

## Article

# Urban Planning and Residential Segregation in Brazil—The Failure of the “Special Zone of Social Interest” Instrument in Londrina City (PR)

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**Abstract:** The objective of this analysis is linked to the discussion of urban residential segregation marked by the Brazilian urban land structure and perpetuated by urban planning instruments at the municipal level. The spatial focus of the study is the municipality of Londrina (state of Paraná/Brazil). We aimed to analyze the relationship between urban zoning and the dynamics of residential segregation, unfolding two foci: verify to what extent the objectives presented in the municipal instrument translate the objectives of the instrument at the federal level (the City Statute—CE) and the national program “My Home, My Life” aimed to provide housing to socially vulnerable populations; the second focus, aims to assess how the planning instrument—the Special Zone of Social Interest (ZEIS), contemplated in the Land Use and Occupation Law and in the Municipal Master Plan of Londrina (PDPML, 2008)—materializes in practice the objectives of promoting equity in access to housing. The results show that although the objectives defined at the federal level are transposed to the municipal level, demonstrating a theoretical coherence between the instruments, there are flaws in their implementation. The case study results show that the urban zoning of Londrina has as a guideline a segregationist territorial ordering, leading to a residential segregation of the population with low purchasing power. On the other hand, the planning instrument that could change this reality is the ZEIS that, on the contrary, reinforced social housing in the periphery, conditioning the right to the city and perpetuating the social vulnerability of disadvantaged groups, in a process common to other Brazilian cities. Such constraints make relevant the establishment of land reserves for social housing based on clear roles of a social and functional mix, reinforced by the combat of vacant spaces and the definition of minimal housing and infrastructure densities to allow urban occupation.

**Keywords:** urban planning; urban segregation; ZEIS (Special Zone of Social Interest); public housing policy; Brazil



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## 1. Introduction

Social inequality, environmental degradation and housing deficits are important characteristics of cities and metropolises from the Northern [1,2] to the Southern Hemispheres [3–5], making it relevant to fight poverty and improve living conditions in these cities, as highlighted in the first Sustainable Development Goal for 2030 [6]. The housing deficit appears as one of the most determinant factors of social vulnerability and residential segregation, phenomena particularly evident in larger metropolises, but also important in medium and small cities with recent urbanizing processes [7]. The problem presents distinct characteristics. In the European context, studies about Brussels, Copenhagen, Amsterdam, Oslo and Stockholm [8], U.K. cities [9], Barcelona [10] and Lisbon [11] show that the model of public social housing production declined and the rent market become liberalized, inducing spatial segregation, particularly of new immigrants. The authors

of [12] refer to a combination of various general factors that explain the residential segregation and living conditions in cities: the crisis of the welfare state, asymmetry in the mobility of capital and labour, the generalization of neoliberal policies, the growing incompatibility between capitalist economies and democratic institutions and the effects of economic globalization. Regarding Northern American cities, refs. [13–15] highlight: “As urban housing has become less affordable and accessible in increasingly prosperous inner city neighbourhoods, the share of low-income households has gradually diminished, leading to the decentralisation (or ‘suburbanisation’) of poverty, with poor newcomers in particular more likely to move to the suburbs” [2] (p. 227). This peripheralization process equally affects large, medium and small cities [16] and denies the planning paradigms of “sustainable communities”, “health cities” and “livable cities”, where the access to public transport and service facilities are key elements that complement the access to affordable housing [17,18].

Concerning the southern reality, a study conducted in 18 Latin America and Caribbean urban areas from 1995–2006 [19] highlighted two levels of housing deficit: a “quantitative insufficiency”, linked to the deficient number of homes in relation to the number of families, responsible for the persistent process of overcrowded dwellings; and a “qualitative insufficiency”, related to the lack of housing infrastructure (mainly low access to secure water, electricity and waste management) and reinforced by other factors: the poor quality of materials, the small size of the houses that determines overcrowding and, finally, the lack of legal ownership, which is assumed as one of the most relevant aspects of the segregation pattern. In the past 3 decades, Latin American cities assisted the growth of gated communities, not only occupied by the upper class but also by the middle class, which contributed to public space privatization and housing segregation [20,21]. This way, the quantitative and qualitative insufficiency of affordable housing becomes responsible for the large expression of informal settlements and general lack of infrastructures [22], making evident the strong relationship between the socioeconomic population characteristics, its residential location and the infrastructure availability [23].

Other authors emphasized other factors primarily linked to land use. For [24], “land, and more specifically, secure land ownership, has been regarded as one of the main bottlenecks to improve housing sector. The housing process tends to start with land occupation and building, while maintenance and infrastructure development are arranged at a later stage, often depending on the regularization of the land ownership” ([24] cite by [25] (p. 40)). The access to property and housing is embedded in the land use and land prices of the municipalities, putting social cohesion and territorial sustainability in the hands of housing policy and other spatial planning instruments. For [25], urban land value is controlled by municipal entities legally supported by master plan zoning, where the categories of land use and occupation are defined, including the inclusion of private agents and the decision to promote social housing, infrastructure and social facilities.

The present study describes the Brazilian context. The self-production of housing and construction of informal settlements proliferated in the peripheries [26] in the discontinuous urban fabric [27], impacting in the increase of social vulnerability and socio-spatial segregation of the families [28,29] and in some times for than more one generation [30]. The phenomena lead a transformative change from socio-spatial segregation to socio-spatial fragmentation [31]. To solve this housing deficit, in 2009, the government created the social housing program “My house, My life” (PMCMV, “Programa Minha Casa, Minha Vida” [32]), that under the frame of specific zoning areas—the Special Zone of Social Interest (ZEIS, “Zona Especial de Interesse Social” [33]) considered in the federal law for the city development [34]—gave support to a large quantity of municipal social housing. Nevertheless, such zoning was very limited in combatting social segregation.

