

# The Governance of Land Use

## COUNTRY FACT SHEET SWITZERLAND

### The planning system

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

Switzerland is a federal country with 26 cantons and 2 294 municipalities. The fundamental responsibilities for spatial planning and land-use policies are defined in the Swiss constitution. Responsibilities for spatial planning lie with the cantons, while the federal government defines guiding principles for land-use planning and co-ordinates the efforts of the cantons.

In practice, the national government has two primary roles. First, it enacts the framework law that structures the planning processes of the cantons. It also enacts legislation in other fields such as transport, environmental protection, housing and energy that has relevance for land-use planning. Typically, federal legislation in these areas provides a framework that is further specified by cantonal legislation. Second, the federal government is directly involved in the preparation of five sectoral plans and two sectoral concepts on issues that have relevance beyond individual cantons (see below for further details).

Due to binding national guidelines, land-use planning in most Swiss cantons is structured similarly. Cantons exercise their responsibility for spatial planning mostly through the preparation of strategic regional plans. All cantons except Geneva and Basel-Stadt have delegated actual responsibility for land-use planning to municipalities, but they remain responsible for issuing building permits for projects that are located outside of so-called building zones (i.e. areas designated as developable).

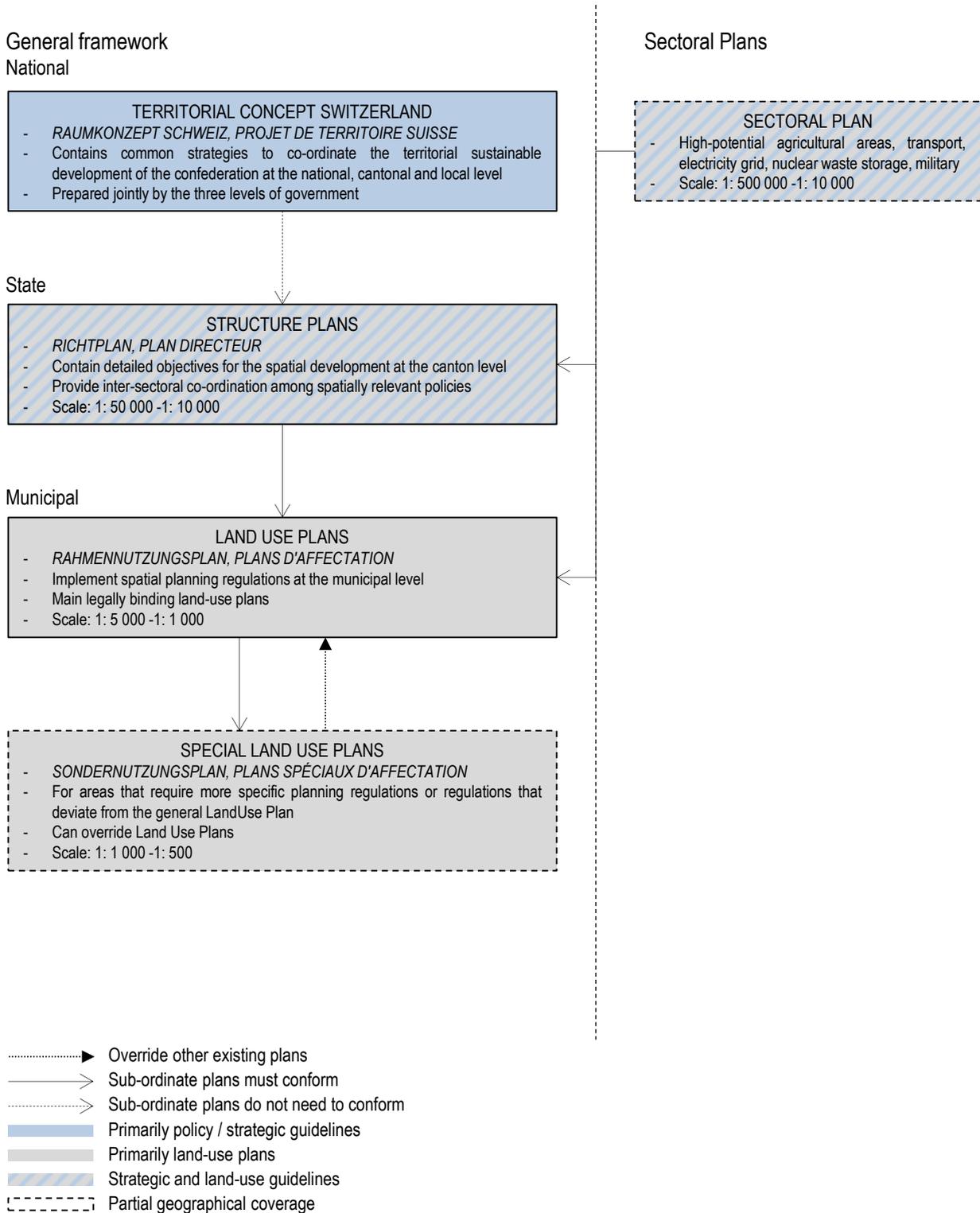
While formal responsibilities of cantons are similar across Switzerland, actual planning practices vary between them. Some cantons are known for more liberal approaches than others. Furthermore, there are differences between urban and rural areas, as large urban municipalities have the capacity to develop more elaborate plans than smaller municipalities.

