAÇA, 1999). The Betim plan, which included guidelines predicted in the sectorial guidelines, obtained a more balanced result. The other plans had an applicability rate varying between 0 and 17%. Other aspects identified were:

“1. Popular participation did not go beyond mentions in principles and guidelines; 2. Proposals for creating and implementing planning councils and city information systems rarely succeeded; 3. Well known planning precepts in the urban reform convention (compulsory parceling, building and use, transfer of building rights etc.), did not go beyond intentions.” (STEPHAN, 2005).

Some years later, in the end of 2006, more than 1,500 master plans were approved in Brazil. Uncountable municipalities dealt with urban planning and its legal obligation for the first time; possibly many of them played a small role as supporting actors in a process conducted by occasional out-of-town planners. Flávio Villaça’s book *The Illusions of the Master Plan*, deals with the experience of preparing a plan for São Paulo – which would fit many other cases, with rare exceptions. He concludes that there should be a necessary radical master plans revision and “that all of their pretexts should be discussed”, as well as

top-down plans should be refused (VILLAÇA, 2005, p. 92). The author also affirms that plans, once more, were being filed rather than implemented (*idem, ibidem*, p.19).

Through the first surveys on popular participation and application of participative master plans, it becomes evident that, in Minas Gerais, many municipalities only complied with their obligation and the majority was prepared in a short time span, presumably only to attend the legal requirement. The popular participation was timid and the plans did not assure continuity of their application (STEPHAN, 2008, 2009a and 2009b). That is why it is important to assess what happened along the process and after approval of plans, in order to identify mistakes and possible positive outcomes.

The objective of this work is to present what was implemented during the first years of the master plans approved in compliance with the City Statute and Resolutions 25¹ and 34², issued by the City Councils (2007). It corresponds to a preliminary result of the first stage of the research started in 2009, therefore still in course. In this sense, a panorama of what occurred until the end of 2009 was created. The focus of this research was on municipalities with population of 20,000 to 100,000 inhabitants. The specific objectives were: to verify the application of precepts (clause, set of clauses ou items of clauses that deal with a specific theme) either of immediate implementation, or those with a three years deadline from the approval date and start up of each master plan analyzed; and to investigate the main obstacles for the application of precepts. The final result might serve as a source of information on the subject, or as guidance for future master plans preparation.

Methodology

Initially, there was not a specific number of plans to be analyzed. The objective was to plot the largest number of plans, in order to obtain significant quantitative and qualitative results. The State of Minas Gerais had, then, 143 cities that corresponded to this premise, representing approximately 16% of the total number of municipalities in the State.

The research's intention was to first assess the plans available in City Halls and councils' Internet websites, the fastest way to access information, and later, through email contacts and telephone calls to City officials. The City Statute's 40th clause's 4th paragraph was used as a reference guide:

1. Contains guidance and recommendations for the application of the Law 10.257/2001 (City Statute); popular participation requirements; public hearings objectives; requirements of checklist elaboration for the proposed plan approval etc.

2. Contains guidance and recommendations for the master Plan's minimum content.

§ 4th *The municipal legislative and executive bodies will guarantee, during the process of the master plan preparation and its implementation's supervision:*

II – publicity of documents and information produced;

III – access of the documents and information produced to any interested.

A big challenge was found, also reported by Oliveira and Biasotto (2011, p.58), in having access to studies and diagnosis that subsidized the plans elaboration. After the identification of plans, interviews were carried out with technicians involved, in any level, with the plan preparation and/or tracking its application. The objective was not only to know what had been done, but also to identify difficulties faced by municipal administration for the application of the plans precepts.

Another important aspect of the assessment is related to the City Statute's 42nd precept's Clause II, which establishes that the master plan shall contain "the delimitation of urban areas where the compulsory subdivisions, building or use can be applied, considering the existence of infrastructure and demand for their use". Still according to Clause II, the plan must contain the "definitions required by Precepts 25³, 28, 29⁴, 32⁵ and 35⁶" of the Statute.

