

# The Current Status and Issues of Land Use Administration in Municipal Corporations: On the Subject of Merged Cities

## Part 1 The Main Discussion

Japan Center for Cities

### Chapter 1 The present state of land use administration by urban local governments

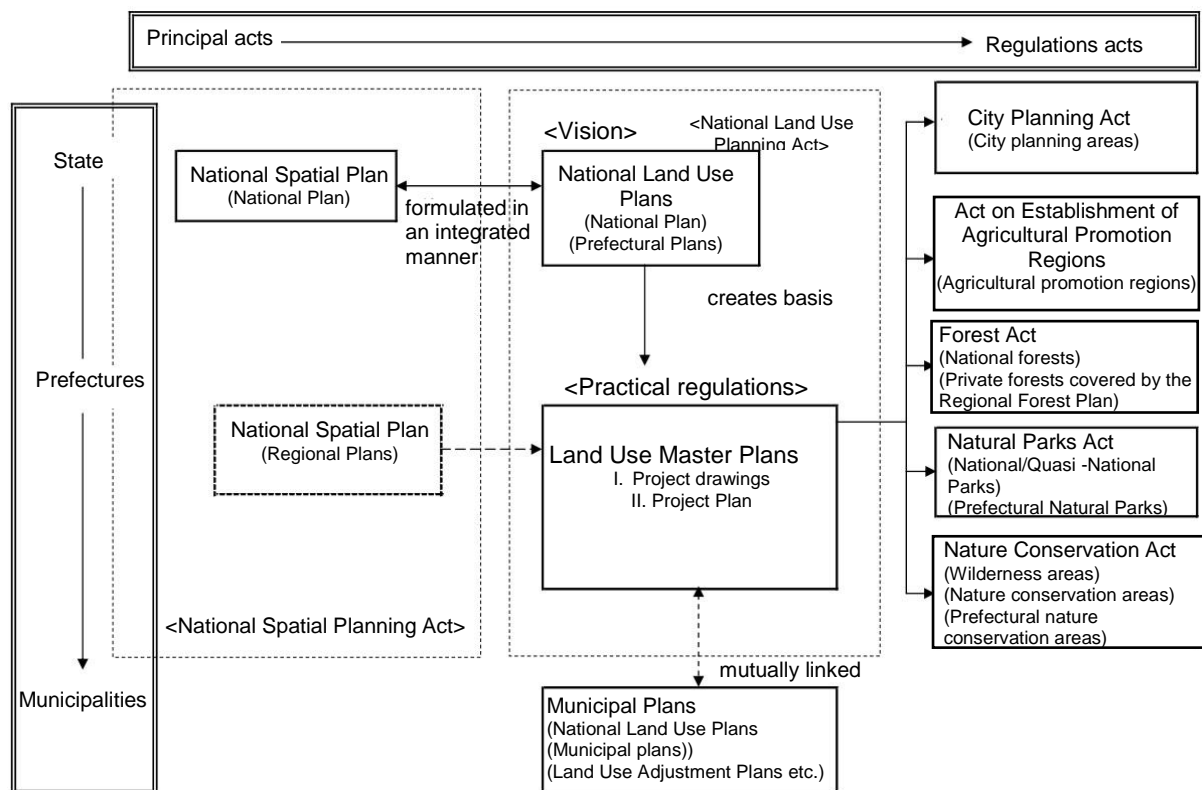
#### Paragraph 1 The present state of land use administration

##### 1 What is land use administration?

###### (1) The planning scheme for land use administration

Land use is governed by principal laws such as the Basic Act for Land Use, the National Spatial Planning Act, and the National Land Use Planning Act, and many regulation acts including the City Planning Act, the Act on Establishment of Agricultural Promotion Regions, the Act on Establishment of Agricultural Promotion Regions. The planning scheme for land use administration is in place in order to link and coordinate these acts (see Fig. 1). The following outlines the related laws and regulations and planning scheme for land use.

Fig. 1: The planning scheme for land use administration<sup>1</sup>



<sup>1</sup> The Ministry of Land, Infrastructure, Transport and Tourism, "Handout for the National Meeting of Directors in Charge of Land Measures" (Partially modified).

The Basic Act for Land provides for the basic principles on land, clarifies the responsibilities of the state, local public entities, business operators and citizens with regard to the basic principles on land, and provides for the basic matters on measures concerning land. In the wake of the serious problems resulted from soaring land prices during the period of the bubble economy, the act, which was established in 1989, articulates the following four principles:

- (i) Precedence of public welfare with regard to land.
- (ii) Proper use and use in accordance with the plan.
- (iii) Restraint of speculative transactions.
- (iv) Reasonable burden based on the profits pertaining to the increase in value.

Application of laws and orders on land use should be grounded on these basic principles.

The Comprehensive National Land Development Act, which had been established in 1950, was drastically revised into the National Spatial Planning Act in 2005. As a result, National Spatial Strategies were newly formulated, replacing the Comprehensive National Development Plans which had been made five times since 1962. The Comprehensive National Development Plan, under the principle of “well-balanced national development,” contributed to certain extent to the development of national land and reduction of regional gaps by decentralizing industrial plants and developing transportation and communications infrastructure. Changes in the industrial structure due to economic globalization and the start of population decline caused discrepancies between the development-oriented Comprehensive National Development Plan and the actual socio-economic conditions, resulting in the revision of the act.<sup>2</sup>

National Spatial Strategies set out guidelines for long-term (10-15 years) spatial development, which cover matters such as land, water, nature, social infrastructure, industry, culture, and human resources. National Spatial Strategies, consisting of the National Plan and the Regional Plans, are characterized by:

- (i) the shift from a development-oriented plan pursuing quantitative expansion to a plan for a matured society pursuing qualitative improvement of national land and effective use of the stock; and
- (ii) the establishment of the Regional Plan Council, the planning proposal system involving local governments, and other schemes whereby the national and local governments coordinate and cooperate in creating vision.<sup>3</sup>

National Spatial Strategies are formulated in an integrated manner together with the national land use plan.

Following the Plan for Remodeling the Japanese Archipelago publicized in 1972, and the subsequent rise in land prices and the nationwide boom in urban development, the National Land Use Planning Act, which was focused on the integration of land use regulations, was established in 1974, in order to coordinate unregulated, sprawling urban development and non-urban land use.<sup>4</sup> The act provides for the necessary matters concerning the formulation of national land use plans which stipulate basic principles on land use, and land use master plans which deal with practical regulations.

National land use plans consist of three levels of plans including, the national plan, prefectural plans, and municipal plans, which enables vertical coordination among the state, prefectures, and municipalities. Each plan specifies the following:

- (i) The basic plan for the use of land (basic policy for comprehensive and systematical use of land).
- (ii) Target scale of each area classified according to purpose and regional outlines of land use.
- (iii) The outline of measures necessary to accomplish the foregoing.

Land use master plans are based on national land use plans (the national plan and prefectural plans) and are stipulated by prefectural governors. The major contents of land use master plans include:

- (i) project drawings of five areas such as urban areas, agricultural areas, forest areas, natural park areas, and nature conservation areas, on the scale of 1:50,000; and
- (ii) project plans specifying the policy for coordination among regions and other matters.

Land use master plans are to be accomplished through the plans formulated under individual regulations for each category. In other words, the City Planning Act largely governs the land use in urban areas, and similarly the Act on Establishing Agricultural Promotion Regions, the Forest Act, Natural Parks

<sup>2</sup> Takashi Onishi, et al., “Tokushu zadankai: Shin-jidai no kokudo-keikaku wo kangaeru (Discussion: National land planning in the new era,” in *Toshi-keikaku (City planning)*, vol.263 (October, 2006), pp.5-8.

<sup>3</sup> Website of the National and Regional Policy Bureau of the Ministry of Land, Infrastructure, Transport and Tourism: <http://www.kokudokeikaku.go.jp/index.html>

<sup>4</sup> Toshinori Mizuguchi, *Tochi-riyō-keikaku to machizukuri: kisei, yūdō kara keikaku-kyōgi e (Land use plans and city planning: From regulation and guidance to planning discussions)*, (Gakugei Shuppan-Sha, 1997), pp.72.

Act, and Nature Conservation Act govern the land use in agricultural areas, forest areas, natural park areas, and nature conservation areas respectively.

Although it is necessary to analyze each of five areas in order to understand the whole picture of land use administration, this report, aimed at discussing the land use administration by urban local governments, focuses on urban areas.

## (2) Responsibilities of the national, prefectural, and municipal governments in city planning administration

In order to understand responsibilities of the national, prefectural, and municipal governments in city planning administration, it is useful to identify who has the authority to make decision on city plans for land use. Basically, municipalities which are in proximity to the “front line of city planning” are regarded as the main decision-making entities. Therefore, only region-wide and fundamental city plans are formulated by prefectures, while other city plans are formulated by municipalities. When prefectures are deciding on (i) city plans for city planning areas pertaining to large cities and the cities around them, (ii) city plans of grave national importance, they must consult with the Minister of Land, Infrastructure, Transport and Tourism and obtain his permission in advance (Article 18, paragraph (3) of the City Planning Act).

Specifically, prefectures make decisions on fundamental part of city planning system, such as designation of city planning areas and delineation (area classification), while municipalities are basically responsible for decisions concerning use districts, district plans, and other matters which are closely related to daily lives of residents (see Table 1).

Table 1: Decision-making entities of city planning (concerning land use)<sup>5</sup>

Contents of city plans		Decided by municipalities	Decided by prefectures (designated cities <sup>*1</sup> )		
		Consent of prefectural governors required	Consent of the minister not required	Only specified areas <sup>*2</sup> require the consent of the minister	Consent of the minister required
Policy for improvement, development, and preservation of city planning areas	Presence or absence of area classification and its policy, and policy for city plans of grave national importance				X
	Others			X	
Area classification					X
Urban redevelopment policy etc.				X	
Districts or zones	Use districts <sup>*3</sup>	The three major metropolitan areas etc. <sup>*4</sup>			x
		Others	x		
	Special use districts <sup>*3</sup>		x		
	Special use restriction districts <sup>*3</sup>		x		
	Exceptional floor area ratio districts		x		
	High-rise residential attraction districts	The three major metropolitan areas etc. <sup>*4</sup>			x
		Others	x		
	Height control districts <sup>*3</sup>		x		
	High-level use districts		x		
	Specified blocks		x		
	Special urban renaissance districts				x
	Fire prevention districts/ quasi-fire prevention districts		x		
	Specified disaster prevention block improvement zones		x		
	Landscape zones		x		
	Scenic districts <sup>*3</sup>	Ten hectares or over			x
		Others	x		
	Parking place development zones		x		
	Port zones	Special major ports			x
Major ports				x	
Others		x			
Districts or zones	Special historic natural features conservation zones				x
	Special green space conservation districts	Ten hectares or over		x	
		Others	x		
	(Suburban special green space conservation zones)				x
	Green space conservation districts			x	
	Tree planting districts		x		
	Distribution business zones			x	
	Productive green zones		x		
Conservation zones for clusters of traditional structures <sup>*3</sup>		x			
Project promotion areas	Urban redevelopment promotion areas		x		
	Land readjustment promotion areas		x		
	Residential-block construction promotion areas		x		
	Land readjustment promotion areas for core business urban development		x		
Unused land use promotion areas		x			
Urban disaster recovery promotion areas		x			
District planning etc.	District plans		x <sup>*5</sup>		
	Disaster prevention block improvement zone plans		x <sup>*5</sup>		
	Roadside district plans		x <sup>*5</sup>		
	Rural district plans		x <sup>*5</sup>		

\*1 City plans marked “X” are decided by prefectures even in areas within designated cities.