Using as a case study the city of Londrina, Brazil, we aim to analyze the relationship between urban zoning and the dynamics of residential segregation. The paper development is based on two foci: (1) to verify how the objectives presented in the federal law (the City Statute—CE [34]) and the national housing Program “My house, My life” [32] were

transposed to the municipal planning system, contributing to the promotion of social housing; and (2) to evaluate the insufficiency of the zoning instrument Special Zone of Social Interest (ZEIS [33]) to ensure housing conditions and the access to infrastructure and facilities to low-income families. Based on these two foci, two research hypotheses aligned with the objective: (1) despite municipal instruments taking into consideration the national orientations, the implementation of these orientations is only partially fulfilled, contributing to the failure of municipal development objectives; (2) the absence of horizontal coherence between the sectors also contribute to the failure of municipal development objectives. This leads us to the paradox between the design of the policies (what is defended in the objectives of federal and municipal laws) and their implementation (how the objectives are implemented and attended, particularly regarding the implementation of land use instruments for social housing initiatives). The ZEIS become insufficient to combat the traditional segregationist housing pattern of Brazilian cities and did not promote the desired social equity and sustainability.

The article is structured in six parts. The first part corresponds to this introduction where objectives are presented. The second part corresponds to the theoretical concepts and the third part includes a brief description of the methodology. The fourth part presents the evolution of the population and housing sector, highlighting the conditions of social vulnerability of population in the municipality of Londrina. It also presents the Participative Master Plan of the Municipality of Londrina 2008 (approved in the Law n°. 10637.2008 [35]) and seeks to verify to what extent their objectives incorporate the objectives of the federal law, Statute of the City (Law n°. 10.257.2001 [34]). In the fifth part, there is a discussion about the implementation of the municipal policy for low-income housing. Showing the non-effectiveness of national orientations, the ZEIS location pushed housing of social interest to a peripheral location, perpetuating the urban segregationist dynamic. The article ends with a brief conclusion.

## 2. Theoretical Support

The World Charter on the Right to the City (agreed in the Social Forum of the Americas, Quito, July 2004 and in the World Urban Forum, Barcelona, September 2004) [36] emphasizes the social function of the city and of property. The right to the city depends largely to the right to housing; it appears as a central component to combat socioeconomic vulnerability [37,38] and a counterpoint to effectively integrate citizens into cities [39].

The power exercised by land prices (land market) in the process of urban segregation in Latin American cities was verified in [40] (p. 14) when the author states that: "There are, however, other more important relationships between land markets and segregation. Two seem to us to be the main ones: on the one hand, the inversion of the land use—land price relationship due to the special character of these markets; and, on the other hand, the subjection of city builders to the land price structure".

This price structure directly interferes in the Brazilian public housing policy, which does not assume social interest, but valorizes the market logic, imposing the dynamics of territorial exclusion, both for those who have access to this policy and for those who are relegated to the right to housing. The expression of this segregationist logic, in the reality of London, occurs in the case of policies that "... were responsible for the vast majority of popular dwellings built in the city, in its formats of increasing involuntary segregation and fostering real estate speculation that deeply mark the production of space" [41] (p. 70).

Such a fact involves action of urban space producing agents, in the sense discussed by ref. [27] who interfere directly in the guidelines of urban space planning by fostering, at the same time, the densification and verticalization pattern in areas with high valorization power (rentier gain) and urban expansion, which creates empty spaces, expression of land speculation, raising the public cost of cities and feeding urban segregation, since the social interest housing sets, as well as the population without access to decent housing, are pushed to the edge of the urban perimeter. This action "... is done in an unequal way, creating and recreating the residential segregation that characterizes the capitalist

society.” [29] (pp. 23–24). The location impacts the substantial time spent on the precarious means of transport, the absence of equipment for collective consumption, the constant epidemics, the presence of “death squads” and other factors [29].

At the same time, more favored classes go to the gated communities in the peripheries. The pattern of occupation is described by [42] as a phenomenon of “closure of the Brazilian elite and middle class, through gated communities in peripheral urban locations, corroborating the idea of a fragmentation of the socio-political-spatial fabric, . . . phenomenon that adds or superposes to the more traditional segregation” [42] (p. 506). On the other hand, ref. [43] highlights the localization of Brazilian upper class in the peripheral areas, which has led to an increase in investment in infrastructure in these specific areas without criteria in infrastructure provision. In that context, the “differentiated access to home ownership and real estate wealth emerges as a determinant of social inequalities”, including in the peripheries [44] (p. 1). As quoted by these authors, the “recent transformations of housing markets—and their land values—intensified spatial segregation in face of housing financialization and real estate markets” [45–48]. In a context of spatial polarization, where booming and struggling property markets coexist, it is not only a matter of who is able to buy, but also where one buys that may profoundly affect asset accumulation.

In view of this dynamic imposed by the market logic, it is understood that segregation is the materialization in the urban space of the economic, political, social and cultural exclusion of the population with low purchasing power, in the sense that it is present in the daily lives of people living in the city. The economic exclusion refers to the Brazilian urban land structure, centralized in the hands of land and real estate capital that commands the urban territorial planning through the sedimentation of a “segregationist urbanization” [49]. As reference [50] states, “. . . the land issue is central in urban policy, since it is dominated by this restricted, elitist and speculative market. The people end up having to turn themselves around” [50] (p. 5).

In face of the housing and infrastructure deficit, the Brazilian federal government approved in 2001 the “City Statute” (Estatuto da Cidade, Brasil, Federal Law n°. 10.257.10/07/2001 [34]). One of the main foundations of this urban policy was the achievement of social equity in real estate and housing policy, through the consideration of the City Statute objectives and the definition of zones to social housing classified as “Special Zone of Social Interest (ZEIS, Zona Especial de Interesse Social, presented in the Article 47, point 6th, revised in 2016 and in 2017 in the new Law n°. 13.465 [33]). The ZEIS are demarcated areas in the territory of a city for housing settlements of low-income population and must be approved in the Master Plan or in a complementary municipal law. That made ZEIS as “the main instrument to register land to social housing without neglecting the aspects of safety, hygiene, health and the conditions of habitability” [51] (p. 28). These zoning rules can be applied by municipalities in two ways:

- As instruments of land regularization for urbanization of areas occupied by low-income population, through the simplification of the legislation on land parceling, land use, occupation and building rules;
- Or by expanding the supply of housing for the low-income population by allocating new areas for the execution of new housing projects of social interest.

While in the first case, the action aims to regularize the settlement through the implementation of a plan that introduces urban norms and standards (such as road width, minimum lot size and minimal of infrastructures and equipment’s) in informally occupied areas, in the second case, it seeks to increase the supply of land for new projects of housing of social interest in a legal way [52].