According to Clause III, the creation of a collegiate agency in the form of an urban policy sectorial council is obligatory. Among its functions there are: advisory, formulation and control of the urban policy field. These councils might have the participation of representatives on the political and societal realms (ROLNIK, 2008, p.30). They also have to include the creation of a municipal administration central agency, as such a secretary or department, with the functions of coordinating, supervising, defining principles, formulating and executing urban policies. We understand that this requirement should be present in plans as one of the first procedures to be done (SAULE JR., 2002).

The selected master plans analysis was done in order to identify the self-applicable precepts⁷, that is, the ones created for immediate application or with a deadline expiring in three years from its creation for its regularization. Once identified, we sought to evaluate which precepts were used, and analyze main problems and difficulties encountered in the application of the plans.

3. Precept 25. The preemption right allows preference to the municipal Public Power for the acquisition of urban property, object of onerous alienation among individuals. § 1st A municipal law, based on the master plan, will define the areas where the preemption right will be effective and will define its validity deadline, not more than 5 years, renewable after one year of the end of the initial validity date.

4. On the onerous grant of building rights: Precept 28. The master plan can define in which areas the building right can exceed the basic occupation factor adopted, through compensation by the grantee. Precept 29. The master plan can define the areas where changes of land use will be permitted, through compensation by the grantee.

5. On the associated urban operations: Precept 32. Specific municipal law, based on the master plan, can define the area where the associated operations will be applied.

6. On the transfer of building rights: Precept 35. Municipal law, based on the Master Plan, might authorize an urban property owner, be it private or public, to put into another place, or alienate through public notary, the building right as contained in the Master Plan or in an urban regulation originated on it (...).

7. The ideal is that the Master Plan has an effective self-applicability. This seldom occurs, because letting the precepts for later regulation is also an ideological strategy to postpone dealing with conflicts.

The gathering of data was carried out through different sources: technicians in charge and available data in the City Halls and Councils' websites, and data crossing for checking up.

After the individual analysis of each plan, the final stage consisted in the organization and interpretation of all collected data using comparative charts. Thus, the intention was to identify main problems related to the application of precepts and possible recommendations for future administrations and master plans.

Results

Process for Selection of Plans

As the basic information gathering evolved, the number of plans diminished progressively, because neither the plans nor qualified or available technicians as a source of information could be found; or it was hard to identify what should have been implemented in the first years of their validity.

Out of the 63 municipalities' master plans identified in the State of Minas Gerais, seven were prior to 2000 (according to the monitoring done by SNPU at the Ministry of Cities' and by the Regional Council of Engineering, Architecture and Agronomy - CREA-MG). Ten plans were approved from 2000 to July 2006, and 46 (73%) were approved from September to December 2006. Other plans were forwarded to the respective city councils after the due deadline. The significant number of plans approved close to the final deadline indicates that, probably, many of them were prepared in a few months, concluded and approved in a fast mode, without adequate evaluation or debate at the legislative municipal councils. There are signs that some master plans were merely a copy of others.

Due to this situation, the number of plans was drastically reduced. There could not be found plans at the mesoregions Norte, Jequitinhonha, Vale do Mucuri, Vale do Rio Doce and Campos das Vertentes. Twelve plans were selected for analysis (Figure 1). Nevertheless, there was no analysis of the application of the plans for Arcos (2006) and Bom Despacho (2006) due to difficulties in the information gathering. Even with the persistence and promises to respond to our inquiries, there was no reply from the city technicians. Finally, there were only a reduced number of ten plans left to be analyzed.

Figure 1
Master Plans
of the studied
municipalities



Analysis of Plans

Initially, we will present an analysis of each plan, followed by a comparative evaluation of the group of plans.