\*2 City planning areas that include the whole or part of existing urban areas, suburban development areas, and other areas in the three major metropolitan areas; urban development areas in the three major

<sup>5</sup> City Planning Association of Japan, *Toshi-keikaku hando-bukku 2006 nen (City planning handbook 2006)* (City Planning Association of Japan, 2007), pp.129-130. The table is as of September 1, 2005.

metropolitan areas; city planning areas that include the whole or part of areas within cities with a population of 300 thousand or over (designated by the minister); and city planning areas that are closely linked to foregoing areas (designated by the minister).

- \*3 These city plans for quasi-city planning areas are decided on by municipalities. (The opinions of prefectural governors must be heard in advance.)
- \*4 Existing urban areas, suburban development areas, and other areas in the three major metropolitan areas; and city planning areas that include the whole or part of areas within designated cities.
- \*5 The consent of prefectural governors are required for limited matters such as the location and scale of zone facilities, and strengthening of building restrictions provided by districts or zones.

## 2. The background for discussing land use administration

Highly centralized land use administration in Japan has hampered urban local governments in many ways in their autonomous efforts for city planning. The current land use system has been criticized as follows:

Firstly, the land use planning and regulation system lacks comprehensiveness. Planning and regulation system concerning land use is based on the City Planning Act, Act on Establishment of Agricultural Promotion Regions, the Forest Act, the Natural Parks Act, the Nature Conservation Act, and other laws, and plans and regulations with different purposes and methods are administered by divisions that have jurisdiction over individual acts. Different regulations classify and regulate a single administrative district of a local autonomous body. As a result, “areas with no plans” which are not governed by any laws have been created, resulting in disorderly land use<sup>6</sup>.

Land use master plans, which have to play a role of coordinating individual regulations, actually depend on individual regulations for the means of materializing the plans; thus, it is said that their function is limited to confirming the present state.

Secondly, the targets and standards of individual regulations are limited or inappropriately set. For instance, the City Planning Act often leaves greenbelts around urban areas and rural areas as non-delineated areas with no use districts or as areas outside city planning areas. Therefore, regulations neither extend to these areas nor control disorderly land use. The Act on Establishment of Agricultural Promotion Regions also does not always exercise its land use control function effectively because schemes such as exemption from the application of the Act on Establishment of Agricultural Promotion Regions and permission for the conversion of farmland are used to evade the regulation.

Thirdly, discretionary power of urban local governments is limited. Pursuant to the City Planning Act revised in 1998 and 1999, part of authority was transferred from prefectures to municipalities (the authority to decide use districts in areas within cities with a population of 250 thousand was transferred to municipalities; the scope of decisions made by municipalities on urban facilities; etc.), and involvement of the national government was reduced in scope and clearly specified (reduction of areas that require the minister’s consent, etc.). However, many local governments consider the transfer of authority insufficient. The current scheme has yet to allow local governments to exercise autonomy<sup>7</sup>.

Fourthly, citizen participation procedures are inadequate. Although the municipal master plan system has enabled resident opinions to be reflected in city plans, opportunities for citizen participation at the stage of establishing city planning ordinances must be increased.

## 3. The reasons for focusing on merged cities

The first reason for this report focusing on cities formed by merger is to study the complicated relations between “municipal merger” and “city planning.” Although some insist that municipal merger enables city planning to be carried out from a boarder perspective, expansion of administrative district does not

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<sup>6</sup> Mari Uchiumi, “Machizukuri jourei ni yoru kougai no sougou-teki tochi-riyuu yuudou (Comprehensive land use guidance in suburban areas by city planning ordinances),” in Japan Society of Urban and Regional Planners, ed., *Toshi nouson no atarashii tochi-riyuu senryaku (New land use strategies of urban and rural areas)* (Gakugei Shuppan-Sha, 2003), pp.152.

<sup>7</sup> For instance, there is an opinion that “It is totally irrational that local governments in metropolitan areas do not have the authority to designate use districts.”

Takashi Onishi, “Toshi-keikaku-seido to kongo no toshi-zukuri no arikata (City planning system and the future city building),” Japan Center for Cities, ed., *Korekara no toshi-zukuri to toshi-keikaku-seido (City building and city planning system in the future)* (Japan Center for Cities, 2004), pp.107.

immediately facilitates city planning. Holding both urban and rural areas, overpopulated and depopulated areas, and other areas of various natures, many merged cities, in fact, are facing need of flexible administrative approach. In other words, these cities are caught in a sort of dilemma where they have to consolidate the situation of land use which has become more complicated and diversified compared to pre-merger status, while implementing policies that are fitted with the situations of individual areas.

This report looks at their efforts and challenges concerning municipal merger and land use administration.

The second reason for focusing on merged cities is that by doing so, we can provide implications for the direction of land use administration in merged cities. Municipal merger drastically changes the administrative and financial conditions and socio-economic environment of local governments. Merged cities are, to some extent, forced to review all of their policies from the scratch. In that sense, land use administration in merged cities has yet to start. Giving some hints about the direction of the future land use administration in these cities is one of the significance of this report.

Thirdly, since merged cities experienced various challenges during the process of consolidating land use policies of pre-merger municipalities, there are moves such as: adopting aggressive approaches to land use by taking advantage of the increase in scale; dealing with mountain and fishing villages that have been newly incorporated; consolidating city planning areas; and establishing, revising, or abolishing ordinances concerning land use. The trend of systematization and integration of land use administration in merged cities will suggest many things that are helpful even to cities that have not experienced merger.

## **Paragraph 2 Changes in circumstances surrounding land use administration**

### **1. Changes in the administrative and financial situation of local governments**

The overall administrative and financial situation of local governments has been drastically changing in recent years, which has direct or indirect impacts on land use administration of local governments. Notable are the following four changes:

Firstly, the financial situation of local governments has been deteriorating. According to our survey (Q32), 298 out of 325 merged cities (91.7%) which answered our questionnaire said that the worsening financial situation has a “fundamental impact” or “major impact” on city planning.

Secondly, an increasing number of municipalities have been merged. Municipal mergers, which were carried out mainly for financial reasons, had been said to enable land use that allows “rational city planning from a broader perspective.” In the survey (Q32), 229 cities (70.4%) answered that municipal merger has a “fundamental impact” or “major impact” on city planning.

Thirdly, authority has been decentralized. Specific events include: the establishment of the so-called Comprehensive Act on Decentralization; abolishment of tasks delegated to the heads of local governments in the capacity of the national agencies; and the revision of the City Planning Act. According to the survey (Q32), 208 cities (64%) said that decentralization has a “fundamental impact” or “major impact” on city planning.

Fourthly, the New Guidelines for the Promotion of Administrative Reforms in Local Governments (the so-called New Local Administrative Reform Guidelines) were formulated. The New Local Administrative Reform Guidelines, notified by the Ministry of Internal Affairs and Communications on March 29, 2005, encourage local governments to disclose the Intensive Reform Plan which describes their specific efforts for administrative reforms from FY2005 to around FY2009.

### **2. Declining and aging population**

With the population about to decline, more local governments are striving to control development and seeking to become a compact city. Some of the efforts include: introduction of quasi-city planning areas in Aomori City; and installation of Light Rail Transit (LRT) in Toyama City.

### **3. Deregulation and an increase in the number of suburban large-size stores**

Relaxation of regulations under the Act on the Measures by Large-Scale Retail Stores for Preservation of Living Environment encourage openings of many suburban large-size stores, which is said to be resulting in a decline of city centers.

#### **4. A decrease in farmland due to the changes in the state of agriculture**

The worsening state of agriculture has increased the number of areas exempt from the Act on Establishment of Agricultural Promotion Regions. The development control function of the act Regions has been deteriorating. In Tsuruoka City, for example, regulations under the Act on Establishment of Agricultural Promotion Regions became difficult and delineation had to be done to conserve excellent farmland. It is becoming necessary to effectively use city plans, voluntary ordinances, and other regulations.

#### **Paragraph 3 Methods of land use administration**

When urban local governments try to implement their land use policies independently and actively, they can choose either the “regulation-relaxing method” or “regulation-tightening method.” These two methods of land use control are not necessarily conflict with each other, but the combination of the two enables appropriate land use policies.

The regulation-relaxing method abolishes the delineation system or otherwise relaxes the regulations for land use so as to stimulate development. This method is more likely to be adopted by local cities whose economy is tending to decline.

The regulation-tightening method strengthens regulations and guidance in accordance with the City Planning Act and voluntary ordinances so as to control development. The regulation tightening method can be classified into two types.

The first type is one that applies the City Planning Act. This type is directed toward the choice and focus of development by newly introducing the delineation system, quasi-city planning areas, and other regulatory tools. Some of the examples include the introduction of the delineation system in Tsuruoka City and the designation of quasi-city planning areas in Aomori City.

The second type applies voluntary ordinances. In order for local circumstances and resident opinions, which the existing land use laws cannot appropriately deal with, to be reflected in city planning, this type effectively uses voluntary ordinances in land use administration. Sample cases include city planning ordinances in Azumino City (the former Hotaka Town) and Sasayama City.

## Chapter 2 Land use administration through city planning

### Paragraph 1 Problems with city planning areas and the delineation system

#### 1. Planning and coordination of the reorganization of city planning areas

##### (1) The present state and challenges

In reply to a question asking about the state of city planning areas and delineation in cities formed by municipal merger (Q6), 159 cities which is nearly the half (48.9%) of all the respondents stated that they have multiple city planning areas. If different regulations are applied to individual city planning areas, disparities could arise in terms of land use.

Meanwhile, in cities that have no city planning areas, sprawling development of housing land, problematic development of holiday cottage areas, and other problems are likely to occur. In the survey, 124 cities said that municipal mergers had caused or would cause trouble to the land use administration of merged cities. They were then asked the details of the problems (SQ1 of Q30). A common answer was, “Development pressure increases in surrounding non-urban areas where the regulation is lax.” Given the fact that 45 cities (36.3%) answered as such, this is a serious problem.

