

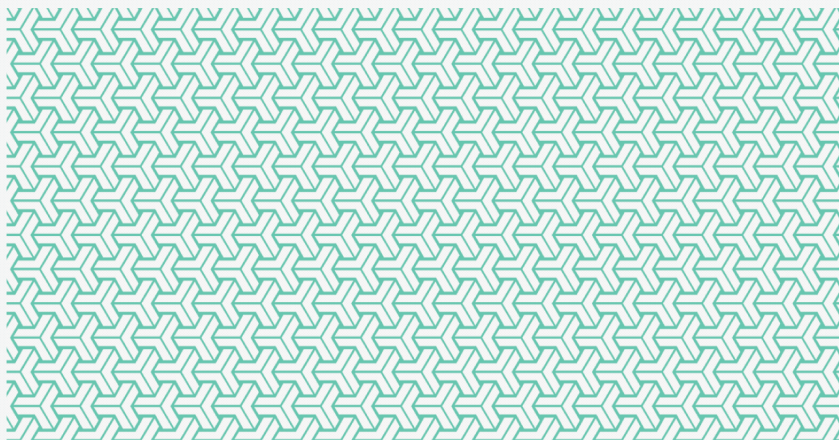
개발사업 경관심의 운영현황 및 제도 개선방안

Current Status and Institutional Improvement of
Landscape Deliberation in Development Projects

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Chapter 1: Introduction

Since the complete revision of the “Landscape Act” in 2013, local governments have been operating the landscape deliberation system for projects related to ‘social infrastructure projects, development projects (26 types), and buildings’ in accordance with Articles 26 to 28 of the law. Among them, the landscape deliberation for development projects is regulated to cover a total of 6 fields based on 26 related laws, involving a total of 28 various development projects. Despite the ongoing demands for simplification and rationalization, there has not been substantial improvement in the institutional framework. In particular, there is a need to supplement the data and assess the current issues related to the landscape deliberation for development projects that were lacking during the legislative process of the proposed amendment to the “Landscape Act” in December 2021.

Therefore, this study identifies issues and problems related to the landscape deliberation based on an understanding of the procedures and characteristics of landscape deliberations for development projects under different laws. Through this, the study aims to propose improvements to the landscape deliberation system for development projects, taking into account the composition and operation of the landscape committees, deliberation procedures and timing, deliberation criteria, and the actual operation of pre-deliberation and pre-discussion.

Chapter 2: Laws, Regulations, and Issues Related to Landscape Deliberation in Development Projects

In Chapter 2, the study organizes regulations on landscape deliberations for development projects in the “Landscape Act” and summarizes issues related to landscape deliberations for development projects. Regarding the issues of landscape deliberations for development projects, the study integrates the 2021 proposed amendment to the “Landscape Act,” previous research, results of existing research projects, and recent issues related to comprehensive deliberations.

Key Issues in the Landscape Deliberation of Development Projects	Regulations and Content
1. Appropriateness of the timing of the landscape deliberation process (Efficiency in the deliberation process timing)	Landscape Deliberation Procedures and Timing
2. Absence of landscape deliberation procedures for buildings constructed on individual parcels in the development project	
3. Expansion of the integration of landscape deliberations related to development projects	
4. Addition of landscape deliberation for housing development projects separate from land development projects	Subjects of Landscape Deliberation
5. Ensuring distinctiveness from related deliberations and efficiency improvement through integrated deliberations	Relationship and Distinctiveness in Comparison with Other Committees
6. Overlapping issues with architectural landscape deliberations	
7. Lack of clarity in the criteria and scope for re-review of development project changes	Criteria for Re-evaluation Due to Changes
8. Insufficient understanding of the preliminary landscape planning for development projects	Guidelines for Preparing Preliminary Landscape Plans for Landscape Deliberations
9. Deficiencies and inactivity in the regulatory system for preliminary deliberations.	

Source: Compiled by the Research Team

Chapter 3: Understanding and Typification of Landscape Deliberations in Development Projects

In Chapter 3, the characteristics of landscape deliberations in development projects were understood, typified by procedure, and limitations were derived. Based on this, the appropriateness of deliberation documents and criteria for writing documents in landscape deliberations, reflection and changes in the content of landscape deliberations, and the direction of local government case studies and analyses related to development project landscape deliberations, such as sustainability, were established.

Development project landscape deliberations were typified into ‘Before and After Area Designation and Project Planning’ and ‘Whether a District Plan is Established.’ Firstly, Type A involves landscape deliberations conducted before the designation of the area and the establishment of plans, generally preceding the committee’s deliberation to determine the project area and district. Therefore, as the results of landscape deliberations are crucial in subsequent urban planning processes, it was necessary to deliberate the appropriateness of documents based on the actual deliberation books, considering the utilization of

district planning during the project planning stage.

Type B involves landscape deliberations conducted at the stage where specific spatial plans are established, with no criteria or guides for significant landscape areas, axes, view rights, skylines, etc., from a macroscopic perspective. Therefore, case studies and interviews were necessary to identify any issues that may arise during actual landscape deliberations.