Alfenas Master Plan (2006)

The Master Plan preparation counted with the participation of only one city administration employee, who has no relation to the current administration, and of the Federal University of Alfenas (UNIFAL). Regarding its implementation, among the 12 self-applicable precepts, we observe that:

- Eight of them established deadlines: one had no information (regarding the institution of the Governance Technical System – STG, in 60 days); seven were not implemented: Right of Preemption, revision and adaptation of Land Subdivision legislation, revision and adaptation of the Building Code and City Laws, elaboration of the Immediate Action for Traffic Plan, creation of the Urban Development Municipal Fund – PAIT – and constitution of the Environment Municipal Policy.
- Four of them had immediate application: one was implemented (elaboration of the City Council Internal Rules), and three were not implemented (City Council, Governance Technical Sector, Macro zoning). Among them, although one had a deadline for application, it has already expired.

The discontinuity of operations and allegation that some requirements of the Master Plan depended on the application of other mechanisms are cited as some of the factors that hindered the application of the precepts.

In general, the following aspects can be emphasized:

- Positive: the publicity of city administration actions is done by the website of the City Council, which has a Newsletter and records of all meetings, e by the Citizen Care Service (SERAC).
- Negative: the majority of the plan precepts were not applied, with few initiatives for their realization. The movement for creating the City Council was not finalized. Laws for land use and occupation that were not created hindered the regulation of various laws. The Municipal Fund for Urban Development was not created.

Araxá Master Plan (2002)

The preparation of the master plan was carried out in six months and was done with the consulting of Jorge Wilhelm, who has large experience in master plans, with support of a local team. Regarding the application of the 12 self-applicable precepts, some observations can be made:

- Eight established deadlines: five were not implemented (among them the Postures and Building Code, which define that “annually, until March 31st, the Urban Policy Council will release a report on the urban policy governance and action plan for the following period”). Out of those, two had initiatives waiting to be sent to the Council. Three were applied (Urban Distribution Law, revision of the Land Use and Occupation Law, Land Subdivision Law for urban destination).
- Four had immediate application: three were implemented (among them the Araxá Urban Council Policy and land use zoning and conservation units), and one was not implemented (creation of the Urbanization Fund).

In general, some aspects can be emphasized:

- Positive: Araxá Sustainable Development and Planning Institute is in course and has a easily accessed website, with diverse information and some of the city regulations.
- Negative: Araxá Urban Policy Council is considered a weak institution and the Urbanization Fund, although created, still has not been regularized.

Brumadinho Master Plan (2006)

The Master Plan was prepared under the city’s general coordination, with representatives of the City Council and juridical advisement, with the population’s participation. Regarding its application, out of the 21 self-applicable precepts we can note that:

- Twenty precepts established deadlines: two were implemented (revision of urban perimeters and Health Municipal Plan), four had no information, 14 were not implemented (revision of Land Use and Occupation Law, Land Subdivision law, Environmental Policy, Tributary, Building and Postures Codes); two of them were in course, but expired according to the Master Plan deadline (Tributary and Sanitary Code).
- One has immediate application (creation of the Planning and Sustainable Development City Council) and it was implemented.

Generally, we can emphasize the following aspects:

- Positive: the majority of precepts not applied to date have some initiative for its effectiveness; the Planning and Sustainable Development City Council (COMDESP) is active, with recommendation of new members.
- Negative: the Environmental and Territorial Governance System (SIS-GAT), intended to be an information center, which would allow hasten legal proceedings and intensify the dialogue between secretaries, was not created.

Camanducaia Master Plan (2006)

The company ARQUITETUR prepared the Master Plan. Regarding its application, among eight self-applicable precepts, we may note that:

- Six of them established deadlines: two were implemented (creation and regulating of the Green Areas System), one had no information until May 2009 (Complementary Reviewing Project of Law for the Participative Master Plan) and three were not implemented (Housing and Transportation Plans and Popular Initiative Law for Projects of Law proposed by citizens).
- Two had immediate application: they were applied (creation of the Urban Policy and Green Areas System City Council)

Generally, we may emphasize as a positive aspect that the Urban Policy Municipal Council (CMPU) is actively in operation, and as a negative result, half of the precepts were not applied.