While details vary between cantons, municipalities are central actors in land-use policies, as they prepare binding land-use plans (except in Geneva and Basel-Stadt where this is done by the respective canton administration). Furthermore, they issue building permits for all construction projects located within the building zone of their territory.

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

At the national level, a non-binding country-wide strategic plan, five sectoral plans and two spatial concepts exist. Sectoral plans concern high-potential agricultural areas, transport, the electricity grid, storage sites for nuclear waste, and the military. They designate areas for specific land uses within their thematic fields and are binding for subordinate plans. Sectoral concepts, which contain less detail than sectoral plans are prepared for landscape planning and the planning of sports facilities.

## Organisation of spatial and land-use in Switzerland



.....▶ Override other existing plans

——> Sub-ordinate plans must conform

.....> Sub-ordinate plans do not need to conform

■ Primarily policy / strategic guidelines

■ Primarily land-use plans

■ Strategic and land-use guidelines

--- Partial geographical coverage

At the cantonal level *Structure Plans* are detailed strategic plans that describe the socio-economic situations in cantons and include detailed objectives for the spatial development

in cantons. They are very specific about the intended land use for certain parts of the canton and determine the location of public infrastructure. However, they do not contain land-use regulations that are binding for land owners.

Land use is generally regulated by *Local Land Use Plans*, which are prepared by municipalities except in the cantons of Geneva and Basel where cantonal land-use plans are prepared. All municipalities are covered by them (map-based elements 1: 5 000 and 1: 1 000). They typically define the limits of building zones and the different land-use zones within it, but do not contain regulations on urban design. After their preparation by municipalities, *Local Land Use Plans* have to be approved by the canton. In some cantons *Local Land Use Plans* may also need to be confirmed by a public referendum in the respective municipality.

*Special Land Use Plans* are prepared for areas where additional regulation beyond general zoning is required. Most commonly, *Special Land Use Plans* define neighbourhood layouts, architectural details of buildings and other specific aspects required for developments. They may override *Local Land Use Plans*. Beyond these aspects, they may also regulate other aspects of land use if needed. *Special Land Use Plans* are defined in cantonal legislation. Therefore, their details and their approval process vary from canton to canton.

In addition to the plans mentioned above, a large variety of other plans exist. Primarily, these are strategic plans at all levels of government and sectoral plans at the canton level. Typically, they cover issues such as economic development, waste, wastewater, telecommunication, the electricity grid, traffic and environmental protection. Furthermore, some national legislation has an explicit spatial dimension. Examples are laws creating an inventory of heritage sites or determining areas where hunting is banned.

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

As mentioned above, the most important law is the framework *Law on Spatial and Regional Planning*. It guides spatial planning at all levels of government and requires a sparing use of land whenever possible. As a central mechanism to achieve this goal, it demands a strict delineation of land that is available for development and land that is not. Furthermore, it requires that different levels of government co-ordinate their land-use related activities. Due to the high level of detail in the *Law on Spatial and Regional Planning*, and in the corresponding implementation ordinance, the planning systems of the Swiss cantons are generally similar.