Parallel to the national legislation of the City Statute and the specific orientation to define the Special Areas of Social Interest (ZEIS), the government approved the financing program “My house, My life” (PMCMV, “Programa Minha Casa, Minha Vida”, Federal Law n°. 11.977.7/07/2009). The PMCMV was a federal government program to provide housing for low-income families. It subsidized (partial or total) the acquisition of a house or apartment for families with an annual income of up to 1.8 thousand reais and facilitates

the conditions of access to the property for families with an annual income of up to 9 thousand. To gain access to the financing of the PMCMV, some rules of land use and urbanization were requested, including the definition of ZEIS in the municipalities [51]. However, the PMCMV model presented several conflicting aspects: disarticulation with the other urban planning instruments, namely with the Master Plan; predominance of the peripheral location of housing; existence of a large number of units per neighborhood; and a general low quality of materials, construction and architectural standardization [52–57]. These characteristics confirm that housing of social interest has not been integrated into other policies in order to guarantee quality of housing.

Despite the social focus of the PMCMV, it had a double objective: it was elaborated within a broader federal project to address the international financial crisis that started in 2008 and became associated with a “complex real estate financial model” to push private enterprises that privileged the construction and real estate industry, moving away from the real objectives and needs of the most vulnerable populations [58]. At the beginning of its creation, between 2009–2011, the program aimed to provide one million homes for the share of the population whose monthly income was less than one minimum wage. However, as pointed by many national and international [45,46,52,59–65] authors, in its implementation model, the program “mobilized public funds as an instrument of capital accumulation that intensified the *financialisation* of the housing sector. . . . in this situation, the state played a fundamental role in the process of neoliberalisation” [58] (p. 143). In that context, the territorial development advocated in the master plans remained to be achieved as urban segregation marked by the Brazilian land structure had been amplified by the influence of the “real estate financial complex” [63–65]. Such influence is also identified by [66,67], who state the contribution to the “segregationist urbanization” trends of Brazilian urban planning. On the other hand, the areas created (the areas related to land regularization and the new previewed ones) were insufficient to meet the demand for housing and to promote local development. For that reason, the segregationist pattern of socio-territorial exclusion persisted [26,66,67]. The following case study makes evident these trends and processes.

### 3. Materials, Methods and the Studied Area

To develop the work, the research was based on the following methodological procedures: (i) elaboration of a theoretical–methodological framework on the theme; (ii) data survey with COHB-LD (Housing Company of Londrina) [68], IPPUL (Urban Planning and Research Institute of Londrina) and IBGE (Brazilian Institute of Geography and Statistics) [69], which provided the systematization of the variables used in the analysis, as well as their mapping; (iii) in loco research (field study) to verify the reality experienced by the population that suffers with the segregationist logic of the urban territory planning.

In the field study, three research methods were used, namely (a) observation, which makes use of the senses for the apprehension of certain aspects of reality, consisting of seeing, hearing and examining the facts and the phenomena one intends to investigate; (b) the analysis of external coherence, where we identify the connection between the City Statute objectives and PDPML objectives, summarized in a matrix according to EU and OECD evaluation methodology [70–75]; and (c) 12 interviews based on the oral history of life technique, a research methodology concerned to know and deepen knowledge on a given reality, cultural patterns, social structures and historical processes, obtained by means of conversations with people—oral reports—who, when describing their personal recollections, build a more concrete vision of the functioning dynamics and the various stages of the trajectory of the social group to which they belong, pondering these facts by their importance in their lives.

These techniques are linked to the proposal of this analysis based on qualitative research, in which the researchers’ attention was not solely and exclusively on data, but rather on aspects of non-quantifiable reality, with a focus on understanding and explaining the dynamics of social relations.

In line with the qualitative approach, the method of apprehension of reality adopted was the critical theory (dialectical materialism), who consider that “... social facts cannot be understood when abstracted from their political, economic and cultural influences” [76] (p. 14). The choice of this method is directly imbricated with the researchers’ positioning in relation to the object of study. Thus, the sources of primary and secondary information were worked in a contextualized manner, seeking to grasp the reality and highlighting the facts as historical constructions produced by human actions.

Concerning the studied area, the municipality of Londrina has shown a population growth since the 1940s, with a large advance in the urban population over the rural one, especially since 1960. In 2000, the total population of Londrina reached 447,065 inhabitants, of which 96.94% were located in urban space. In 2010, the population grew (506,701 inhabitants) and 493,520 inhabitants (97.4%) were in urban areas. The population density of Londrina is 305.8 inhabitants/km<sup>2</sup> (2010), corresponding to one of the highest in Paraná, with an average value of 52.2 inhabitants/km<sup>2</sup> [69]. The evolution shows a constant growth of the Londrina population and a movement of population concentration in the city, which deepened the structural lack of social facilities (health, education, leisure) and infrastructure (social housing, basic sanitation). The population in 2018 reached 563,943 inhabitants.

The importance of this growth has become the object of urban public policies, as it generated great demands for infrastructure and housing, namely from an important share of socially vulnerable populations.