Carmo do Paranaíba Master Plan (2006)

It may be observed out of the 22 auto-applicable precepts:

- Sixteen of them established deadlines: six were implemented (among them the Tributary, Building and Postures, Subdivision, and Land Use and Occupation Codes); four were not implemented (regulation of pre-emption rights; removal of the cell phone antenna from the existing neighborhood of JB; procedures and necessary documentation allowing interested groups to judicially require regularization of properties; and six did not have information, until May 2009.

- Six of them had immediate application: one was implemented (the Environmental Municipal Fund was created) and five were not implemented (creation of two industrial districts, creation of Environmental Preservation and Regeneration Municipal Fund and the creation of Park of Taboão).

In general, the positive aspect of creating the City Council may be emphasized, which was constituted by the Master Plan Governance Group. As negative aspects, the majority of the precepts were not applied and the city employees could not get information regarding the application of various precepts.

Esmeraldas Master Plan (2006)

The Master Plan Governance Council, the City Council and the João Pinheiro Foundation technicians elaborated the Master Plan. Regarding its application, out of the 15 self-applicable precepts:

- Thirteen established deadlines: seven were not applied (two of them were being processed in the Municipal Council, among them the regularization of irregular e/or illegal subdivisions, ranch sites and buildings); five were applied (among them the Urban Land Subdivision, Use and Occupation Law and the Sanitary Code); and one did not have information.
- Two were of immediate application: not applied (creation of the City Council and Environmental Responsibility Agreement - TCA).

In general, as negative aspects we may emphasize that the majority of precepts were not applied and the City Council was not created.

Formiga Master Plan (2007)

The elaboration of the Master Plan involved the population, municipal administration employees, and advisement of Belo Horizonte Municipal Development Institute (IDM). Regarding its application, out of the 29 self-applicable precepts:

- Twenty-eight precepts established deadlines: two were applied (Economic Development Municipal Plan and Participative Budgeting Council). Twenty-six were not applied (Strategic Planning Municipal System, the Housing and Rural Development Municipal Plans, the street drainage engineering project). The Neighborhood Impact Study, the Onerous Grant of Building Rights, Land Use and Occupation, Transfer of building rights, Preemption Right, and compulsory subdivision, building or use of buildings and the exceptions.
- One had immediate application: it was applied (Sustainable Development and Planning Municipal Council – COMDEPLAN).

Among the factors that hindered the application of the precepts, some were:

- Lack of effort by officials in charge to comply with specific determinations of the plan;
- Some requirements asked for expensive projects and/or specialized consulting;
- Necessity of advisory due to lack of knowledge on implementation procedures; for example, even the project for the Land Use and Occupation Law being ready, the understanding of its function by the City itself was difficult;
- Directories were not available timewise to meet and review the law projects;
- The established deadlines did not take into account the City's financial reality.

In general, we should emphasize the following positive aspect: the Councils Forum was implemented and is active, with 2009 meetings already scheduled. The negative fact is that the majority of the precepts were not employed.

Lagoa Santa Master Plan (2006)

The Executive Power, together with the firm MP Engenharia, elaborated the Master Plan. Regarding its application, out of the 24 self-applicable precepts.

- Twenty-two established deadlines: six were employed (the revision and adaptation of the Municipal Tributary Code and the Zoning Law of Land Use and Occupation). There was no information on eight of them (among which, residential villages regulation; creation of the mother-children's reference center; creation of the Property Regulation Program for intervention in Social Interest Areas). Eight were not employed (among which, creation of Municipal Planning Division, Planning and Governance System, elaboration of sanitation sectorial plans and sanitary legislation).
- Two had immediate application (creation of the Master Plan Municipal Council and Master Plan Commission): both were put into effect.

In general, we may emphasize the following aspects:

- Positive: the Master Plan Commission was created and the Master Plan City Council is active, with weekly meetings.
- Negative: the majority of the precepts were not employed.