Asked about the designation of city planning areas in the pre-merger municipalities (Q2), 192 cities (59.1%) stated that some of the former municipalities had city planning areas, and five (1.5%) answered that none of the former municipalities had city planning areas. If these cities have not extended city planning areas after their mergers, presumably, many of them still have areas outside city planning areas within their precincts.

With the development of transportation networks and extension of daily life sphere, socio-economic activities came to be performed in areas beyond the existing city planning areas. For instance, development is taking place in part of the suburbs or rural areas outside city planning areas. In fact, to a question about the impact of the changes in transportation means on city planning (Q31), 215 cities (66.2%) answered that there is a “fundamental impact” or “major impact.”<sup>8</sup>

These facts suggest the need of appropriate coordination between cities and prefectures which have the authority to designate city planning areas.

In the survey, 159 merged cities that have multiple city planning areas within their precincts were asked about their future plans of actions (Q7). Nearly 30% of the respondents were found to have taken specific actions; 11 cities (6.9%) have already consolidated multiple city planning areas into one, and 35 cities (22.0%) are scheduled to consolidate them. Further, 27 cities (17%) said that they were considering the consolidation of city planning areas, and 36 cities (22.6%) were planning to consider the consolidation. In short, 109 cities, which are about 70% of the merged cities that contain multiple city planning areas, are looking toward the consolidation of city planning areas.

Many of these 109 cities cited “gaining understanding of landowners and other residents (58.7%),” “negotiations with prefectures (33.9%),” and “coordination with other departments (agricultural administration, planning, and other departments) (32.1%)” as obstacles for the consolidation of multiple city planning areas (SQ2 of Q7).

Consolidations of city planning areas triggered by municipal mergers are a desirable trend from the perspective of the Ministry of Land, Infrastructure, Transport and Tourism whose idea can be seen in a description in the Guidelines for the Operation of City Plans that reads: When municipalities that constitute the same urban area are merged to form a single city, it is desirable that city planning areas be designated in a way that the post-merger municipal precinct belongs to the same city planning area and regarded as an integrated city, and that comprehensive improvement, development, and maintenance policies be implemented.<sup>9</sup>

Not a few cities, however, have chosen not to consolidate city planning areas for the time being. In the survey (Q7), 45 cities answered that they were “not planning to consolidate multiple city planning areas into one (keeping the status quo).” Asked the reason (SQ3 of Q7), 24 cities (53.3%) said that they “cannot find the advantage of the consolidation,” and six cities (13.3%) said that there would be “burdens on land

<sup>8</sup> Cities with a smaller population are considered more likely to be affected by the changes in transportation means. Among cities with a population less than 50 thousand, 56.2% stated that there is a “fundamental impact” or “major impact,” while the numbers were 66%, 71%, and 81.6% in cities with a population at least 50 thousand and less than 100 thousand, at least 100 thousand and less than 200 thousand, and at least 200 thousand respectively.

<sup>9</sup> The Ministry of Land, Infrastructure, Transport and Tourism, *Toshi-keikaku-unyou-shishin (The guidelines for the operation of city plans)*, 5th ed. (November, 2006), pp.22.



owners and other residents.” Among 21 cities (46.7%) that chose “others,” some pointed out factors that arise from the existing legal system, saying, “The consolidation of city planning areas will be accompanied by delineation, for which reasonable explanation is difficult.” Geographical factors such as a merger between non-contiguous municipalities, a divide due to mountains, and an isolated island are also referred to as elements that make the consolidation of city planning areas difficult.

The Guidelines for the Operation of City Plans states that “in cases that it is inappropriate to contain areas of the former municipalities within a single city planning area due to reasons such as: (i) there are considerable disparities in the socio-economic conditions and other characteristics among the areas of pre-merger municipalities, and (ii) it is difficult to handle the area as an integrated city because of geographical and other conditions,” having multiple city planning areas within a city can be considered as an alternative<sup>10</sup>. In fact, the survey revealed that some merged cities have multiple city planning areas remain in their precinct for various reasons.

The case of Takamatsu City is another example that should be mentioned. Takamatsu City had completed the reorganization of city planning areas within the city and surrounding municipalities. (The Central Kagawa City Planning Area was reorganized into the Takamatsu Wide City Planning Area.)

## (2) Approaches to city planning area reorganization

There are three types of approaches to the administration of city planning areas in new cities formed by municipal merger (except in cities that belong to wide city planning areas which cover multiple municipalities).

The first one is the One City, One System approach, where city planning areas in the merged city are integrated into one. Theoretically, municipal mergers are decided on in pursuit of the integration of socio-economic areas. If that is the case, new cities formed in a belief that the consolidation into a single administrative district is a reasonable choice should be in a state of an integrated city; and thus, One City, One System will be a natural conclusion.

Article 5, Paragraph (1) of the City Planning Act stipulates, “The Prefectures shall designate as city planning areas those areas ...that require integrated urban improvement, development and preservation.” In fact, about 70% of merged cities are adopting this approach. It is therefore safe to say that One City, One System is a common approach.

On the other hand, however, the One City, One System approach may not always conform to the regional characteristics varying among the former municipalities and to resident opinions about land use. Actually, despite the absence of integrity, municipalities are sometimes merged just to make up numbers for the sake of financial benefit. As a matter of course, new cities formed through such process lack integrity as a single city which is a prerequisite for One City, One System.

The second approach is the One City, Multiple Systems approach, where existing city planning areas of the former municipalities are maintained. This approach allows land use regulations and guidance compatible to regional characteristics of individual municipalities and other conditions, and is likely to gain resident understanding. However, the One City, Multiple Systems may possibly turn out to be dysfunctional in a process of driving comprehensive land use.

The third approach is the introduction of wide city planning areas. In metropolitan areas and other areas where urbanized areas are linked across the administrative areas of municipalities, designation of wide city planning areas that cover multiple municipalities is deemed to enable land use that is fitted with the state of socio-economic conditions.

However, there is no need to say that wide city planning areas are not always beneficial to the land use administration of cities. Region-wide approaches could on the other hand impede independence of individual districts.<sup>11</sup>

In reply to a question asking about the evaluation of wide city planning areas (Q28), 54 cities (16.6%) said, “Disadvantages for the city outweigh advantages,” while 24 cities (7.4%) said, “Advantages for the city outweigh disadvantages,” and 244 cities (75.1%) said, “Neither.” The fifty-four cities which stated that

<sup>10</sup> Ministry of Land, Infrastructure, Transport and Tourism, the same as the above, pp. 22-23.

<sup>11</sup> Michio Miyazawa explains about region-wide city plans as follows: “If focusing on the integrity of the plan for the wide area beyond municipal boundaries, then city planning areas will be formed to create a combination of multiple municipalities. If putting much importance on the independence of the basic autonomous body as an integrated city, then each municipality will create independent areas.”

Michio Miyazawa, “Toshi-keikaku-kuiki no yurai (The history of city planning areas),” *Toshi-keikaku (City planning)*, vol.250 (August, 2004), pp.8.

disadvantages outweigh advantages were then asked the reasons (SQ2 of Q28); and 37 cities (68.5%) answered, “Enable to make decision on city planning as the city has envisioned,” and 22 cities (40.7%) answered, “Decision making on city planning takes time.”

Overall, the most common answer to the question about the evaluation of wide city planning areas was “Neither.” However, the evaluation varied according to the size of the population of the city. Cities with a larger population tend to think wide city planning areas to be advantageous, while cities with a smaller population tend to think them disadvantageous. The result of a cross-tabulation of the answers to Q28 and population was as follows: Cities whose answer was, “Advantages for the city outweigh disadvantages,” accounted for 1.9% of cities with a population less than 50 thousand, 7.3% of cities with a population at least 50 thousand and less than 100 thousand, 9.7% of cities with a population at least 100 thousand and less than 200 thousand, and 16.3% of cities with a population at least 200 thousand. Meanwhile, cities whose answer was, “Disadvantages for the city outweigh advantages,” accounted for 21% of cities with a population less than 50 thousand, 15.6% of cities with a population at least 50 thousand and less than 100 thousand, 17.7% of cities with a population at least 100 thousand and less than 200 thousand, and 8.2% of cities with a population at least 200 thousand. It might be said that smaller cities are likely to be dissatisfied in wide city planning areas. In a field survey conducted by a prefecture, there were opinions among small and medium-sized cities saying, “Urbanization promotion areas are allocated mostly to the prefectural capital. They should be allocated to our city as well.”

### Evaluation of wide city planning area

Population size			Number of cities surveyed	Advantages for the city outweigh disadvantages	Disadvantages for the city outweigh advantages	Neither	No answer
Population	Total	No. of cities	325	24	54	244	3
		%	100.0	7.1	16.6	75.1	0.9
	Less than 50 thousand	No. of cities	105	2	22	80	1
		%	100.0	1.9	21.0	76.2	1.0
	At least 50 thousand and less than 100 thousand	No. of cities	109	8	17	83	1
		%	100.0	7.3	15.6	76.1	0.9
	At least 100 thousand and less than 200 thousand	No. of cities	62	6	11	44	1
		%	100.0	9.7	17.7	71.0	1.6
	At least 200 thousand	No. of cities	49	8	4	37	-
		%	100.0	16.3	8.2	75.5	-

## 2. Problems with the delineation system

### (1) The current status and challenges

The delineation system is a scheme where prefectures classify the city planning area into urbanization promotion areas and urbanization control areas in order to prevent unregulated urbanization and promote planned urbanization. Basically, prefectures determine whether or not to delineate at their own discretion. However, prefectures have to delineate city planning areas that include all or part of existing urban areas and suburban development areas in the National Capital Region, existing urban areas and suburban development areas in the Kinki Region, and urban areas in the Chubu Region; and city planning areas in cabinet ordinance designated cities (Article 7 of the City Planning Act). Since delineation has a big impact on local residents and businesses, decision on whether or not to delineate is a major issue of merged cities.

According to the survey (SQ1 of Q2), among 318 cities that stated that their former municipalities had had city planning areas, 52 cities (16.4%) said, “All the former municipalities had area classification (delineation),” and 97 cities (30.5%) said, “Some of the former municipalities had area classification (delineation).” The sum of the two (149 cities) accounted for less than a half (46.9%), outnumbered by 165 cities (51.9%) saying, “None of the former municipalities had area classification (delineation).”

It is noteworthy that 97 cities (30.5%) stated that some of the former municipalities had implemented delineation. If new cities have maintained the delineation of the former municipalities, then 30% of the merged cities are assumed to have different types of areas, namely, urbanization promotion areas, urbanization control areas, and unclassified city planning areas, which are subject to quite different

regulations, within a single city precinct. (Some cities may even have areas outside city planning areas.) The following summarizes the status of city planning areas and delineation in merged cities (Q6).