#### 4. Housing Needs and Policy Responses in the Municipality of Londrina/PR

##### 4.1. Housing Needs in Londrina

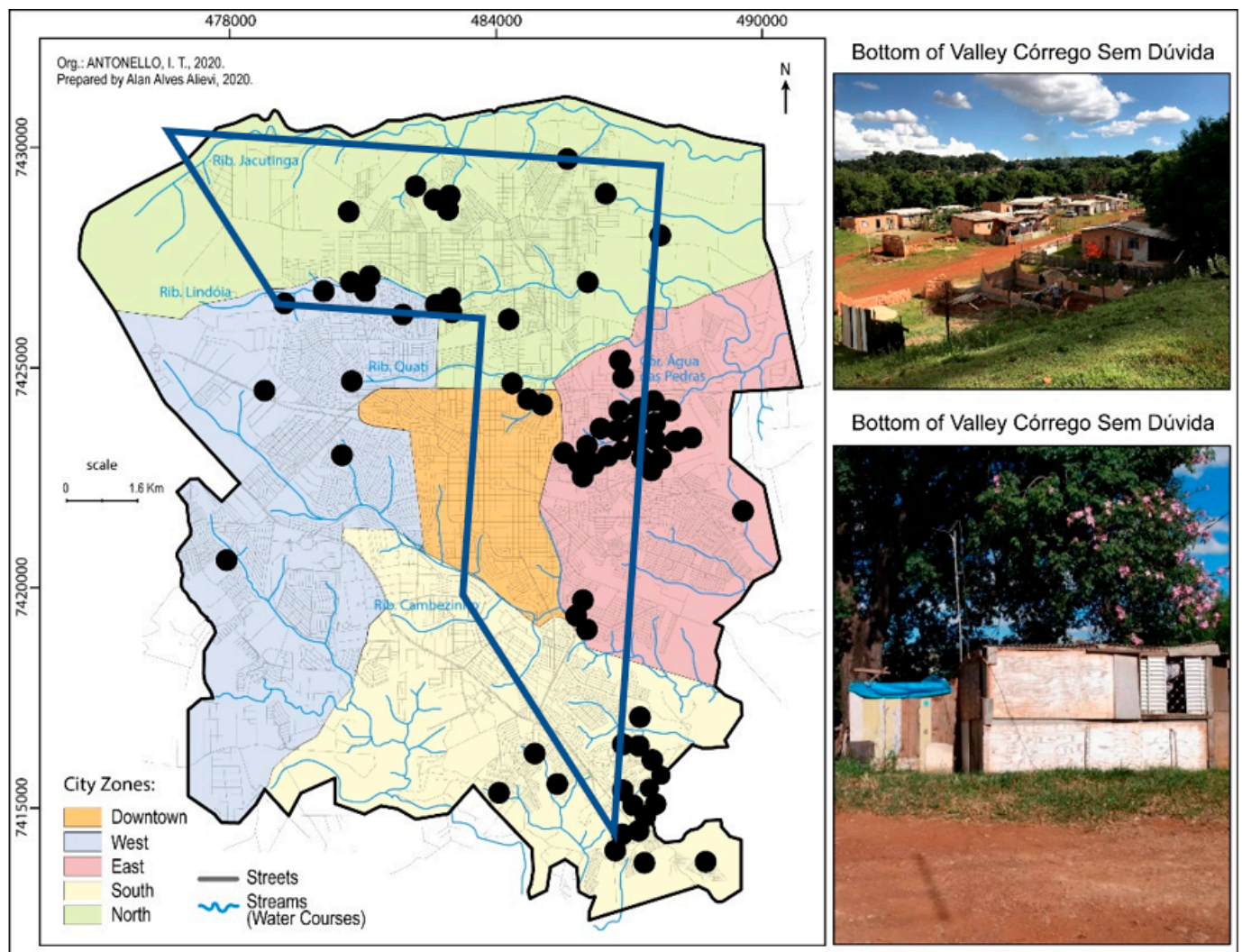
In 2010, the most critical housing situation in terms of inadequate and precarious housing in Londrina municipality in Paraná State was linked to precarious settlements and irregular occupations in the urban space of the city. There was a concentration of precarious settlements in east and south areas. This pattern was reinforced by irregular occupations spatially concentrated in the eastern, southern and northern regions while irregular allotments registered a large expression in the north (Table 1 and Figure 1).

**Table 1.** Families living in inappropriate dwellings and neighborhoods—Londrina, 2010.

Regions	Precarious Settlements *		Irregular Occupations **		Irregular Allotments ***	
	No. of Families	%. of Families	No. of Families	%. Of Families	No. of Families	%. of Families
Center	68	2.28	38	2.21	23	0.66
North	422	14.13	466	27.07	1944	55.45
East	1366	45.73	485	28.16	434	12.38
West	197	6.60	132	7.66	830	23.67
South	886	29.66	601	34.90	275	7.84
Rural	48	1.61	—	—	—	—
Total	2987	100.0	1722	100.0	3506	100.0

Notes: \* Invasion of planned areas for public space. \*\* Invasion of risky and permanently preserved areas (as areas destined to community equipment, streets, areas subjected to flood, landfill, high slope, instable ground and valley bottom, being public or private property). \*\*\* Project approved by the city hall but with allotments without infrastructure work. Source: COHAB-LD (2011).

It is possible to see in Figure 1 the spatial concentration of precarious and irregular occupations on the peripheral areas. An example of this socio-spatial exclusion is the neighborhood of “Córrego Sem Dúvida”, located in the periphery of the southern region, where poverty is revealed not only by the low income obtained by heads of households, but also by the lack of job opportunities and high crime rates. Moreover, these inhabitants suffer from the precariousness of urban infrastructure, particularly from the lack of urban facilities related to health, education and means of transport.



**Figure 1.** Location of irregular occupations in Londrina—2010–2014. Source: COHAB-LD (2011).

Comparing the location of irregular occupation and the share of families with 1/8 to 1 minimum salary, we find the relationship between poverty and housing deprivation, expressing the pattern of social segregation and inequity in the city (Figure 2).

In the next topic, we turn to the discussion of the role that urban planning and management are playing in tackling social housing problems.

#### 4.2. The Instruments of Municipal Urban Planning in Londrina and Their Coherence with the City Statute

The Federal Law n°. 10.257.2001—the City Statute—defines principles, i.e., basic ideas, with which urban policy must comply, such as the social function of the city and property, which ensures that the public authorities act to meet the needs of citizens while observing the requirements of city planning and the principle that aims to adapt economic, tax and financial policy instruments and public expenditure to urban development objectives. The PDM—Municipal Master Plan—has to follow the prerogatives of the federal law about the social function of urban property. Consequently, the urban zoning law also has to follow the essential principle of the City Statute. It should be noted that the right to housing is also considered in the international human rights treaties to which the Brazilian State is a party.