Several other laws have major importance for land use in Switzerland. The *Agriculture Law* defines the multi-functionality of agricultural landscape and requires decentralised settlement patterns. A *Law on Second Homes* limits the share of second homes within municipalities to 20% and has important impacts on some municipalities in touristic areas. Furthermore, the *Nature and Cultural Heritage Protection Law* and the *Environmental Protection Law* restrict land use along various dimensions.

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

Limited co-ordination between levels of government is provided by the formally hierarchical nature of the planning system. Although municipalities retain a high degree of autonomy concerning land-use planning, their plans must comply with higher level plans.

Horizontal co-ordination occurs primarily at the cantonal level through *Structure Plans*, which cover several policy areas.

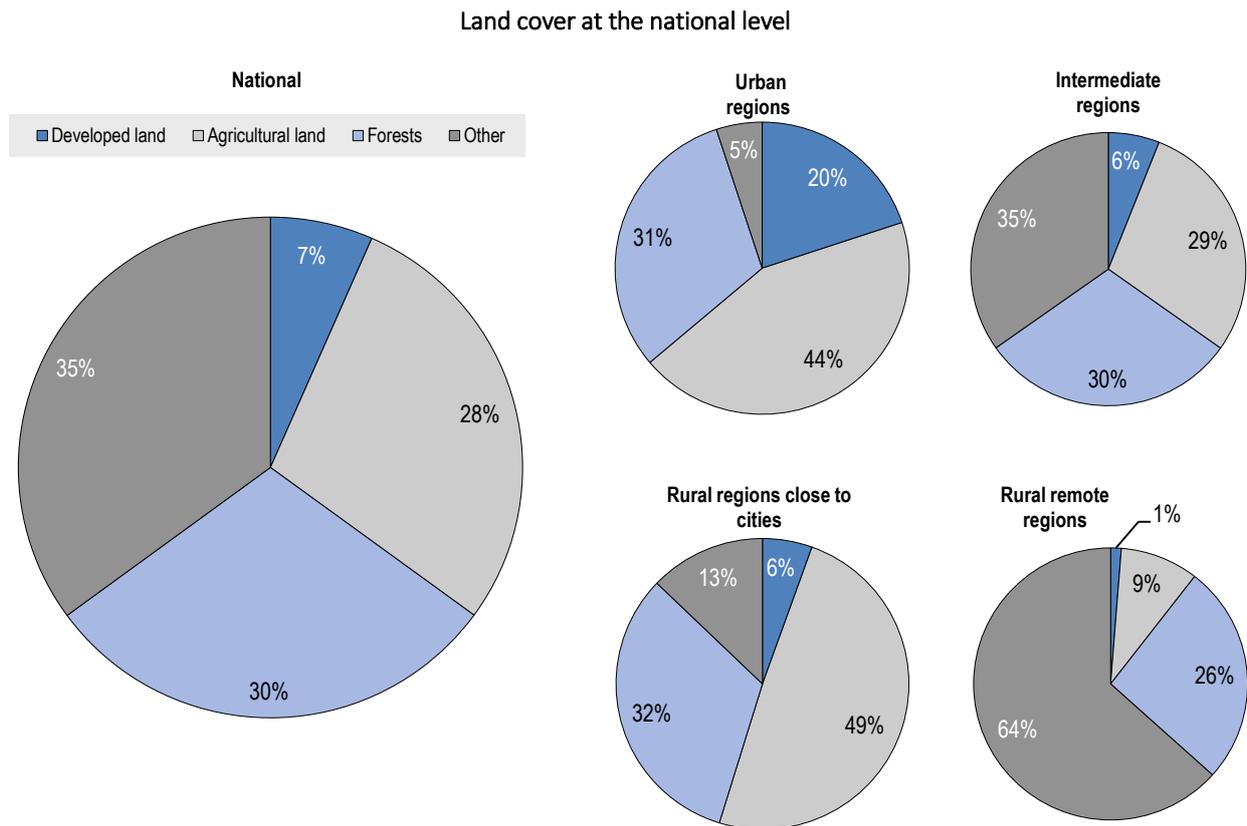
### Expropriations

Expropriation is possible for several reasons, among them the construction of transport infrastructure and public buildings, the protection of nature reserves and for military purposes. Expropriations are comparatively uncomplicated in the case of construction of infrastructure and to a lesser degree also for military purposes, but very difficult in most other cases due to the strong protection of property rights.