#### Status of the of city planning areas and delineation in merged cities (Q6)

Type 1	Has multiple city planning areas, all of which are delineated:	10 cities (3.1%)
Type 2	Has multiple city planning areas, some of which are delineated:	67 cities (20.6%)
Type 3	Has multiple city planning areas, none of which are delineated:	82 cities (25.2%)
Type 4	Has a city planning area, which is delineated:	68 cities (20.9%)
Type 5	Has a city planning area, which is not delineated:	93 cities (28.6%)
Type 6	Has no city planning area:	4 cities (1.2%)

In the survey (Q8a to Q8e), cities categorized into Type 1 to 5 were asked their future approaches to area classification (maintain the status quo, newly introduce area classification, or abolish area classification). More than 90% of cities all of whose city planning areas are delineated (Types 1 and 4) and cities none of whose city planning areas are delineated (Types 3 and 5) intend to maintain the current delineation.

Meanwhile, among cities part of whose city planning areas are delineated, in other words, cities that have both city planning areas with and without delineation (Type 2), only 40.3% intend to maintain the status quo; and the rest are implementing or planning to introduce or abolish delineation. Cities categorized into Type 2 accounted for the 20.6% of merged cities. They have various alternatives and tend to have difficulty in agree on a solution. While departments of the national and prefectural governments in charge of city planning want to push the introduction of the delineation system<sup>12</sup>, local residents and assemblies do not always welcome the system<sup>13</sup>. The coordination is not simple.

For instance, Asakuchi City has three different types of areas, namely, a delineated city planning area (part of wide city planning areas in Okayama Prefecture), a non-delineated city planning area (the Kamogata City Planning Area), and areas outside city planning areas. If the city tries to revise the current classification, there will be a struggle to gain the understanding of various stakeholders.

It is legally obligatory for many urban municipalities in the three major metropolitan areas and cabinet ordinance designated cities to conduct area classification; therefore, they have limited alternatives. Cities newly gaining the status of cabinet ordinance designated city have no option but to implement area classification, but still, it is said that no small effort is required to persuade residents.

The survey also asked 44 cities that had already reviewed or would review delineation after the merger reasons for their decisions (SQ1 of Q8). The dominant answers were, “implementation of balanced land use policies” (28 cities, 63.6%), and “provision of just and fair services for residents” (21 cities, 47.7%).

Out of the 44 cities, 31 cities chose to newly start delineation, while 13 cities chose to abolish delineation. Each of the two was cross tabulated with the answer to SQ1 of Q8. Among the 31 cities that chose to newly start delineation, 19 cities (61.3%) cited “implementation of balanced land use policies,” and 11 cities (35.5%) cited “provision of just and fair services for residents” as the reasons for their choice. Among the 13 cities that chose to abolish delineation, 10 cities (76.9%) cited “provision of just and fair services for residents,” and 9 cities (69.2%) cited “implementation of balanced land use policies” as the reasons for their choice, showing a slight difference between the two groups.

Similarly, the answers to the question asking about the obstacles to the revision of delineation (SQ2 of Q8) were also cross tabulated. Then, 21 out of 31 cities (67.7%) cited “the understanding of landowners and other local residents” as an obstacle to the introduction of delineation. On the other hand, 12 out of 13 cities (92.3%) cited “negotiations with prefectures” as an obstacle to the abolishment of delineation. Prefectures seem to be unwilling for municipalities to abolish delineation.

<sup>12</sup> With regard to municipal merger and accompanying integration and reorganization of city planning areas with and without delineation, the Guidelines for the Operation of City Plans states that, “It is not appropriate to decide, without due consideration, on the abolishment of area classification simply because it is difficult to gain understanding of residents who have never been subject to area classification or it is unlikely that the population and the number of households will increase in the district. Prefectures should consider the development trends in the cities in question and the outlook for the population and industry in the city planning area in question to properly identify districts that need area classification.” The Ministry of Land, Infrastructure, Transport and Tourism, *Toshi-keikaku-unyoushishin (The guidelines for the operation of city plans)*, 5th ed. (November, 2006), pp.12.

<sup>13</sup> At the discussion of the Land Use Research Team, it was pointed out that many residents are opposed to the fact that development of farmland is prohibited in urbanization control areas while it is allowed in non-delineated city planning areas within the same city.

## (2) Approaches to improvement

As is later described in Paragraph 3, the City Planning Act provides for a scheme that allows development conforming to certain requisites in urbanization control areas (items (11) and (12) of Article 34), and other systems that allow local governments to flexibly implement delineation system. These systems should be effectively used to maintain delineation. In the case that delineation is abolished as well, regulations that fit local circumstances will be possible by using systems involving special use restriction districts and scenic districts. An improvement may also be anticipated if municipalities take initiative in coordinating, across different city planning areas, matters concerning regulations, and in designating wide city planning areas.

## Paragraph 2 Decision made by cities on the framework of city planning

### 1. City master plans

Article 18-2 of the City Planning Act stipulates that municipalities have to formulate city master plans in accordance with basic plans and prefectures' city planning area master plans. The purpose of city master plans is to define the goal of future city planning and present a path for its achievement as the guidelines for the city planning administration of municipalities.

Formulation of city master plans is an important task for cities that have gone through municipal merger in determining the direction of the post-merger city planning administration. According to the survey (Q18), more than half of merged cities have already taken tangible actions concerning the formulation of city master plans; 47 cities (14.5%) have “already formulated” and 136 cities (41.8%) are “currently formulating” master plans. Cities that stated that they were “planning to formulate” city master plans accounted for 37.2%, compared to 5.8% that stated they were “not planning to formulate” master plans. Eventually, more than 90% of merged cities will have made city master plans.

As for the use of city master plans (SQ1 of Q18), many cities (86.9%) consider master plans as a tool of “regulation and guidance concerning land use.” This is a new and notable trend. An interpretation of this trend is that merged cities, taking the merger as an opportunity, may be trying to use city master plans as grounds to explain to residents the rationality of land use regulations.

### 2. City planning tax

The city planning tax is a special purpose municipal tax, which is to be spent on city planning projects or land readjustment projects. Decisions on whether or not to impose the city planning tax and the tax rate (a tax rate cannot be higher than 0.3%) is left to the discretion (ordinances) of municipalities.

Major answers to a question asking about the ongoing or possible problems with land use administration in merged cities (SQ1 of Q30) were, “Disparities in taxation and land values arise within a city, of which it is difficult to gain resident understanding” (36.3%), and “Pressure for development increases in peripheral non-urban areas where regulation is less tight” (36.3%). This shows that taxation is recognized as an important issue.

In accordance with the beneficiary pays principle, new cities have to make a choice from a set of alternatives such as: extension of the taxation areas of the city planning tax, abolishment of the city planning tax, and maintenance of the status quo. The survey (Q12) found that many cities had chosen to maintain the status quo; cities that stated that they “impose the tax only on the preexisting taxation areas in the former municipalities” were the largest in number (156 cities). Meanwhile, some cities reviewed their taxation areas. Twenty-nine cities reviewed the taxation areas throughout the new city and are imposing the tax anew on areas that are deemed necessary. Five cities reviewed the taxation areas throughout the new city and abolished the tax in all areas.

Cities that stated that they were maintaining the status quo in Q12 were asked if they would review their taxation areas. Cities that said that they were “not planning to review,” accounted for 46.8%, while 45.5% said that they would “review the taxation area on the premise that areas that are deemed necessary will be added to the existing taxation area,” and 1.3% said that they would “review the taxation area on the premise that the tax will be abolished.” Most of the cities intend to impose taxes on additional areas if they review taxation areas.

Over all, many cities have chosen to maintain the status quo. It is interesting, however, that cities that intend to review taxation tend to choose the extension of taxation areas. In merged cities, the “grand principle” that the level of resident burden is matched to the lowest of the former municipalities and the

level of administrative services is matched to the highest is often practiced. If this “grand principle” is applied to the city planning tax, the tax should be abolished. However, in reality, revisions are being made in the direction of increased taxation areas.<sup>14</sup>

In the survey, cities that had reviewed taxation areas were asked reasons in a form of an open ended question (SQ2 of Q12). Answers of the cities that newly added taxation areas include: “Fair and equal taxation should be practiced in the same administrative district,” “The city planning tax was newly introduced because installation of a sewerage system and other city planning projects have been planned after the merger,” and “Residents of part of urbanization promotion areas have already been liable for taxation which is to be appropriated for city planning projects. In order to eliminate disparities, taxation areas will be extended to the whole urbanization promotion areas. This process will proceed step by step. The tax rates levied on residents living in newly taxed areas are 0.1% in 2008, 0.2% in 2009, and 0.3% in 2010; eventually the rate will become the same as that imposed on the residents of other taxation areas.” On the other hand, answers of the cities that abolished the tax include: “More than one city planning area inherited from the former municipalities still remains in our new city. Before the merger, only the residents of urbanization promotion areas in delineated city planning areas were levied the tax. After the merger, however, the tax was abolished in order to match with other city planning areas,” and “Before the merger, one city had had the tax. The city and other municipalities having city planning areas in them discussed and concluded not continue taxation. (It was unlikely to gain the consent of residents in additional taxation areas.)” Local governments seem to be struggling to ensure fairness in accordance with the beneficiary pays principle while trying to gain the understanding of residents who will be made to be additional taxpayers.

### **Paragraph 3 Flexible operation of the city planning system**

#### **1. The Ordinances under the provisions of Article 34, item (viii)-3 (the present item (xi)) and item (viii)-4 (the present item (xii)) of the City Planning Act <sup>15</sup>**

The revision of the City Planning Act in 2000 made development permission criteria flexible, and the existing housing land system was abolished. Meanwhile, development pertaining to areas within urbanization control areas that conform to certain requisites and is stipulated by municipal ordinances came to be permitted. In this case, ordinances can restrict the use of buildings.

In the survey, 249 cities (76.6%) stated that they have neither areas stipulated by ordinances under the provision of Article 34, item (viii)-3 (the present item (xi)) of the City Planning Act nor areas stipulated by the provision of Article 34, item (viii)-4 (the present item (xii)) of the same act, while 32 cities (9.8%) stated that they have both. Twenty-three (7.1%) said that they have areas stipulated by Article 34, item (viii)-3 (the present item (xi)) alone, and nine (2.8%) said Article 34, item (viii)-4 (the present item (xii)) alone. It is notable that fairly large number of municipalities used both ordinances instead of either one of them.

To an open ended question (Q12) asking the reasons for designating areas stipulated by Article 34, item (viii)-3 (the present item (xi)), many cities answered that they did so as a measure alternative to the abolished existing housing land system. As for the reasons for designating areas stipulated by Article 34, item (viii)-4 (the present item (xii)), many municipalities cited maintenance and stimulation of the existing community (an open ended question).

Tsuruoka City, when delineating the Tsuruoka City Planning Area, applied Article 34, item (viii)-3 (the present item (xi)) of the City Planning Act to the existing communities, and item (viii)-4 (the present (xii)) to the whole urbanization control areas.