Finally, Type C involves integrated deliberations with other committees during the project planning stage. It requires a review to ensure there are no issues during integrated reviews and confirmation of actual documents for cases where only housing construction projects are implemented without receiving landscape deliberations, particularly in cases where land development projects are not carried out.

Type	Characteristics	Key Points	Direction of Case Analysis
A	In the stage before designating zones and establishing plans, landscape considerations	<ul style="list-style-type: none"> Despite landscape considerations being conducted before the designation of zones and units, there are limitations in establishing both an overall plan for landscape zones, axes, and views, as well as detailed spatial planning. 	<ul style="list-style-type: none"> Examination of the validity of regulations regarding the review timing Differentiation between the review by the urban planning committee Evaluation of the appropriateness of content in cases with or without prior landscape plans, and the reflection and maintenance of such content in project plans, and the need for reevaluation of landscapes due to project plan changes. Specifically, for Type A-1, examination of the appropriateness of content reflected in unit plans, and whether relevant content is included in unit plans.
A-1	Development of a unit plan before the project planning stage	<ul style="list-style-type: none"> It is crucial for landscape-related matters to be included in the unit plan so that the content of landscape considerations is reflected and maintained until the project planning stage. 	
A-2	Unit plan not included in the pre-project planning stage	<ul style="list-style-type: none"> Lack of landscape considerations or a process involving a landscape officer after the designation of zones and units. Difficulty in confirming whether the content of landscape considerations is reflected or maintained in the project plan. 	

Type	Characteristics	Key Points	Direction of Case Analysis
B	Landscape considerations at the project planning stage	<ul style="list-style-type: none"> Landscape considerations taking place at the stage when specific spatial planning is established, with a lack of criteria or guides for important landscape zones, axes, view rights, and skylines from a macro perspective. 	<ul style="list-style-type: none"> Examination of the validity of regulations regarding the review timing Differentiation from the architectural and urban planning fields in the comprehensive review of public housing Evaluation of whether there are any issues or confusion due to the absence of deliberation criteria for landscape zones, axes, view rights, skylines, etc., from a macro perspective.
C	Integrated deliberation at the project planning stage	<ul style="list-style-type: none"> Issues arise when only housing construction projects proceed without landscape considerations. Additional review required due to the expansion of remodeling projects in recent times. 	<ul style="list-style-type: none"> Examination of the necessity of additional architectural reviews for housing construction projects Determination of the operation status and basis of landscape considerations for housing construction projects initiated after land development is completed. Identification of cases where landscape considerations are not conducted, leading to anticipated or actual problems from a landscape perspective.

Chapter 4: Case Analysis of Landscape Deliberation in Local Government Development Projects

In Chapter 4, an analysis of the operational status of landscape deliberations in development projects was conducted for three metropolitan areas (Seoul, Incheon, Pyeongtaek) where development pressure is high, based on the direction derived in the previous chapters. Through in-depth interviews with responsible officials and commissioning of manuscripts, a survey of the current situation regarding pre-consultation, pre-deliberation agenda examination, and pre-deliberation system operation was conducted. The analysis also included a review of actual review cases for different types of deliberations and an examination of criteria for minor changes.

Firstly, all three local governments were conducting pre-consultations between officials and developers to supplement the deliberation documents. Pre-consultations conducted by officials responsible for landscape deliberations play a crucial role in enhancing the understanding of the preparation of deliberation documents, and their expertise becomes essential as the frequency of pre-consultations increases due to variations in document quality. To address this, there is a need for the recruitment of specialized officials or advanced training for officials. Recently, some local governments have initiated pre-deliberation agenda examinations to simplify the review process. However, distributing “key deliberation points” to enhance understanding of the agenda can facilitate smooth deliberations, but conveying individual opinions of commissioners without a discussion process burdens the document preparation. Therefore, it is necessary to operate based on an “agreement system” to handle opinions through consensus.

In Type A deliberations, it was necessary to monitor the process of reflecting the contents of the landscape integration guidelines in the development project, ensuring that landscape deliberations are linked to the project approval stage. When the department responsible for landscape deliberations is also in charge of the project, the monitoring process is smoother. Type B involves cases where landscape deliberations are conducted separately from comprehensive reviews of public housing, which is positive. However, it was necessary to clarify minor change criteria through the relationship between the “Landscape Act” and the “Special Law on Public Housing.” Lastly, for Type C reviews, there was a need to consider including housing construction projects not involved in land development, especially in light of the increasing importance of landscape deliberations for remodeling projects.

Regarding the criteria for re-reviews due to plan changes, there were cases where significant changes with a considerable landscape impact were not subject to re-review, posing a problem. For example, some local governments conducted advisory committee consultations when the land-use plan changed entirely after obtaining landscape deliberation approval at the project planning stage, as re-reviews could not be pursued. Additionally, there were cases where minor changes triggered re-reviews, indicating a need to revise the ambiguous standards of the current “Landscape Act” enforcement decree.