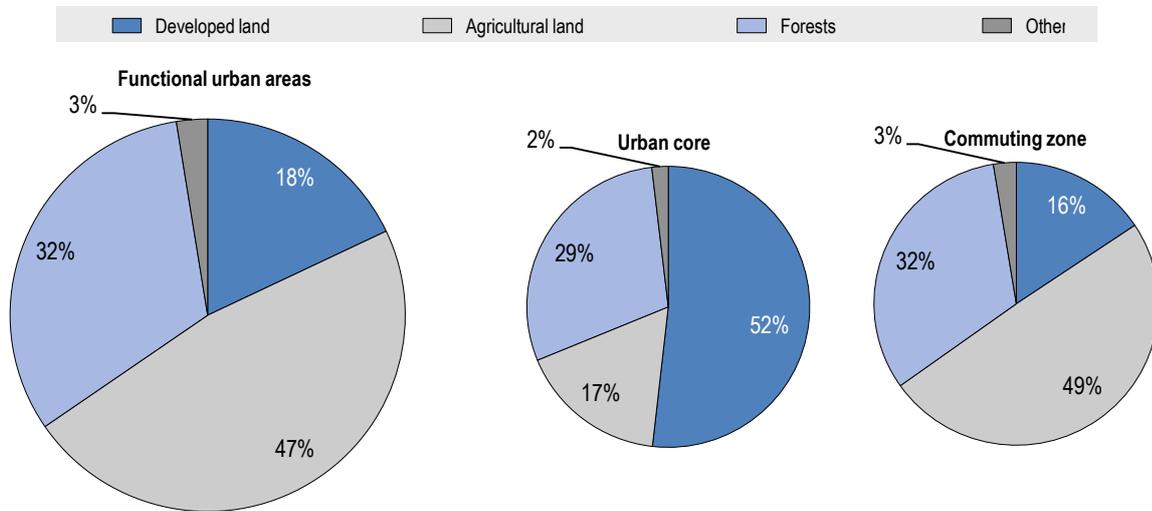
### Recent and planned reforms to the system of land-use planning

The *Law on Spatial and Regional Planning* has been in place since 1979, but has been revised several times since then (in 1995, 1998, 2007, and 2013). The most recent reform aimed at increased densification and at limiting expansion outside of building zones. As of the time of writing, further reforms are under discussion but not decided.

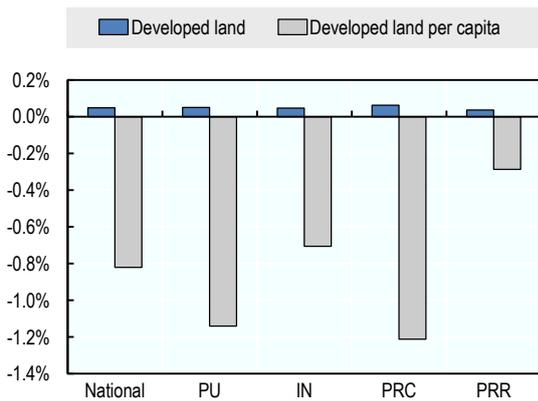
### Land cover in Switzerland



### Land cover in functional urban areas (FUAs)

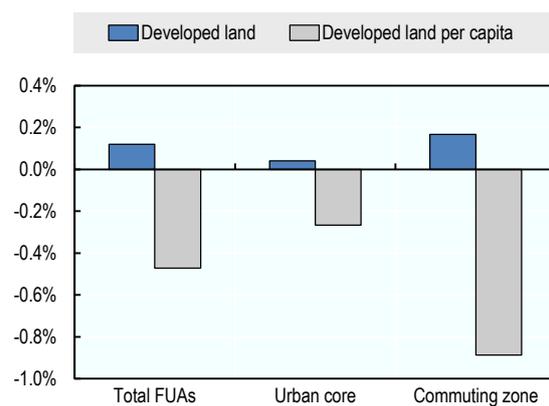


Annual change in developed land, 2000-12



Note: PU: urban regions, IN: intermediate regions, PRC: rural regions close to cities, PRR: rural remote regions.