#### **2. Quasi-city planning areas**

The revision of the City Planning Act in 2000 enabled municipalities to designate areas that are located outside city planning areas and require land use control as quasi-city planning areas at their own discretion.

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<sup>14</sup> Unlike fees, national insurance premiums, and other payments, the city planning tax is less familiar to people and virtually combined with the property tax, perhaps making people little aware of the burden.

<sup>15</sup> The so-called Rural District Ordinance and Exceptional Permission Standardization Ordinance are stipulated by Article 34, item (xi) of the City Planning Act and Article 34, item (xii) of the same act respectively. However, the ordinances are commonly known as “3483” and “3484”; thus, this report puts both old and new item numbers.

Tsuruoka City had set quasi-city planning areas to designate use districts and incorporate them into urbanization promotion areas since the time prior to the merger. In the merged city, urbanization promotion areas are believed to be necessary to serve as the core of each district. If there is an absence of community that can be an urbanization promotion area in certain district, the city is considering that it will again set a quasi-city planning area and designate use districts.

### **3. Special use restriction districts**

Revision of the City Planning Act in 2000 allowed municipalities to designate city planning areas with no area classification and quasi-city planning areas with no use districts as special use restriction districts by gaining the consent of prefectural governors so as to restrict uses that have major environmental impacts.

Takamatsu City, following the abolishment of delineation system and the reorganization of the Central Kagawa City Planning Area into the Takamatsu Wide City Planning Area in 2004, designated special use restriction districts in the existing urbanization control areas and newly incorporated city planning areas. This was considered to be the core of the new land use control policy. As a result, roadsides of highways became subject to regulations similar to those applied to category 2 residential districts, and other districts became subject to regulations similar to those applied to category 2 medium-rise exclusive residential districts. The scope of areas coming under these regulations was defined based on opinions expressed in public hearings and coordination among towns involved. At roadsides of highways, areas within 50m from four-lane roads, and 30m from two or three-lane prefectural roads were designated as areas governed by these regulations.

### **4. District plans**

The district plan system which was established in 1980 enables the formulation of the community rules on land use and the layout of urban infrastructure under the agreement of local residents. Municipalities formulate ordinances that provides for the restrictions stipulated by district plans, and ensure their effectiveness through the procedure of building confirmation. Consents of prefectural governors are required only for limited matters such as layout and scale of facilities, and tightening of building restrictions that are applied to individual districts and zones.

In 1998, the City Planning Act was revised to permit development in urbanization control areas if it is stipulated by district plans and it conforms to district improvement plans, creating a system that allows flexible operation of the delineation system. Three thousand and eighty-nine districts are designated to come under this provision as of FY2006.

In accordance with the merger agreement, Tsuruoka City is working with Yamagata Prefecture on the integration of city planning areas and introduction of the delineation system in the merged city. The merged city is envisaged to be an aggregate of the former municipalities each of which has the core in it. However, it is sometimes difficult to designate certain areas as urbanization promotion districts. The city is considering the establishment of use districts and district plans to permit certain levels of development and to introduce the city planning tax.

## Chapter 3 Land use administration by voluntary methods

### Paragraph 1 Establishment and operation of *Machizukuri*<sup>16</sup> Ordinances

#### 1. Overview

Targets and the scope of *Machizukuri* Ordinances vary. Some are concerned with the administrative philosophy of local governments, citizen participation, and regional revitalization, while others are aimed at the regulation and guidance for land use associated with city planning and construction administration. This report focuses on the latter *Machizukuri* Ordinances.

*Machizukuri* Ordinances aimed at the regulation and guidance for land use is classified into the following three types that have different purposes: (i) land use adjustment type, (ii) environment type, and (iii) scenery type. In addition, there are also community development type ordinances which overlap the said three types.<sup>17</sup>

Many *Machizukuri* Ordinances are established in an attempt to control unorderly land use in areas where the regulation under the City Planning Act is less tight. This may be one of the reasons for pioneering cases to be often seen in municipalities that contain non-delineated city planning areas or areas outside city planning areas.<sup>18</sup>

It is said that scrutiny to ensure that the standards and procedures stipulated by *Machizukuri* Ordinances do not conflict with the existing laws is important.<sup>19</sup> Specifically, matters such as fairness of the scope of application, conformity to the minimal regulation principle, transparency of administrative procedures, and effectiveness of security measures should be carefully examined.<sup>20</sup>

#### 2. Trends after municipal mergers

With regard to the impact of municipal mergers on *Machizukuri* Ordinances which were independently formulated by municipalities to be fitted with regional circumstances, maintenance or abolition of the ordinances and the way they are maintained is an important issue.

To the question asking about land use restriction ordinances (voluntary ordinances only) in the former municipalities (Q5), nine cities (2.8%) said, "All the former municipalities had land use restriction ordinances," and 54 cities (16.6%) said, "Some of the former municipalities had land use restriction ordinances," while 257 cities (79.1%) said, "None of the former municipalities had land use restriction ordinances." Cities excluding ones that had not had land use restriction ordinances were then asked how they dealt with the land use restriction ordinances of the former municipalities after the merger (Q20). Twenty-eight cities said that they "continued to apply the ordinances of the former municipalities only within the areas of the respective former municipalities." Twenty-seven cities said that they "extended the application of the ordinances of the former municipalities to the whole merged city." Eighteen cities said that they "abolished the ordinances of the former municipalities and established new ordinances." It is interesting that the number of cities saying that they "continued to apply the ordinances of the former municipalities only within the areas of the respective former municipalities" was fairly large, because this means that ordinances of the former municipalities were not abolished immediately but they have maintained as "local rules."

Type of merger (amalgamation type or absorption type) tends to have a certain effects on the way land use restriction ordinances are dealt with. Answers to Q20 were cross tabulated with the type of merger. Among 221 amalgamation-type merged cities except for cities that had no land use restriction ordinance,

<sup>16</sup> "*Machizukuri*" is often translated "Community Development". This term is used in various meanings by scholars.

Previously, it is used be focused mainly on the urban planning, recently it has been regarded as activities to comprehensively address the local issues related to the living environment in which the residents participate.

<sup>17</sup> Mari Uchiumi, "Machizukuri/kaihatsu-kisei jourei (City planning/development control ordinances)," in Hatsuhiro Isozaki, ed., *Seisaku houmu no shin-tenkai (New developments in public policy and lawmaking)* (GYOSEI, 2004), pp.307.

<sup>18</sup> Toshinori Mizuguchi, *Tochi-riyou-keikaku to machizukuri: kisei, yudou kara keikaku-kyougi e (Land use plans and city planning: From regulation and guidance to planning discussions)*, (Gakugei Shuppan-Sha, 1997), pp181.

<sup>19</sup> Toshiharu Yoshida, "Jourei seitei no doukou to jirei (Trends and cases of the establishment of ordinances)," in Yasuaki Kadoyama, ed., *Chihou-jichi-kouza 2: Jourei to kisoku (A lecture on local autonomy 2: Ordinances and rules)* (GYOSEI, 2003), pp.149-151.

<sup>20</sup> Shigenori Kobayashi, "Jourei ni yoru sougou-teki machizukuri joron (An introduction to comprehensive community development by ordinances)," in Shigenori Kobayashi, ed., *Jourei ni yoru sougou-teki machizukuri (Comprehensive community development by ordinances)* (Gakugei Shuppan-Sha, 2002), pp.19.

20 cities answered that they “continued to apply the ordinances of the former municipalities only within the areas of the respective former municipalities,” and 16 cities answered that they “extended the application of the ordinances of the former municipalities to the whole merged city.” Meanwhile, 13 cities stated that they “abolished the ordinances of the former municipalities and established new ordinances.” Presumably, it is because municipal mergers on equal terms made it difficult to consolidate ordinances that relatively large number of cities has chosen to maintain ordinances of the former municipalities only in the areas of the respective former municipalities.

On the other hand, among 104 absorption-type merged cities, 11 cities said that they “extended the application of the ordinances of the former municipalities to the whole merged city.” Eight cities said that they “continued to apply the ordinances of the former municipalities only within the areas of the respective former municipalities.” Five cities said that they “abolished the ordinances of the former municipalities and established new ordinances.” Relatively large number of cities was found to have “extended the application of the ordinances of the former municipalities to the whole merged city.” It seems that the ordinances of main city came to be applied to the whole areas of the new city because their mergers took place in the form that surrounding municipalities were incorporated into the main city.

#### Handling of land use restriction ordinances of the former municipalities (by type of merger)

	Number of cities surveyed	Extend the application of the ordinances of the former municipalities to the whole merged city	Abolish the ordinances of the former municipalities and establish new ordinances	Continue to apply the ordinances of the former municipalities only within the areas of the respective former municipalities	Have never established and will not establish ordinances	No answer
Total	325 100.0	27 8.3	18 5.5	28 8.6	235 72.3	17 5.2
Amalgamation-type merged cities	221 100.0	16 7.2	13 5.9	20 9.0	163 73.8	9 4.1
Absorption-type merged cities	104 100.0	11 10.6	5 4.8	8 7.7	72 69.2	8 7.7

### 3. Case study

#### (1) A case of continuing to apply the ordinances of the former municipalities only within the areas of the respective former municipalities

Iga City was established in November, 2004 by the merger of six municipalities including Ueno City, Iga Town, Shimagahara Village, Ayama Town, Oyamda Village, and Aoyama Town. Former Iga Town established the Iga City and Environment Planning Ordinance in 1995 in the wake of the construction of an industrial waste disposal facility. The ordinance specifies the procedure where the Areas for Promoting the Conclusion of the Agreement on the City and Environment Planning are designated and the Agreement on the City and Environment Planning is concluded with the consents of at least 80% of land owners. The ordinance also stipulates that acts of development that do not conform to the agreement on the environment plan are subject to guidance, recommendation, publication, refusal of provision of services, payments of the City and Environment Planning Fund, or non-penal fine.

This ordinance has tentatively been maintained in former Iga Town after the municipal merger, but has not been applied to the whole city. The ordinance is operated in the Iga Branch.

#### (2) A case of extending the application of ordinances of the former municipalities to the whole merged city

Hamamatsu City was formed by the merger of 12 municipalities in July, 2005, and became a cabinet ordinance designated city in April, 2007. Hamamatsu City has three ordinances (Ordinance for Promoting Resident Discussion, Ordinance on District Plan Procedures, and Ordinance for the Designation of Development Areas). This ordinance had already been established by Hamamatsu City at the time of the merger, and was inherited by the new city.

#### (3) A case of abolishing the ordinances of the former municipalities and establishing new ordinances



Sasayama City was formed in April, 1999 by the merger of four towns including Sasayama Town, Nishiki Town, Tannan Town, and Konda Town. Pre-merger Sasayama, Tannan, and Nishiki Towns had their respective development ordinances (land conservation ordinances, etc.), and Konda Town had the development guidelines. In particular, Tannan Town established, in 1996, the “Ordinance for Creating a Green Town” which is a combination of development ordinance and district land use plan.