Chapter 5: Review and Case Analysis of Japan's Landscape Deliberation System

In Chapter 5, an analysis was conducted on Japan's landscape deliberation committees and landscape pre-consultation system, which operate the national "Landscape Law" and local "Landscape Ordinances" similar to those in South Korea. The aim was to assess the applicability of these Japanese cases to the domestic landscape deliberation and pre-consultation system.

Japan's pre-consultation system serves as a practical aid in managing landscapes based on regional conditions, playing an advisory role from the early stages of planning. Advisors participating in the landscape pre-consultation system present their opinions based on the local landscape plans and guidelines, enabling consistent landscape management through coherent policies. Furthermore, the decentralized operation of the pre-consultation system, the utilization of advisors, and the delegation of matters such as operational methods, subjects of consultation, and management criteria to local landscape ordinances and plans are noteworthy, allowing autonomous operation and reflection of regional characteristics.

In the case of South Korea, where large-scale development projects that significantly impact landscapes frequently occur, the role of the landscape deliberation system as a robust regulatory tool is partially necessary. Therefore, while direct emulation of Japan's landscape reporting and pre-consultation system may pose challenges, implementing a landscape expert advisory system that can provide consulting services to advance landscape planning before initiating large-scale development projects could be considered as a supplementary measure. Through this approach, it may be possible to overcome the limitations of the landscape deliberation system perceived solely as regulation and explore a transformation into a supportive landscape management system.

Chapter 6: Improvement Measures for Landscape Deliberation System in Development Projects

In Chapter 6, we propose improvement measures for the landscape deliberation system by synthesizing issues related to landscape deliberation in previous development projects, characteristics and types of landscape deliberation in

various development projects, and an analysis of the operational status of landscape deliberation in domestic and foreign local governments.

Firstly, we suggest integrating landscape deliberations into urban planning reviews and comprehensive reviews before area designation and during the implementation planning phase. It is desirable to separate the stages of landscape planning that shape the city's form or urban landscape structure, conducted at the stage of urban planning review and the architectural planning affecting the landscape at the plot level. In principle, landscape deliberations in development projects should ideally be conducted twice, before and after area designation. However, concerns arise about the negative perception of a regulatory system with only two landscape deliberations, unlike other reviews. Therefore, we propose integrating landscape deliberations with urban planning reviews before area designation and conducting them after area designation during the implementation planning application.

Secondly, we propose conducting integrated reviews of urban planning and building landscape deliberations through the landscape commission (excluding architectural reviews). While there is some overlap in content between landscape deliberations before area designation and urban planning reviews in urban development projects, the operational aspects of urban planning reviews consider and comply with the landscape deliberations conducted in earlier stages, resulting in minimal overlap or conflict. In the case of Seoul, the integrated review by the Urban Planning Commission is useful as it discusses landscape-related matters and urban planning matters simultaneously and incorporates them into district-level plans based on the review outcome. Considering the distinction between “building landscape deliberation (landscape commission)” and “architectural review (building commission)” in land development projects, a significant degree of redundancy was identified. Since countries like Japan focus on architectural reviews primarily on legal matters related to building structure and safety, it is suggested to have landscape-related matters, such as the form, facade, materials, and colors of buildings, reviewed only by the landscape commission.

Thirdly, we propose improving regulations for housing development projects (including remodeling) conducted without land development projects. Currently, landscape deliberations are only applicable to development projects when land

development and housing construction projects are carried out together. However, it was observed that there are many cases where significant landscape changes and impacts occur when housing construction projects proceed without land development projects. Some local governments have added housing landscape deliberations to the regulations, but there were difficulties in adding them through ordinances without legal grounds. Therefore, we suggest using the criteria of “30,000 square meters or more within urban areas or 300,000 square meters or more outside urban areas” as a standard equivalent to the landscape deliberation criteria for development projects, including both building and remodeling activities.

Fourthly, we propose clarifying the criteria for reevaluation due to plan changes. There is a need to improve the ambiguous standards in the “Enforcement Decree of the Landscape Act,” and additional criteria affecting landscapes significantly should be added to the reevaluation criteria outside the current standards. Criteria for “maximum height” and “space facility area” have been supplemented, and cases where plan changes related to major landscape axes formation occur are included.

Fifthly, we suggest enhancing regulations to ensure that landscape planning documents are prepared in connection with the timing of landscape deliberations and providing various means to solidify review documents. The current “Operational Guidelines for landscape deliberations” specify the items and contents of landscape plans for large-scale development projects above a certain scale as a manual. However, there is a problem where one regulation covers all types of development projects, neglecting the procedural and timing considerations for landscape deliberations in each development project. Therefore, it is necessary to supplement regulations to allow variations in the content and level of landscape planning documents depending on the timing of landscape deliberations. Additionally, exploring various means such as a checklist for landscape deliberations in development projects and guidelines for document preparation is essential.

Key words

Landscape Act, Landscape System, Landscape Deliberation, Landscape Deliberation in Development projects, Regulatory Improvement, Landscape Prior Consultation