Annual change in developed land in functional urban areas from 2000 to 2012



Note: Values for urban cores and commuting zones refer only to FUAs with more than 500 000 inhabitants.

### Land-use trends in Switzerland

Switzerland is one of the more densely populated OECD countries. Land use is more constrained than in many other countries because of the mountainous terrain, which is reflected in the high share of land that is neither developed, nor used for agriculture or forestry. Since 2000, developed land has increased by very little – at least insofar as can be observed on the available satellite-imagery. As population has been growing strongly, the amount of developed land per capita has decreased by approximately 0.8% annually, the second highest decline in the OECD behind Luxembourg. Per capita use of developed land is slightly below the OECD average.

Source: OECD calculations based on *Corine Land Cover dataset*.

## Land cover at the national level in Switzerland

Land cover (km <sup>2</sup> )	National	Urban regions	Intermediate regions	Rural regions close to cities	Rural remote regions
Total area	41 297	4 234	26 933	2 998	7 132
Total developed land	2721	844	1622	165	89
Percentage of total	6.6%	19.9%	6.0%	5.5%	1.3%
Annual change in developed land, 2000-12	1.3	0.4	0.8	0.1	0.03
Annual percentage change in developed land, 2000-12	0.05%	0.05%	0.05%	0.06%	0.04%
Agricultural land	11 750	1 858	7 755	1 477	660
Percentage of total	28.5%	43.9%	28.8%	49.3%	9.3%
Annual change in agricultural land, 2000-12	-1.1	-0.4	-0.6	-0.1	0.0
Annual percentage change in agricultural land, 2000-12	-0.01%	-0.02%	-0.01%	-0.01%	0.00%
Forests	12 345	1 318	8 190	972	1 865
Percentage of total	29.9%	31.1%	30.4%	32.4%	26.2%
Annual change in forests, 2000-12	0.4	0.8	-0.3	-0.01	-0.1
Annual percentage change in forests, 2000-12	0.003%	0.06%	-0.003%	-0.001%	-0.01%
<b>Land cover per capita (m<sup>2</sup>)</b>					
Total developed land per capita	342	326	392	421	462
Annual percentage change in developed land per capita, 2000-12	-0.82%	-1.14%	-0.71%	-1.21%	-0.29%
Agricultural land per capita	1 477	718	1 876	3 776	3 413
Annual percentage change in agricultural land per capita, 2000-12	-0.88%	-1.21%	-0.76%	-1.28%	-0.33%
Forests per capita	1 552	509	1 981	2 485	9 645
Annual percentage change in forests per capita, 2000-12	-0.86%	-1.13%	-0.76%	-1.27%	-0.33%

## Land cover in functional urban areas (FUAs)

Land cover in FUAs (km <sup>2</sup> )	FUAs	Urban core	Commuting zone
Total area	7 390	472	6 918
Total developed land	1 327	244	1 082
Percentage of total	18.0%	51.8%	15.6%
Annual change in developed land, 2000-12	1.6	0.1	1.5
Annual percentage change in developed land, 2000-12	0.12%	0.04%	0.14%
Agricultural land	3 506	80	3 426
Percentage of total	47.4%	17.0%	49.5%
Annual change in agricultural land, 2000-12	-1.4	-0.1	-1.3
Annual percentage change in agricultural land, 2000-12	-0.04%	-0.12%	-0.04%
Forests	2 369	138	2 231
Percentage of total	32.1%	29.3%	32.2%
Annual change in forests, 2000-12	0.4	0.1	0.3
Annual percentage change in forests, 2000-12	0.02%	0.08%	0.01%
<b>Land cover per capita in FUAs (m<sup>2</sup>)</b>			
	FUAs (50 000+ inhabitants)	Urban core (only FUAs 500 000+)	Commuting zone (only FUAs 500 000+)
Total developed land per capita	299	157	351
Annual percentage change in developed land per capita, 2000-12	-0.47%	-0.27%	-0.89%
Agricultural land per capita	791	41	930
Annual percentage change in agricultural land per capita, 2000-12	-0.63%	-0.45%	-1.11%
Forests per capita	534	53	651
Annual percentage change in forests per capita, 2000-12	-0.57%	-0.04%	-1.02%

Source: All land cover statistics for Switzerland are based on OECD calculations based on *Corine Land Cover dataset*.