In 1998, officials of four towns in charge of planning and development (section chief level) discussed and agreed on the extension of the ordinance of Tannan Town. The merged city established the Machizukuri Ordinance which serves as a development ordinance and the Satozukuri Ordinance stipulating the creation of the rural hamlet of each district in 1999.

## **Paragraph 2 Formulation and operation of land use adjustment plans**

### **1. Overview**

In order to adjust land use in accordance with local circumstances, some municipalities that have non-delineated areas and other areas with relatively lax regulation coordinate opinions of residents before discussing the approaches to land use, and independently formulate land use adjustment plans.

In an attempt to promote the formulation of land use adjustment plans in municipalities, the Ministry of Land, Infrastructure, Transport and Tourism (the former National Land Agency), implemented, in FY1997 to FY2004, the Project for the Promotion of the Comprehensive Land Use Adjustment System which supported the formulation of plans, holding of conferences and other activities. Judging from the number of use of the project, 80 municipal plans and 56 district plans were made by 118 municipalities in FY1997 to FY2004.<sup>21</sup>

### **2. Trends after municipal mergers**

To a question asking about the formulation of land use adjustment plans in merged cities (Q19), as many as 272 cities (83.7%) answered that they would “not formulate” the plans. Meanwhile, seven cities (2.2%) had “already formulated,” 13 cities (4%) were “formulating,” and 24 cities (7.4%) were “planning to formulate” plans. The necessity of land use adjustment plans is not necessarily unrecognized.

Then, 22 cities which had already formulated, were formulating, or were planning to formulate land use adjustment plans, were asked the purposes of the plan. Eighteen cities (90%) stated that they wanted to use the plans for the regulation and guidance for land use

### **3. Case study**

This section introduces some pioneering land use adjustment plans of urban local governments which are printed on “Sample cases of comprehensive land use adjustment plans in municipalities.”

In Sasayama City located within 50km from Kobe, Osaka, and Kyoto Cities, the construction of an expressway network resulted in sprawling development around rural communities and other areas. Therefore, in 2003, the city formulated Sasayama City Land Use Adjustment Master Plan aimed at ensuring meticulous guidance for land use. Based on the plan, 13 areas including nature conservation areas and forest environment conservation areas were designated, and the City Planning Ordinance and the Ordinance for Creating Green Village were established to control development.<sup>22</sup>

Iwasaku Rokken District of Sukagawa City was in an Urbanization Control Area. However, as a highway was constructed for the opening of Fukushima Airport and the district was surrounded by national and prefectural highways, three development projects were planned in the district, requiring land use adjustment among the projects. Thus, in order to clearly define the land use policies of the district and the positioning of development projects that contribute to regional development, the Iwasaku Rokken District Land Use Adjustment Plan was made in 1998.<sup>23</sup> In accordance with the plan, part of the district was subsequently incorporated into the Urbanization Promotion Area.

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<sup>21</sup> “Land and Real Property in Japan,” [http://tochi.mlit.go.jp/02\\_03.html](http://tochi.mlit.go.jp/02_03.html)

<sup>22</sup> The Ministry of Land, Infrastructure, Transport and Tourism, *Shichouson ni okeru sougou-teki na tochi-riyou-chousei-keikaku no sakutei-jirei-shu (Sample cases of comprehensive land use adjustment plans in municipalities)* (March, 2005), pp.32-37.

<sup>23</sup> The same as the above, pp.52-55.

## Chapter 4 Implementation system of land use administration

### 1. Overview

#### (1) Progress of decentralization

The Act on the Arrangement of Related Acts for Promotion of Decentralization (Comprehensive Act on Decentralization) was enacted in April, 2000. Consequently, responsibilities of the national and local governments were clearly defined and the system of delegation of tasks to the heads of local governments in the capacity of the national agencies was abolished, accompanied by reclassification of tasks. In accordance with the Decentralization Promotion Plan, tasks concerning the City Planning Act, such as tasks associated with prefectural governors' decisions on city planning, which had been classified into tasks delegated to the heads of local governments in the capacity of the national agencies, and tasks associated with decisions on municipal city planning, which had been classified into tasks delegated to local governments, were reclassified into autonomous tasks except for some limited tasks. This even more increased responsibilities of cities. Further, revision of the City Planning Act in 2002 led to the creation of the City Planning Proposal System, enabling diversified city planning that fit with local circumstances.

#### (2) Impacts of merger frameworks on policies

Frameworks of merger tend to determine the policy making in new cities politically and administratively. This applies to land use administration as well.

According to the survey (Q1), 30 out of 104 absorption-type merged cities (28.8%) concluded an agreement on land use at the time of merger, compared to 35 out of 221 amalgamation-type merged cities (15.8%) (see Table 1). As for area classification (delineation) in the former municipalities (SQ1 of Q2), 138 out of 216 amalgamation-type merged cities (63.9%) stated that "none of the former municipalities had area classification (delineation)," while 75 out of 102 absorption-type merged cities (73.5%) stated that "all or part of the former merged cities had area classification (delineation)" (see Table 2), showing difference between the two in terms of the status of area classification (delineation).

When discussing policy making in land use administration, amalgamation-type merged cities will take great care to ensure equality among the former municipalities. Meanwhile, absorption-type merged cities might control development in the peripheral former municipalities to which area classification (delineation) is not applied.

Table 1: Presence or absence of a land use agreement at the time of merger

		Number of cities surveyed	Concluded an agreement	Did not conclude an agreement	No answer
Amalgamation-type merger	No. of cities	221	35	178	8
	%	100.0	15.8	80.5	3.6
Absorption-type merger	No. of cities	104	30	71	3
	%	100.0	28.8	68.3	2.9

Table 2: Presence or absence of area classification (delineation) in the former municipalities

		Number of cities surveyed	All the former municipalities have area classification (delineation)	Some of the former municipalities have area classification (delineation)	None of the former municipalities have area classification (delineation)	No answer
Amalgamation-type merger	No. of cities	216	28	46	138	4
	%	100.0	13.0	21.3	63.9	1.9
Absorption-type merger	No. of cities	102	24	51	27	-
	%	100.0	23.5	50.0	26.5	-

### 2. Scale of organization

With respect to the scale of sections in charge of land use associated with city planning, the survey (Q13) revealed that cities with a larger population tend to have larger number of members of the city planning section; but this is not an obvious tendency (see Table 3). The survey (Q14) also indicated that, in many cities, number of members of the section in charge of land use associated with city planning remain

unchanged even after the merger. More people should be assigned to the section as the total number of staff has increased due to merger. In reality, however, the number has not increased in merged cities, or in cities that have not experienced merger. Municipal merger does not create a basis for enhancing the workforce, but it is regarded as a tool to make staff redundant.

Table 3: Number of staff of the section in charge of land use associated with city planning

		Number of cities surveyed	Number of staff					No answer	
			1-2	3-4	5-6	7-8	9 or more		
Population	Total	No. of cities	325	103	142	48	8	23	1
		%	100.0	31.7	43.7	14.8	2.5	7.1	0.3
	Less than 50,000	No. of cities	105	53	43	4	1	3	1
		%	100.0	50.5	41.0	3.8	1.0	2.9	1.0
	50,000 and less than 100,000	No. of cities	109	40	51	11	1	6	-
		%	100.0	36.7	46.8	10.1	0.9	5.5	-
	100,000 and less than 200,000	No. of cities	62	8	28	18	3	5	-
		%	100.0	12.9	45.2	29.0	4.8	8.1	-
	200,000 and over	No. of cities	49	2	20	15	3	9	-
		%	100.0	4.1	40.8	30.6	6.1	18.4	-

Professional expertise is required for smooth operation of land use administration. In the past, many experts were engaged in the field of city planning and few of them were transferred frequently, which made it possible to operate land use policies that were underpinned by abundant knowledge. This was a significant factor for the development of social infrastructure.

Currently, however, as well as reduction in personnel as part of administrative reforms, rapid job rotations more commonly take place due to municipal merger. In the survey (Q15), 224 cities (68.9%) said that the average period that a person serves in the section in charge of land use associated with city planning was 3-4 years. This is a trend that holds true regardless of population size; about 60-80% of cities with any population size answered “3-4 years” (see Table 4). This seems to be partly because merged cities are seeking for personnel interaction among the former municipalities and human resource development in various fields.

Table 4: Average years of service before transfer

		Number of cities surveyed	Average years of service			No answer	
			1-2 years	3-4 years	5 years or longer		
Population	Total	No. of cities	325	33	224	61	7
		%	100.0	10.2	68.9	18.8	2.2
	Less than 50,000	No. of cities	105	16	68	18	3
		%	100.0	15.2	64.8	17.1	2.9
	50,000 and less than 100,000	No. of cities	109	13	77	17	2
		%	100.0	11.9	70.6	15.6	1.8
	100,000 and less than 200,000	No. of cities	62	4	41	15	2
		%	100.0	6.5	66.1	24.2	3.2
	200,000 and over	No. of cities	49	-	38	11	-
		%	100.0	-	77.6	22.4	-

In such a situation, it is necessary to properly implement land use administration which is a highly professional field. An organization-wide effort to have staff acquire professional skills will be important. Efficiency in skills improvement should be considered as well. Municipal merger could bring about new

demand for land use administration. In order to respond to that, professional skills must be acquired in the shortest time as possible.

### 3. Relations with departments in charge of agricultural administration

Land use administration should not focus on development-oriented urbanization alone but it also should be carried out from a perspective of farmland conservation. The city planning department which is responsible for urbanization is assumed to be development oriented while the agricultural administration department which is in charge of agriculture and farmland conservation is assumed to be development control oriented. Actually, the former does consider farmland conservation in the sense that they try to prevent sprawl, and the latter aims for development in the form of conversion of farmland into housing land in order to bring economic benefit to farmers (farmland owners).

At farmland in urbanization promotion areas, land use has been changing drastically, and the possibility of “another sprawl” is pointed out, where farmland is divided into pieces and reduced in size while housing land is developed rapidly.<sup>24</sup>

Despite such a problem, to the question asking about the relationship with the agricultural administration department in carrying out land use administration (Q24), only 71 cities (21.8%) stated that the city planning department “always consults with and hears opinions from the agricultural administration department when making decisions on land use policies (see Table 5).” As for the involvement in land use policy decisions under the jurisdiction of the agricultural administration department (Q25), even fewer (43 cities, 13.2%) stated that the city planning department “always consult with and give opinions” to the agricultural administration department when making decision on policies (see Table 6). It is desired that city planning and agricultural administration are always linked together to implement comprehensive land use policies, instead of having discussion only when one party has an interest in the policy of the other party.