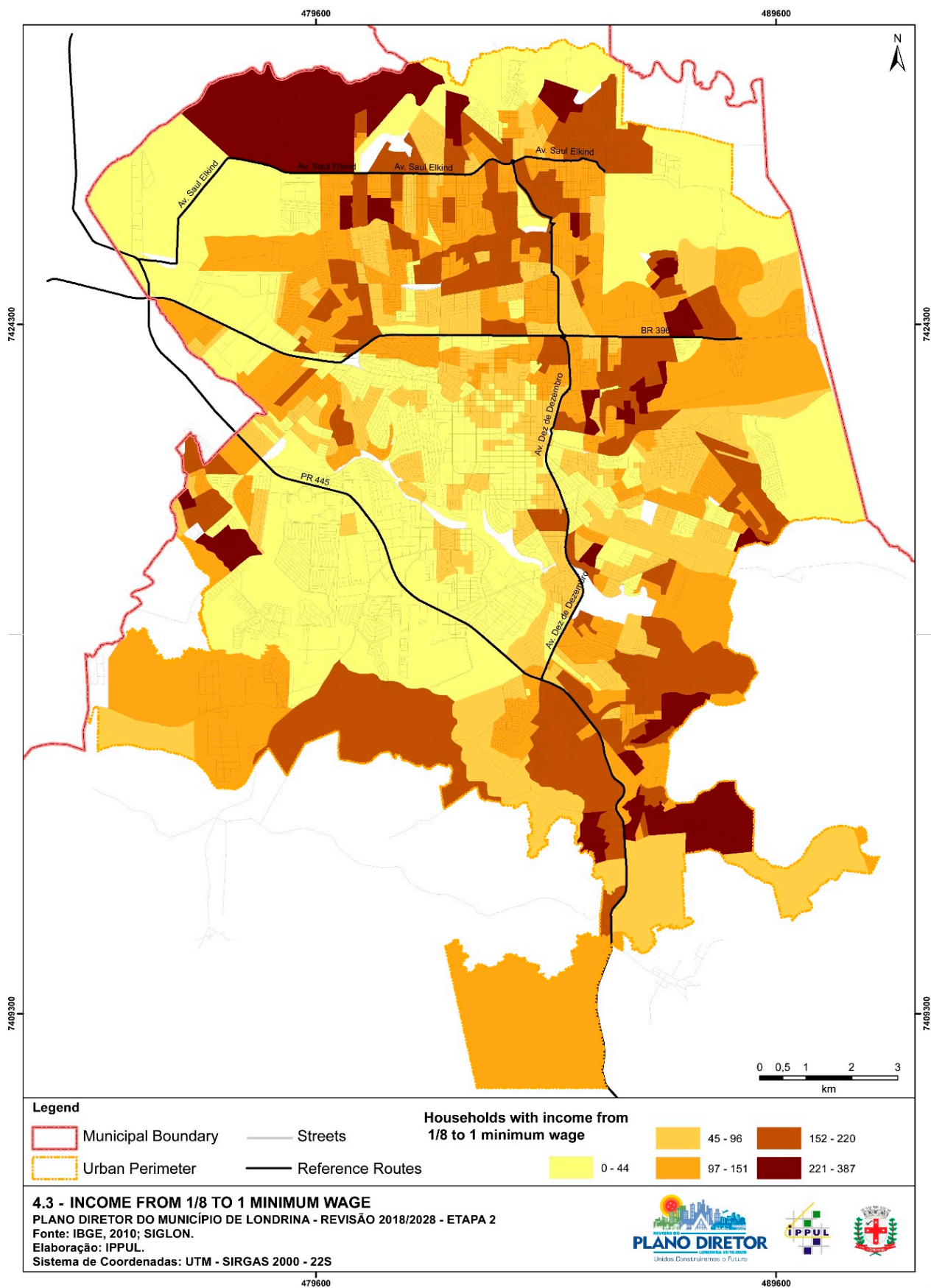


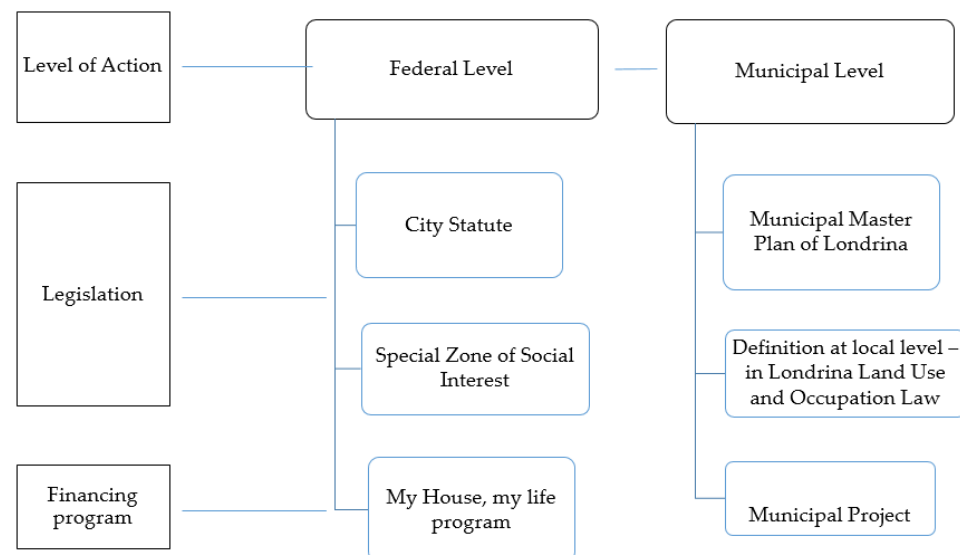
Figure 2. Share of families with 1/8 to 1 minimum salary in 2010. Source: Instituto Pesquisa e Planejamento Urbano de Londrina—IPUL.



For that reasons we highlight the importance of articulating public housing policies (federal scale) with urban planning—PDM (local scale). The use of the instrument Special Areas of Social Interest obliges to an urban zoning; in theory it provides urbanized and well-located land available to the low-income population, showing that it is necessary to expand the use of these instruments by the municipalities in an articulated manner with the local social interest housing plans and housing programs.

Considering the case of Londrina City, the Londrina Municipal Master Plan (PDPML) of 1998 was revised and updated in 2008 to include the “City Statute” principles and to include the possibilities to implement the Program “My house, My Life”, largely necessary to overcome the housing deficit and to promote social equity.

So, how far were these national principles and guidelines transposed to the Master Plan revision? How coherent are these two policy instruments? The concept of coherence refers to the connection between objectives within a plan or program (internal coherence) and between objectives of various plans or programs (external coherence). In the present study the analysis of external coherence emerges—to verify to what extent the PDML objectives are coherent with the City Statute objectives (Figure 3).



**Figure 3.** Coherence between instruments for social housing in the Brazilian context. Source: own elaboration.

The revised PDPML of 2008 defined the sustainable and human development as a key principle, achievable by the fulfilment of four objectives: (1) promoting the quality of life of the population; (2) economic development; (3) guaranteeing democratic management; and (4) fulfilment of the social function of urban property and the right to the city. Objectives (1) and (2) of the PDPML have a strong link with Guidelines I, IV and V of the City Statute. On the other hand, there is a strong link between objective (1) and (4) of PDPML and the guidelines VI, XIV, XV and XVI of the City Statute, showing the purpose to combat socio-territorial inequalities and residential segregation. In this sense, the transposition of guidelines XIV, XV and XVI to municipal level seeks to enforce the social function of property, showing an “external coherence” between federal and local instruments (Table 2).

