



## **Regulating Inequality: Origins and Transformation of São Paulo's Zoning Laws**

**Candida Malta CAMPOS**, Associate Professor  
Mackenzie University, Brazil  
candido@mackenzie.br

**Nadia SOMEKH**, Planning Secretary for the City of São Bernardo do Campo  
Mackenzie University, Brazil  
nadia@mackenzie.br

For over thirty years São Paulo's 1972 Zoning Law was an important reference for both apologists and critics of comprehensive land-use zoning policies in Brazil. When it was passed by the city council, in the shadow of the 1964-1985 military regime, mayor Figueiredo Ferraz, its main instigator, hailed it as the only means to control São Paulo's explosive growth. Based in part on ambitious modernist master plans such as PUB (1968) and PDDI (1971), stringent building ratios and detailed land-use rules were applied for the first time on the city as a whole, and subsequent fine-tuning of the law transformed it into a sophisticated model for similar initiatives in other Brazilian cities.

However, the huge planned investments in expressway and mass-transit systems that should have accompanied this regulation did not occur in the required scale; and when criticism of conventional comprehensive planning models came to the fore in the 1980s, São Paulo's all-encompassing, minutious zoning legislation became a major target.

Only since 2004 this controversial and influential law has been supplanted by gradual implementation of new legislation, based on the 2002 São Paulo Strategic Master Plan and on new planning instruments authorized by federal law in 2001 (Brazil's "Estatuto da Cidade"). This paper, derived from a research project sponsored by the Lincoln Institute of Land Policy, explains the law's antecedents in partial zoning measures enforced in preceding decades, designed primarily for the protection of upscale residential areas; and focuses on the decisive period (1971-1981) when a comprehensive system regulating land use, occupation, development, subdivisions, etc. was put into force - between the heyday of comprehensive planning in the 1960s and its crisis since the 1980s, when proposals for deregulation, participative planning and private sector involvement, along with criticism of traditional zoning with its legacy of segregation and social exclusion, began to question the fundamentals of this legislation.

Even though it had become the city's major regulating instrument, and was the object of constant revision and detailing during the period in question, São Paulo's zoning law was only partially effective. Echoing previous measures that protected high-income neighborhoods and favored vertical development along major avenues, it focused on more affluent urban areas - enhancing existing processes by which real estate values, commercial uses, and residential high-rise development soared hand-in-hand with public investment in infrastructure (costly highways, bridges and tunnels) concentrated on the city's Southwestern quadrant, where new centralities have sprung catering to high-income residents and global corporations.

Meanwhile, the vast majority of the population, settled in peripheral areas with few improvements, either informal squatter settlements (favelas) or irregular subdivisions, benefited little from the law. Even though amnesties, urbanization initiatives and regularization policies have given this immense portion of the city some legal status, it remains excluded from the main real estate market. In a deeply unequal society, where urban policies historically tended to reinforce social divisions, the transformation of zoning measures into a more effective instrument aimed at improving social justice, reducing urban inequality and providing for better-quality city spaces is a challenge which has only begun to be addressed

**KEY WORDS:** São Paulo; Brazil; urban planning; history; zoning; master plan.