Ponte Nova Master Plan (2003)

City officials, under the coordination of two architects and urban planners elaborated the Master Plan. Regarding its application, out of the 10 self-applicable precepts:

- Nine established deadlines: five were applied (among which, Postures Municipal Code, Urban Perimeter Law and Urban Land Subdivision Law). Two were started after expiration of deadline (master plan for sewage collecting and treatment, and master plan for water collecting, treatment and distribution); two were not applied (preparation of the integrative managing of solid residues plan); one is being developed even with expired deadline.
- One has immediate application: it was applied to the institution of the Municipal Development Planning Advisory (ASPLA), as the governance agency for Ponte Nova Master Plan (PLEDS).

Among the factors that hindered the application of precepts, Architect and Urban Planner Carla Romanholi mentioned in an interview to the authors that:

The lack of understanding of the importance of the Master Plan as an instrument of planning and structuring actions for the whole municipality, generates a weakness on the general commitment with the Plan, which, in this context, is seen as an instrument, better saying, a function that is only related to the Planning Secretary. Ultimately, the population itself does not believe the Master Plan.

In general, the following positive aspects can be pointed out: the General Conference of PLEDS is held bi-annually, as established by the Master Plan; and the majority of the precepts were employed. ASPLA does not exist anymore; it was substituted by the Planning and Budget Secretary (SEPLOR).

Unai Master Plan (2003)

An external team, not related to the municipal administration, elaborated the Master Plan: a mixed team of urban planning professionals hired by the firm Axis Engenharia Ltda., from Brasília-DF. The ones involved in this partnership were Unai City Hall (mandate 2001/2004) and the Water Resources Secretary/Ministry of Environment, Water Resources and Legal Amazon. Regarding its application, among the seven self-applicable precepts:

- Six established deadlines: they were not implemented (among which, regulation of compulsory subdivision, building and use, law for parceling, plans and programs, including the ones of sectorial, annual or multi-annual nature and Building Code);
- Only one precept of immediate application was accomplished: the creation of the Urban Planning Municipal Council (COMPUR).

In general, the following aspects may be pointed out:

- Positive: COMPUR is active, with more meetings than the established by the Master Plan;
- Negative: there is no annual or multi-annual planning of urban character and the majority of precepts were not implemented, although the plan has been effective for more than six years.

General analysis of the master plans

Although all the studied municipalities have access to the current legislation, through the City and City Council websites, difficulties in obtaining information were found, since the majority of laws sought for could not be reached. This fact contradicts clauses II and III of the City Statute's Article 40's fourth paragraph, which determines effective "publicity of documents and information produced" and "access of produced documents and information to any interested citizen". The plans analyzed in this research were restricted to the ones obtained through visits to the municipalities' websites that did not have access problems.

It was difficult to identify the technicians in charge for the follow-up of the plans application. In some cases, information on the application of the precepts could not be obtained. There were various reasons: lack of knowledge by informants regarding the precepts or on the plan application processing stage; allegation of unavailability of time; and no interest. In some cases, it was necessary to gather information through city officials of different departments, once one sector did not know about the plan application out of their activity realm. These difficulties compromised, not only the gathering of data, but also made impossible the analysis of plans, such as in Arcos and Bom Despacho.

A different situation occurred in relation to the officials in charge for the Master Plan of Araxá, Alfenas, Brumadinho, Formiga, Ponte Nova and Unaí municipalities. They were always available to respond to our inquiries, and facilitated the research development. Regarding the availability of information means, the municipality of Brumadinho can be pointed out, for its Information and Citizen Assistance System; and Araxá, for the effectiveness of the Planning and Sustainable Development Institute, an agency created according to the Master Plan's requirement.

Table A shows the analysis of the implementation of self-applicable precepts for each year. It can be noted that the level of effectiveness is very low, varying from zero and 37.5% on the precepts that had a deadline. Among the precepts of immediate application, lower in number, the results were better. Ponte Nova stands out as the only plan that had the majority of precepts employed. After Ponte Nova, the municipalities of Araxá and Camanducaia had half of their pre-

cepts implemented. Some precepts had no information on their effectiveness, due to lack of knowledge or absence of responses by technicians.