On the other hand, there is a coherence between the objective (4) of the PDPML and the Complementary Law “Londrina Land Use and Occupation Law” approved in 2015: this coherence is visible in Article 2, item IV, which says: “avoid the excessive concentration and dispersion of space occupation, enhancing the use of urban infrastructure; ensure the development of urban policy enabling the fulfilment of the social function of property and the city” [77,78].

**Table 2.** Coherence between Londrina Master Plan objectives and the City Statute guidelines.

City Statute Guidelines *	Londrina Master Plan			
	Key Principle—Search for Sustainable Development, Considering the Physical, Biological, Social, Economic and Cultural Contexts			
	Goal 1	Goal 2	Goal 3	Goal 4
Guideline I	× ×	× ×		×
Guideline II	×			
Guideline III		×		×
Guideline IV	× ×	× ×		×
Guideline V	× ×	× ×		×
Guideline VI	×			×
Guideline VII	× ×	×		× ×
Guideline VIII	× ×	×		×
Guideline IX				×
Guideline X	×			×
Guideline XI	×			× ×
Guideline XII	×			
Guideline XIII				×
Guideline XIV	×			×
Guideline XV	×		×	×
Guideline XVI	×			×
Guideline XVII	×			×
Guideline XVIII	×			×
Guideline XIX	×			×

(× ×) Very strong relationship; (×) strong relationship. \* City Statute Guidelines: I—Guaranteeing the right to sustainable cities, understood as the right to urban land, housing, environmental, sanitation, urban infrastructure, public transportation, work and leisure, for present and future generations. II—Democratic management through the popular participation of associations representing the various segments of the community in the formulation, execution and monitoring of urban development plans and projects. III—Cooperation between governments, the private initiative and other sectors of society in the process of urbanization, in order to suit the social interest. IV—Planning the development of the cities, the spatial distributions of the population and activities of the municipality and the territory under its area of influence, in order to avoid and correct the distortions of urban growth and their (negative) effects on the environment. V—Provision of urban and community facilities, transportation and services tailored to the interest and needs of the populations and local characteristics. VI—Soil ordering and land use control. VII—Integration and complementarity between urban and rural activities, with the view to the socio-economic development of the municipality and the territory under its influence. VIII—Adoption of production and consumption of goods and services standards and of urban sprawl compatible with the limits of the environmental, social and economic sustainability to the municipality and the territory of influence. IX—Fair distribution of benefits and burden arising from the urbanization process. X—Adequacy of public economic, tax and financial policy instruments and public spending to the objectives of urban development, so as to privilege investments that generate general welfare and the enjoyments of goods by different social segments. XI—Recovery of government investments resulting in the appreciation of the urban real state. XII—Protection, preservation and restoration of the natural and built environments heritage. XIII—Audiences of the municipal government and the population interest in the implementation of projects or activities with potentially negative effects on the natural or built environment, the comfort and the safety of the population. XIV—Land regularization and urbanization of occupied areas by low income population through the establishment of special norms of urbanization, land use and building, considering the socioeconomic situation and environmental rules. XV—Simplification of land parceling, land use and occupation legislation and building standards with a view to reduction costs and increasing the supply of lots and housing units. XVI—Isonomy of conditions for public and private agents in the promotion of enterprises and activities related to the process of urbanization attended the social interest. XVII—Stimulus to the use, in land subdivisions and urban buildings, of operating systems, construction standards and technological contributions that aim to reduce environmental impacts and save natural resources (Law n°. 12.836.2013). XVIII—Priority treatment to energy, telecommunications, water supply and sanitation infrastructure works and buildings (Law n°. 13.116.2015). XIX—Guarantee decent conditions of accessibility, use and comfort in the internal premises of urban buildings, including those intended for housing and the service of domestic workers, observing minimum requirements for dimensioning, ventilation, lighting, ergonomics, privacy and quality of the materials used. Source: Own Elaboration.

Putting the focus of the analysis on the specific instruments proposed by the City Statute, such as the delimitation of Special Zones of Social Interest (ZEIS) found in the PDPML (Article 41), it is possible to meet some principles of federal law, such as land

regularization, improvement of urban and housing conditions for the population living in irregular or illegal subdivisions and in environmentally fragile areas, and defining the appropriate areas, from an urban and socio-environmental point of view, for urban expansion and implementation of housing projects of social interest. This makes evident that the degree of coherence between the laws is weakening as the PDPML does not incorporate concrete strategies to promote access to housing and urbanized land, especially well located for the population in need.

Despite the positive answer to the first question about how far the national principles and guidelines were transposed to the Master Plan revision, the reality seemed different, highlighting the paradox between the moment of policy design and the moment of their implementation. This brings us to the second question: how far were they implemented and had they been effective? This theme is developed in the following point.

### 5. Discussion about the Inefficiency of the ZEIS to Fight Social Segregation

Data from 2016 express the persistence of a worrying reality of 2010, with 180,264 families in social vulnerability status. Such a situation was largely associated with the housing insufficiency, which constrained the right to the city for a large part of Londrina population. Data from the “State Plan of Housing of Social Interest of Paraná” (PLHIS—PR, Plano Local de Habitação de Interesse Social de Londrina [79,80]) identified the profile of families with housing deficits in Paraná and it became evident the relationship between the low income of families and the difficulties those families have to access to decent housing (Table 3).

**Table 3.** Situation of social vulnerability of families in Londrina—2016.

	Number of Families	%
Total of families	180,264	100.00
Total of families enrolled in the social services network (IRSAS)	65,796	36.5
Families with income of 1–2 minimum wage/per capita	45,246	25.1
Families with income lower than 1 minimum wage/capita	69,221	38.4

Source: Municipal Social Security Office, data from 2011–2016, in Londrina (2018).