Table 5: Relation with the agricultural administration department

			Number of cities surveyed	Always consult with and hear opinions from the agricultural administration department when making decisions on land use policies	Consult with and hear opinions from the agricultural administration department when making decisions on land use policies with which the agricultural administration department is concerned	Consult with and hear opinions from the agricultural administration department when deemed necessary	The agricultural administration department is rarely involved	No answer
Population	Total	No. of cities	325	71	137	112	1	4
		%	100.0	21.8	42.2	34.5	0.3	1.2
	Less than 50,000	No. of cities	105	30	33	40	-	2
		%	100.0	28.6	31.4	38.1	-	1.9
	50,000 and less than 100,000	No. of cities	109	31	42	35	-	1
		%	100.0	28.4	38.5	32.1	-	0.9
	100,000 and less than 200,000	No. of cities	62	6	34	20	1	1
		%	100.0	9.7	54.8	32.3	1.6	1.6
	200,000 and over	No. of cities	49	4	28	17	-	-
		%	100.0	8.2	57.1	34.7	-	-

<sup>24</sup> Toshinori Mizuguchi, *Tochi-riyouto-keikaku to machizukuri: kisei, yudou kara keikaku-kyougi e (Land use plans and city planning: From regulation and guidance to planning discussions)*, (Gakugei Shuppan-Sha, 1997), pp.228-229.

Table 6: Approaches to the agricultural administration department

			Number of cities surveyed	Always consult with and give opinions to administration department when making decisions on policies	Consult with and give opinions to the agricultural administration department when making decisions on land use policies with which the city planning department is concerned	Consult with and give opinions to the agricultural administration department when deemed necessary	Rarely involved	No answer
Population	Total	No. of cities	325	43	152	103	22	5
		%	100.0	13.2	46.8	31.7	6.8	1.5
	Less than 50,000	No. of cities	105	19	41	35	7	3
		%	100.0	18.1	39.0	33.3	6.7	2.9
	50,000 and less than 100,000	No. of cities	109	17	53	30	8	1
		%	100.0	15.6	48.6	27.5	7.3	0.9
	100,000 and less than 200,000	No. of cities	62	5	33	16	7	1
		%	100.0	8.1	53.2	25.8	11.3	1.6
	200,000 and over	No. of cities	49	2	25	22	-	-
		%	100.0	4.1	51.0	44.9	-	-

#### 4. Negotiations and discussions with prefectural governors

Although the City Planning Act was revised in parallel with the promotion of decentralization, Article 19, paragraph (3) of the Act stipulates negotiations and discussions with prefectural governors on city planning made by municipalities. This provision is considered to have been included out of necessity for region-wide adjustment among municipalities and for making sure that city plans stipulated by municipalities comply with city plans stipulated by prefectural governors to ensure the integrity of city plans.<sup>25</sup> However, there is a move toward further revision of the act as part of the ongoing decentralization reform. The Interim Report publicized by the Council for Decentralization Reform in November, 2007 states that “city planning should basically be left to the responsibility and judgment, and the collaborated effort of municipalities which are familiar with local circumstances. At the same time, necessity of coordination by prefectures from wider perspectives has to be kept in mind. For this reason, abolition or reduction of obligations of prefectures to the national government, such as obligation to consult with and obtain the consent of the national government in respect to city plans in the three major metropolitan areas should be discussed, as well as transfer of authorities from prefectures to municipalities.”

To a question asking about the negotiations and coordination with prefectures on land use administration (Q23), 67 cities (20.6%) answered “Negotiations and coordination are going smoothly,” and 197 cities (60.6%) answered, “Negotiations and coordination are going fairly smooth.” This trend is applicable irrespective of size of population and type of merger; the rate was almost the same when examining by population size and merger type as well (see Table 7). Overall, negotiations and discussions with prefectures on land use administration seem to be working smooth at the moment.

<sup>25</sup> Toshi keikaku hourei kenkyukai, ed., *Chihou-bunken-go no kaisei-toshi-keikaku-hou no pointo (The point of the revised City Planning Act after decentralization)*, (GYOSEI, 2000), pp.22.

Table 7: Evaluation of negotiations with prefectures

			Number of cities surveyed	Negotiations and coordination going smooth	Negotiations and coordination going fairly smooth	Negotiations and coordination not going fairly smooth	Negotiations and coordination not going smooth	No answer
Population	Total	No. of cities	325	67	197	51	6	4
		%	100.0	20.6	60.6	15.7	1.8	1.2
	Less than 50,000	No. of cities	105	25	67	10	3	-
		%	100.0	23.8	63.8	9.5	2.9	-
	50,000 and less than 100,000	No. of cities	109	16	67	23	1	2
		%	100.0	14.7	61.5	21.1	0.9	1.8
	100,000 and less than 200,000	No. of cities	62	14	34	11	1	2
		%	100.0	22.6	54.8	17.7	1.6	3.2
	200,000 and over	No. of cities	49	12	29	7	1	-
		%	100.0	24.5	59.2	14.3	2.0	-

Type of merger	Amalgamation type	No. of cities	221	44	133	37	3	4
		%	100.0	19.9	60.2	16.7	1.4	1.8
	Absorption type	No. of cities	104	23	64	14	3	-
		%	100.0	22.1	61.5	13.5	2.9	-

## 5. Transfer of authorities form prefectures

Following the revision of the Local Autonomy Act in accordance with the Comprehensive Act on Decentralization, exceptions stipulated by ordinances for administrative processing (Article 252-17-2 of the Local Autonomy Act and Article 55 of the Act on the Organization and Operation of Local Educational Administration) were introduced in FY2000. Since then, transfer of authorities has been pushed across the nation by taking advantage of the said provisions. At least one of tasks associated with the City Planning Act has been transferred in all prefectures<sup>26</sup>; city planning can be said to be an advanced area in terms of transfer of authorities.

The survey (Q21) revealed that many cities think that progress has been made in transfer of authorities; 23 cities (7.1%) said that authority had been “significantly transferred,” and 95 cities (29.2%) said, “Somewhat transferred.” At the same time, however, more cities still think that progress has not been made; 60 cities (18.5%) said, “Not significantly transferred,” and 141 cities (43.4%) said, “Hardly transferred” (see Table 8).

This tendency is stronger in cities with smaller population, and so is in the amalgamation-type merged cities.

This is partly because these cities are often located in non-urban areas where trends in land use are not so dynamic and there is not strong need for authorities.

However, in order for cities to independently and actively work on tasks that are closely related to daily lives of people as the administrative body of the region, further transfer of authorities is important. Municipalities must push smooth negotiations and discussions with prefectures and become ready to accept authorities.

<sup>26</sup> The six local government organizations (the National Governors' Association, the National Association of Chairpersons of Prefectural Assemblies, the Japan Association of City Mayors, the National Association of Chairpersons of City Councils, the National Association of Towns and Villages, and the National Association of Chairmen of Town and Village Assemblies), “The survey conducted by the Headquarters for Decentralization Promotion” (2003). For more information, see, [http://www.bunken.nga.gr.jp/kenkyuusitu/tokurei\\_15/sokatu.html](http://www.bunken.nga.gr.jp/kenkyuusitu/tokurei_15/sokatu.html)

Table 8: Evaluation of the transfer of authorities

			Number of cities surveyed	Significantly transferred	Somewhat transferred	Not significantly transferred	Hardly transferred	No answer
Population	Total	No. of cities	325	23	95	60	141	6
		%	100.0	7.1	29.2	18.5	43.4	1.8
	Less than 50,000	No. of cities	105	4	25	22	53	1
		%	100.0	3.8	23.8	21.0	50.5	1.0
	50,000 and less than 100,000	No. of cities	109	7	34	21	44	3
		%	100.0	6.4	31.2	19.3	40.4	2.8
	100,000 and less than 200,000	No. of cities	62	3	23	12	22	2
		%	100.0	4.8	37.1	19.4	35.5	3.2
	200,000 and over	No. of cities	49	9	13	5	22	-
		%	100.0	18.4	26.5	10.2	44.9	-
Type of merger	Amalgamation type	No. of cities	221	11	62	44	98	6
		%	100.0	5.0	28.1	19.9	44.3	2.7
	Absorption type	No. of cities	104	12	33	16	43	-
		%	100.0	11.5	31.7	15.4	41.3	-