Among the difficulties raised on the application of master plans, the following can be pointed out, according the information obtained with the technicians interviewed: lack of human resources to deal with urban policy (Formiga and Unai), insufficient financial resources (Brumadinho, Carmo do Parnaíba and Formiga); lack of political interest (Araxá, Brumadinho, Formiga, Ponte Nova and Unai). Other points raised were the regulation actions discontinuity (Alfenas); underestimated deadlines (Formiga); and dependency relationship among some laws (Alfenas and Formiga).

Table A – Precepts Implementation in each Master Plan

Master Plan	Compulsory Subdivision, Building and Use; Progressive Property Tax (IPTU); Expropriation	Transfer of Building Rights	Onerous Grant of Building Potential	Impact Studies and Reports (Neighborhood, Environmental)	Associated Urban Operation	Preemption Right
Alfenas	Defines	Defines	Defines	Defines	Defines	Defines Details
Araxá	Mentions Defines	Mentions	Mentions	Mentions Defines	Mentions Defines	Mentions Defines
Arcos		Defines		Defines	Defines	Defines Details
Bom Despacho	Defines Mentions			Mentions	Defines	
Brumadinho	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines
Camanducaia	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines
Carmo Paranaíba	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines
Esmeraldas	Mentions Defines	Mentions Defines		Mentions Defines	Mentions Defines	Mentions Defines
Formiga	Mentions Defines Details	Mentions Defines Details	Mentions Defines Details	Mentions Defines Details	Mentions Defines	Mentions Defines Details
Lagoa Santa	Mentions	Mentions	Mentions	Mentions	Mentions	Mentions
Ponte Nova	Mentions Defines	Mentions Defines	Mentions Defines		Mentions Defines	Mentions Defines
Unai	Details					

Table B – Master Plan – Creation and Effectiveness of Urban Planning Councils and Agencies

Item/ municipality	Creation of the Master Plan accompaniment Council	Council Effectiveness	Planning Agency
Alfenas	No	No	No
Araxá	Yes	Insufficient	Yes
Brumadinho	Yes	Yes	No
Camanducaia	Yes	Yes	No
Carmo do Paranaíba	Yes	Yes	No
Esmeraldas	No	No	No
Formiga	Yes	Yes	Não
Lagoa Santa	Yes	Yes	Yes
Ponte Nova	No	No	Yes
Unai	Yes	Yes	No

Only three municipalities created their planning agencies (Araxá, Ponte Nova and Lagoa Santa). This suggests that other municipalities may not have people responsible for the application of plans. Although predicted for ten years, only 7 councils for supervision and control were detailed as part of the plan's democratic governance system, complying with the requirement in Article 42 clause III of the City Statute (Table B).

We have identified that hired consulting firms prepared the majority of plans. This may have made their application more difficult, once Cities did not have the necessary human resources to continue with the plan implementation. Yet, weak knowledge on the application of some requirements is an evidence of the lack of dialogue among City agencies.

The almost total absence of instruments required by the City Statute under self-applicable forms can be pointed out. Table C shows the forms in which 6 main urban instruments – predicted in the Federal Constitution and City Statute – are present in 12 plans. They were separated in 3 categories: the mentioned ones (precepts are listed only); the defined ones (besides being cited, they are a little more detailed) and the detailed ones.