Considering the number of “families with no constant income” and the number of “families without any income”, we found 18,087 families living in the daily limits of surviving. Illustrating this reality, 38.4% of families were in the income bracket up to 1 minimum wage (R\$ 622 in 2016 that corresponds to €100.82 at 2021 prices) and 25.1% were families with an income between 1–2 minimum wages (Interview in the Secretaria Municipal de Previdência Social, 2018).

These figures show that the situation of social and housing vulnerability of the population did not significantly change from 2010, despite the PDPML of 2008 and its alignment with the national orientations provided by the City Statute.

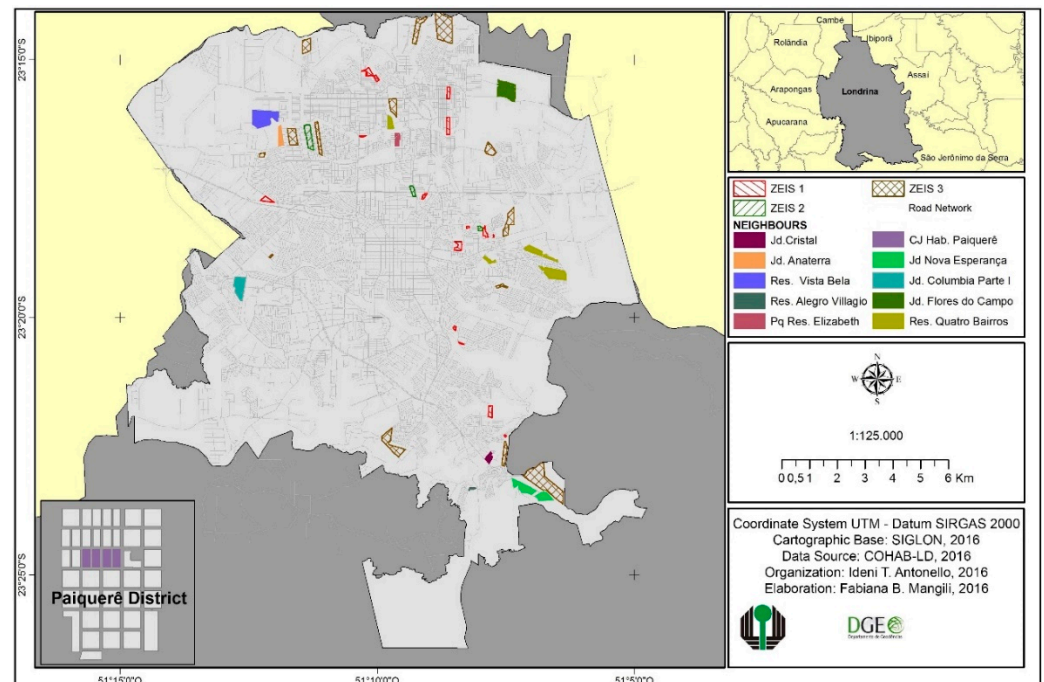
So, what happened? Indeed, there a long time passed between the Master Plan revision and the definition of ZEIS in 2015. They were foreseen in the Complementary Law “Londrina Land Use and Occupation” Art. 186 only in 2015, as follows:

“The ZEIS, dealt with by this Law, are subdivided according to their location and land use and occupation characteristics into the following categories:

- I. ZEIS 1: public or private areas informally occupied by socially vulnerable population segments, in which there is public interest in promoting housing programs of social interest and land regularization, urbanistic and legal, as a result of the Urbanization Plan—PU, as established by law;
- II. ZEIS 2: areas of irregular and even clandestine housing estates, of social interest, and preferably of socially vulnerable population segments, executed by the public or private entrepreneurs, which have availability to regularize the properties according to current legislation; and
- III. ZEIS 3: tracks and land not parceled out or not built, not used or underused for urban purposes, as well as buildings not used or underused, located primarily in areas

where there is urban infrastructure or on land on which there is interest in promoting housing programs of social interest (Londrina, 2015)“.

In Figure 4, we can see the location of ZEIS, and compared with Figure 1, it reproduces the location pattern of precarious and irregular areas identified in 2010 where the most socially vulnerable population lived. It can be inferred that the dynamics of urban segregation are maintained by the choices of urban zoning, since projects of social housing are pushed to the periphery of the urban network. This issue is not in line with the proposal of objective 4 of PDPML, which advocates the complete fulfilment of the social functions of the property.



**Figure 4.** Location of the Special Zone of Social Interest, ZEIS, and housing sets, Londrina. Source: COHAB-LD, 2016.

Besides the social impact of the housing location, the legal urbanization of peripheral locations created large urban voids between central and peripheral areas under the urban limit, which comprise plots of land waiting to be urbanized, promoting real estate speculation. In the case of Londrina, the “Londrina Land Use and Occupation Law” of 2015 does not apply to the planning instrument that can limit urban voids, such as the “Property division or Parceling, Building or Compulsory Use” law (Parcelamento, Edificação or Utilização Compulsórios, PEUC). The PEUC has the potential to control the urban voids and, consequently, to control real estate speculation and increase access to urbanized land. The PEUC determines that the owner of land has to give a function/use to the empty or underused land, consolidating the constitutional principle of the social function of property. That could be executed into two phases: (1) over 5 years, the application of progressive taxes over time; (2) and if the use of the land does not occur in 5 years, it moves to the phase of expropriation with payment in public debt securities.

From the above, we see that application is essential in Londrina, where 47% of empty lands in the urban perimeter of Londrina are waiting to be valued. The presence of these vacant lots in central areas that have a technical and social urban infrastructure is noted [79], meaning if a combination of PEUC with the institution of ZEIS occurs, the municipal public power could force the destination of unoccupied land for housing of social interest.

The non-application of these instruments of urban planning and management goes through the issue that the federal program of social housing intertwines with the logic of the market, the purpose of which is to stimulate the constructive and real estate business

sector. Besides promoting the peripheralization of social housing, it expands real estate speculation in vacant land located between the city center and the peripheral social housing areas [75,81].

Therefore, “[ . . . ] the spatial dimension is not always incorporated as an important dimension of analysis, planning and implementation of public policies, although it restricts the possibilities of access of individuals and families to public services and goods” [82] (p. 328). Thus, despite “the degree of coherence between laws, the PDPML does not incorporate concrete strategies to promote equity in access to housing for vulnerable population [75] (p. 15).