## Bibliography

- Hideki Azuma, Shozo Kazami, Hiroko Tachibana & Akinobu Murakami, “*Asu no denen-toshi*” e no izanai: Howard no kousou ni hasshita sono rekishi to mirai (*An invitation to “Garden Cities of To-morrow”: Their history and future originating in the idea of Ebenezer Howard*) (SHOKOKUSHA, 2001)
- Masanori Azuma, “Hotaka-machi Machizukuri Jourei (The City Planning Ordinance of Hotaka Town),” in Teitarou Kitamura, ed., *Tochi-riyou-keikaku to sichouson jourei: Chihou-bunken-jidai e mukete no nouson-keikaku (Land use plans and municipal ordinances: Rural area planning toward the decentralization age)* (Association of Agriculture & Forestry Statistics, 2003)
- Hidetomo Arata, “Kouiki-toshiken no toshi-keiei (City management in wide urban areas),” in Kazuhiro Ueta, Naohiko Jinno, Yukio Nishimura, and Yousuke Mamiya, eds., *Toshi no shisutemu to keiei (City system and management)* (Iwanami Shoten, 2005)
- Hiroyuki Arichi, “Yamagata-ken Tsuruoka-shi no senbiki dounyuu (Introduction of the delineation system in Tsuruoka City, Yamagata),” in Atsushi Yanagisawa, Kazuo Noguchi, and Masaharu Hioki, *Jichitai toshi-keikaku no saizensen (The front line of city planning by local governments)* (Gakugei Shuppan-Sha., 2007)
- Takeo Ishikawa, Sei Ohono, and Tsuyoshi Takanabe, “Senbiki seido ni yoru kougai no hozen to katsuyou (Conservation and utilization of suburban areas by the delineation system),” in Japan Society of Urban and Regional Planners, ed., *Toshi, nouson no atarashii tochi-riyou senryaku: Henbou shita senbiki-seido no kanousei wo saguru (New land use strategies in urban and rural areas: Searching potential of the transformed delineation system)* (Gakugei Shuppan-Sha, 2003)
- Tsutomu Isobe, “Koukyousei to Tochi-riyou-chitsujo no dankai-kouzou (The tiered structure of publicness and land use order),” in Tokiyasu Fujita, Tsutomu Isobe, Shigenori Kobayashi, et al., eds., *Tochi-riyou-kisei-rippou ni mirareru koukyousei (The public nature of land use control legislation)* (The Land Institute of Japan, 2002)
- Mari Uchiumi, “Inin-jourei to jishu-jourei no renkei, ittai-teki-unyuu-jirei (Sample cases of linkage and integrated operation of delegatory ordinances and voluntary ordinances),” in Shigenori Kobayashi, ed., *Jourei ni yoru sougou-teki machizukuri (Comprehensive city planning by ordinances)* (Gakugei Shuppan-Sha, 2002)
- Mari Uchiumi, “Machizukuri jourei ni yoru kougai no sougou-teki tochi-riyou yuudou (Comprehensive land use guidance in suburban areas by city planning ordinances),” in Japan Society of Urban and Regional Planners, ed., *Toshi nouson no atarashii tochi-riyou senryaku: Henbou shita senbiki-seido no kanousei wo saguru (New land use strategies of urban and rural areas: Searching potential of the transformed delineation system)* (Gakugei Shuppan-Sha, 2003)
- Mari Uchiumi, “Machizukuri/kaihatsu-kisei jourei (City planning/development control ordinances),” in Hatsuhito Isozaki, ed., *Seisaku houmu no shin-tenkai (New developments in public policy and lawmaking)* (GYOSEI, 2004)
- Junichiro Okata, “Toshi-keikaku, tochi-riyou/kenchiku kisei wa naze hitsuyou nanoka (Why city planning and land-use/construction control necessary?),” in Kei Minohara, ed., *Toshi-keikaku no chousen: Atarashii koukyou-sei wo motomete (The challenge for city planning: Pursuit of new publicness)* (Gakugei Shuppan-Sha, 2000)
- Takashi Onishi, “Toshi-keikaku-seido to kongo no toshi-zukuri no arikata (City planning system and the future city building,” Japan Center for Cities, ed., *Korekara no toshi-zukuri to toshi-keikaku-seido (City building and city planning system in the future)* (Japan Center for Cities, 2004)
- Takashi Onishi, Tsunekazu Toda, Akira Yamasaki, Sadatsugu Nishiura, Tetsuo Shimizu, and Minoru Kimura, “Tokushu zadankai: Shin-jidai no kokudo-keikaku wo kangaeru (Discussion: National land planning in the new era,” in *Toshi-keikaku (City planning)*, vol.263 (October, 2006)
- Sei Ohno, Tsuyoshi Takanabe, Kazue Satani, and Masaki Habata, “Shigaika-chousei-kuiki no tochi-riyou-yuudou to kaihatsu-kyoka-seido (Land use guidance and development permission system for urbanization control areas),” in Japan Society of Urban and Regional Planners, ed., *Toshi nouson no atarashii tochi-riyou senryaku: Henbou shita senbiki-seido no kanousei wo saguru (New land use strategies of urban and rural areas: Searching potential of the transformed delineation system)* (Gakugei Shuppan-Sha, 2003)
- Gen Kato, “Kagawa Chuo Toshi Keikaku Kuiki no senbiki haishi: Aratana tochi-riyou-kontororu-saku no



- dounyuu (Abolition of delineation in the Central Kagawa City Planning Area: Introduction of new land use control measures),” in Atsushi Yanagisawa, Kazuo Noguchi, and Masaharu Hioki, *Jichitai toshi-keikaku no saizensen (The front line of city planning by local governments)* (Gakugei Shuppan-Sha, 2007)
- Narufumi Kadomatsu, “Bunken-gata-shakai no chiiki-kuukan-kanri (Regional spatial administration in the decentralized society),” in Mitsuo Kobayakawa, ed., *Bunken-kaikaku to chiiki-kuukan-kanri (Decentralization reform and regional spatial administration)*(GYOSEI, 2000)
- Toshiyuki Kanai, “Kuukan-kanri (Spatial administration),” in Akira Morita, ed., *Gyouseigaku no kiso (Basic public administration)* (Iwanami Shoten, 2000)
- Toshiyuki Kanai, “Sengo Nippon no jichitai-gyousei to juumin-katsudo (Local administration and resident activities in post-war Japan)” in Takashi Nishio, ed., *Juumin, komyunithi tonu kyoudou (Collaboration with residents and communities)* (GYOSEI, 2004)
- Mitsuhiko Kawakami, “Keikaku-keniki no henka to keikaku-naiyou no henka: Shichouson-gappei to tochi-riyou-keikaku (Changes in the areas and contents of planning: Municipal merger and land use planning),” in *Toshi-keikaku (City planning)*, vol.250 (August, 2004)
- Takayuki Kishii, “Bunken-ka to kouiki-teki-kanten kara mita toshi-keikaku (Decentralization and city planning from a region-wide perspective),” in Shigenori Kobayashi, ed., *Bunken-shakai to toshi keikaku (The decentralized society and city planning)* (GYOSEI, 1999)
- Tetsuya Kitahara, *Gendai Nippon no toshi-keikaku (City planning in modern Japan)* (SEIBUNDO, 1998)
- The Ministry of Land, Infrastructure, Transport and Tourism, *Shichouson ni okeru sougou-teki na tochi-riyou-chousei-keikaku no sakutei-jirei-shu (Sample cases of comprehensive land use adjustment plans in municipalities)* (March, 2005)
- The Ministry of Land, Infrastructure, Transport and Tourism, *Toshi-keikaku-unyou-shishin (The guidelines for the operation of city plans)*, 5th ed. (November, 2006)
- Hideki Koizumi, “Toshi-keikaku-hou kara machizukuri-hou e (From the City Planning Act to the Machizukuri (community development) Act),” in Sumitaka Harada, ed., *Nippon no toshi-hou I: Kouzou to tenkai (City laws in Japan I: Structures and developments)* (University of Tokyo Press, 2001)
- Shigenori Kobayashi, “Kindai-toshi-keikaku ni okeru kengen-haibun no rekishi to wagakuni ni okeru keii (The history of the allocation of authorities in modern city planning and its developments in Japan),” in Shigenori Kobayashi, ed., *Bunken-shakai to toshi-keikaku (The decentralized society and city planning)* (GYOSEI, 1999)
- Shigenori Kobayashi, “Jourei ni yoru sougou-teki machizukuri joron (An introduction to comprehensive city planning by ordinances),” in Shigenori Kobayashi, ed., *Jourei ni yoru sougou-teki machizukuri (Comprehensive city planning by ordinances)* (Gakugei Shuppan-Sha, 2002)
- The Headquarters for Decentralization Promotion of the Six Local Government Organizations, *Chihou-bunken-jidai no jourei ni kansuru chousa-kenkyu (Research on ordinances in the decentralization age)* (Headquarters for Decentralization Promotion of the Six Local Government Organizations, 2004)
- City Planning Association of Japan, *Toshi-keikaku hando bukku 2006 nen (City planning handbook 2006)* (City Planning Association of Japan, 2007)
- Japan Chamber of Commerce and Industry, *Bessatsu “Ishigaki”: Jissen, machizukuri (An extra number of “Ishigaki”: Community development at first hand)* (Japan Chamber of Commerce and Industry, February, 2006)
- Japan Society of Urban and Regional Planners, ed., *Toshi nouson no atarashii tochi-riyou senryaku (New land use strategies of urban and rural areas)* (Gakugei Shuppan-Sha, 2003)
- Japan Center for Cities, “Toshi-jichitai no jishusei wo kakuritsu suru tame no kaikaku (Reform for building independency of urban local governments),” Japan Center for Cities, ed., *Korekara no toshi-zukuri to toshi-keikaku-seido (City building and city planning system in the future)* (Japan Center for Cities, 2004)
- Yasuo Matsumoto, “Iga-cho Machizukuri Kankyo Jourei (Mie-ken) (Iga City and Environment Planning Ordinance (Mie Prefecture)),” in Teitarou Kitamura, ed., *Tochi-riyou-keikaku to sichouson jourei: Chihou-bunken-jidai e mukete no nouson-keikaku (Land use plans and municipal ordinances: Rural area planning toward the decentralization age)* (Association of Agriculture & Forestry Statistics, 2003)
- Yoshikazu Miki, “Toshi-keikaku to zei/juekisha-hutan no sai-seibi (City planning and rearrangement of taxation/payment by beneficiaries),” Sumitaka Harada, ed., *Nippon no toshi-hou I: Kouzou to tenkai*

- (*City laws in Japan I: Structures and developments*) (University of Tokyo Press, 2001)
- Toshinori Mizuguchi, *Tochi-riyou-keikaku to machizukuri: kisei, yudou kara keikaku-kyougi e (Land use plans and city planning: From regulation and guidance to planning discussions)*, (Gakugei Shuppan-Sha, 1997)
- Toshinori Mizuguchi, “Chiiki ni yoru sougou-teki na tochi-riyou-kanri no tame no aratana wakugumi no arikata (The new framework for comprehensive land use control by local communities),” in Japan Society of Urban and Regional Planners, ed., *Toshi nouson no atarashii tochi-riyou senryaku: Henbou shita senbiki-seido no kanousei wo saguru (New land use strategies of urban and rural areas: Searching potential of the transformed delineation system)* (Gakugei Shuppan-Sha, 2003)
- Michio Miyazawa, “Toshi-keikaku-kuiki no yurai (The history of city planning areas),” *Toshi-keikaku (City planning)*, vol.250 (August, 2004)
- Kiyoshi Hasegawa, “Kenchiku-kyoutei to chiku-keikaku (Construction agreement and district plans),” in Sumitaka Harada, ed., *Nippon no toshi-hou II: Shosou to doutai (City laws in Japan II: Phases and trends)* (University of Tokyo Press, 2001)
- Kiyoshi Hasegawa, *Toshi komyunithi to hou (Urban communities and laws)* (University of Tokyo Press, 2006)
- Atsushi Yanagisawa, “Toshi-keikaku-seido no bunken-ka no suiii (Development of decentralization of city planning system),” in Shigenori Kobayashi, ed., *Bunken-shakai to toshi keikaku (The decentralized society and city planning)* (GYOSEI, 1999)
- Atsushi Yanagisawa, “Mondai-teiki: 2000-nen-kaisei no imi to kanousei (Problem presentation: Significance and potential of the revision in 2000),” in Japan Society of Urban and Regional Planners, ed., *Toshi nouson no atarashii tochi-riyou senryaku: Henbou shita senbiki-seido no kanousei wo saguru (New land use strategies of urban and rural areas: Searching potential of the transformed delineation system)* (Gakugei Shuppan-Sha, 2003)
- Atsushi Yanagisawa, “Nagano-ken Azumini-chiiki no mosaku (Striving of Azumino District, Nagano Prefecture),” in Atsushi Yanagisawa, Kazuo Noguchi, and Masaharu Hioki, *Jichitai toshi-keikaku no saizensen (The front line of city planning by local governments)* (Gakugei Shuppan-Sha, 2007)
- Toshiharu Yoshida, “Jourei seitei no doukou to jirei (Trends and cases of the establishment of ordinances),” in Yasuaki Kadoyama, ed., *Chihou-jichi-kouza 2: Jourei to kisoku (A lecture on local autonomy 2: Ordinances and rules)* (GYOSEI, 2003)