Table C – Master Plans’ Planning and Governance Instruments

Master Plan	Compulsory Subdivision, Building and Use; Progressive Property Tax (IPTU); Expropriation	Transfer of Building Rights	Onerous Grant of Building Potential	Impact Studies and Reports (Neighborhood, Environmental)	Associated Urban Operation	Preemption Right
Alfenas	Defines	Defines	Defines	Defines	Defines	Defines Details
Araxá	Mentions Defines	Menciona	Menciona	Mentions Defines	Mentions Defines	Mentions Defines
Arcos		Defines		Defines	Defines	Define Details
Bom Despacho	Defines Mentions			Mentions	Defines	
Brumadinho	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines
Camanducaia	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines
Carmo Paranaíba	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines	Mentions Defines
Esmeraldas	Mentions Defines	Mentions Defines		Mentions Defines	Mentions Defines	Mentions Defines
Formiga	Mentions Defines Details	Mentions Defines Details	Mentions Defines Details	Mentions Defines Details	Mentions Defines	Mentions Defines Details
Lagoa Santa	Mentions	Mentions	Mentions	Mentions	Mentions	Mentions
Ponte Nova	Mentions Defines	Mentions Defines	Mentions Defines		Mentions Defines	Mentions Defines
Unaí	Details					

In summary, the plans limit themselves exclusively to the listing of various urban instruments. They were rarely detailed in the plans and none were implemented. The trinity “compulsory subdivision, building and use; progressive Property Tax; and expropriation” was detailed only in Formiga and Unaí. The Transfer of Building Right, Onerous Grant of Building Potential and the requirement of Impact Reports (Neighborhood, Environmental) were detailed only in Formiga. The Preemption Right was detailed only in Alfenas, Arcos and Formiga. The plan of Formiga is the most complete, although precepts included were not regulated. The instruments for the creation and definition of Special Social Interest Zones (ZEIS) do not appear in the plans analyzed.

We came to the fact that succeeding mayors rejected some of the approved master plans, a “traditional and criminal [practice] for the public good and society” (CYMBALISTA, 2009).

Hence the low level of application of master plans, there is, at least, some traces of change in this situation, since seven plan’s supervising councils are active.

Some Recommendations for Future Administrations and Plans

The analysis of ten plans cannot be considered representative. As well as, the conclusions may not show what occurred in other municipalities of the same size. Nevertheless, the fact that plans, and people that should know about them, were not available in many municipalities is an evidence that the situation may be still even more negative. This result must be amplified by new researches that should seek for other means to access plans and technicians in charge of them. These are traces of the urban planning reality of small municipalities in Minas Gerais.

In order that a change occurs in the municipal administration, some conditions considered essential must be met, such as the mayor’s political commitment; professionalization and preparation of the municipal governance; and the joining of the political character with the technical component realms. There must be a dialog, from the beginning of the master plans development, and effective involvement of all sectors of municipal administration. Its participation must be more intense and long lasting than the quick advisory actions. In other words, it is essential to “match”, according to Souza (2002), urban planning with urban governance.

It becomes essential a minimal planning structure in each City (under the form of sector, department, secretary, institute or autarchy). The hiring of architects and urban planners with, at least, some specialization in Urban Planning is recommended. This hiring must not be dependent of the size of the municipality; technicians and costs may be shared between neighboring municipalities. It is also essential that, during the elaboration of the plan and, especially, during their application and revisions, good working conditions, training and preparation of the involved technicians in the activities related to urban planning and the plan, be supplied.

Plans must be appropriate to the size of the municipality. This is the challenge: creating a plan for each municipality that matches its dimension, its population and its administrative capacity. Each plan must have the maximum precepts as self-applicable, to avoid leaving them to succeeding regulations. Economically unfeasible proposals must be avoided. Costs and deadlines must be thoroughly debated and financial and human resources evaluated, as well as the political

issues. The resources to be spent in the application of the plan must be defined in the budget and must be compatible with the City's financial capacity.

The municipal information systems must be improved in such a way that all legislation and news regarding the urban planning and governance city councils' activities, among others, be available to any citizen.

In addition, the Public Ministry emerges as an important partner, from the beginning of the elaboration process until the master plan application and revision stage.

There are, thus, expectations of new conquering, with the amplification of the research, as stresses Cymbalista (2007, p.30): "An open question is still which conquering were achieved by these numerous experiences. Come to light the researches and studies related to these experiences."

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