The case of Londrina shows the process of peripheralization maintained by the ZEIS and how the housing complexes of social interest resulted from the established model between the state (financial capital) and real estate production. “According to [6], the distinction between the production of social housing (promoted by the State) and that one aimed at market housing has blurred, forming a hybrid intermediate zone—social market housing” [6] (p. 120). As pointed by [83]: An important observation is that Band I, which has more demand, is generally not met, since the partnership between residents, city hall and construction companies is not always consolidated, mainly due to the “disinterest of the construction companies that reported that the profit is lower than that of those served in Band II” [6] (p. 117).

Another point reported by the technical team of the Municipal Department of Public Works and Housing is related with municipal insufficiencies in the conclusion procedures “the families received the houses before the infrastructure consolidation. It ends up creating more segregated areas in the city, often without the minimum conditions of urbanity. In many cases the areas were not served by public transport, without any kind of service nearby, such as UBS (basic health unit), day care centers, schools, among others, such as post offices, which often do not provide services in these areas” [83] (p. 117), a position that is shared with other authors [77,84–86].

One example is the “Housing Complex of Flores do Campo”, which promoted 1200 unfinished properties, financed by Caixa Econômica Federal via the PMCMV. Located in an area initially designated for agricultural use, surrounded by plantations and on the edge of the urban perimeter, it did not offer infrastructure or social equipment nearby. Because the company responsible for its construction abandoned the work without finishing it, there was subsequent illegal occupation by 400 new families (Fieldwork, 2019) (Figure 5).



Figure 5. Location of the housing complex Flores do Campo—Londrina. Source: COHAB-LD, 2019.

This reality was repeated in other housing complexes located in Londrina. We highlight the “Housing Complex Vista Bela Residential”, the largest one, with 2712 units, 1272 houses (35 m<sup>2</sup>) and 1440 flats (42 m<sup>2</sup>), a “microcity” within the city. This is another neighborhood that suffers from a lack of facilities and social urban equipment and, like the “Housing Complex Flores do Campo”, borders on rural properties, in addition to the presence of urban life.

Another reason for not attaining the objectives of the municipal laws is related to the time lag in the implementation of the various instruments. The complementary law—Land Use and Occupation of Londrina (Law n°. 12.236.2015)—was only approved in 2015. It is possible to perceive a gap between the approval of the general plan (PDPML—Londrina, 2008) and its complementary law, the one that would determine the location of the ZEIS. This delay in the approval of this law may translate real estate capital interests. Moreover, the new revision of the Master Plan of Londrina has been waiting for approval since 2018.

The PMCMV “[ . . . ] repeated the pattern of popular housing programs in Brazil, concentrating low-income population in distant locations, with insufficient infrastructure and job offer” [86] (no page).

## 6. Conclusions

The results we obtained here elucidate that the PDPML has the legal and political instruments (Articles 126–168) that can support and extend the practice of municipal management in relation to the production of housing of social interest, by incorporating the instruments of an inclusive zoning (ZEIS) that can overlap with the exclusionary segregationist zoning. However, it does not introduce the details for its effective implementation—that is, the installment, building or compulsory use, the IPTU progressive over time and the expropriation with payment in public debt bonds could be applied for the property to fulfill its social function. However, the obligation to parcel or build can only be established in areas with infrastructure, which is why the PDM must delimit these areas and establish urban standards for their occupation, which requires the need to set minimum utilization rates of urban properties such as conditions for the characterization of the obligation to parcel or build.

Despite the large number of studies that describe the segregationist model of urbanization in Brazilian cities, this paper highlights the importance of separating the design and the implementation of policies. The insufficient diagnosis and monitoring procedures weaken the planning system, losing capacity to keep up with the malfunctions of the system and not attain the initial objectives. The research shows that failure is related with the zoning process, despite the coherence between policy objectives. There is a flaw in the policy design and policy implementation. As explained, the ZEIS has the potential to change the segregationist logic, since it could reverse the socio-territorial planning, inserting the housing of social interest in areas endowed with urban infrastructure. However, in practice, this has not been the case. In this context, it is understood that the Londrina land use law needs to create strategies with the purpose of changing this segregationist logic, achieving goal 4 of the PDPML (goal that point the need to attain the social function of urban property in the territory, preventing the extensive and costly daily movements). It can be observed that local management had the planning mechanisms and instruments that can change the dynamics of urban segregation, but social housing choices was not considered and treated by public policy with the aim of guaranteeing the quality of life for the population in need of decent housing.

Along with the previous limitations, another point, the time lag between the land use planning goals and their transformation in law, impacts the contradiction between urban public policy making and its practice. Master plans and ZEIS both present the possibility to change a society marked by inequality, since they correspond to the advances obtained with the development of participatory planning, instituted in Brazil with the approval of the City Statute in 2001. Urban planning must be based on a collective pact. To this end, we propose some recommendations:

- Improve the quality of the diagnosis and attend to strategic planning principles; consider future scenarios of population and economic activities demand and promote their location based on functional mix, social mix and minimal infrastructure/services attendance;
- Related to the previous aspect, there is a need to improve the quantity and quality of statistical and qualitative data about the city performance in different sectors, namely housing, transport/mobility, environment, health and education sectors; these improvements should be organized in a monitoring system to support public policy decision;
- Insertion of the ZEIS in the complementary law on land use and occupancy (urban zoning) in aligned timeline;
- Establish of a land reserve for future housing developments, to avoid the peripheral location of these zones, strictly connected with the complementary law of land use and occupancy; these areas must be localized in pre-defined areas to attend minimal density criteria of housing mix;
- Establish rules of social and functional mix for different parts of the urbanization area. Is fundamental to define the model of urbanization: combat vacant spaces and define minimal housing and infrastructure densities to allow urban occupation;
- Define complementary broad measures of social interest as rent price maintenance, in months of emergency or the adjustment of social rent. With crises, the excessive burden of rent payment on workers' income leads more families to irregular occupations. This measure is defended at all scales (federal, state and municipal) and could be fundamental to control pressure;
- Implement the technical assistance in housing of social interest (Law n°. 11.888.2008) in order to build or improve precarious domiciles to soften the excessive densification.

In this context, the guidelines of land use planning must be modified, aiming at changing the dynamics of urban segregation present in the law of land use and occupation expressed in the definition of the ZEIS. The road to be travelled is long, but the legal bases provide a foundation for building an urban land planning based on the collective interest of society, putting into practice a zoning of inclusion and not exclusion.

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