# URBAN GROWTH MANAGEMENT PRACTICES IN UGANDA WITH A CASE STUDY ON KAMPALA

by

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# CHAPTER I

# INTRODUCTION

## Urbanization in Africa

In Uganda and indeed in other African countries there has been a lack of concerted effort to link the urbanization and the settlement pattern of the nation with its economic and social development. In the 1960's, when many African countries received their independence, the prevailing view of development by both decision-makers and the administration was in terms of sectorial investment, for example, agriculture, industry, transportation and education. Both the government and the private developers could invest wherever they wished and at any time, because the government had taken the view that any type of development was necessary and that land use controls and growth management techniques were interfering with increased development. This type of uncontrolled growth in the major and minor urbanizing areas manifested itself in disorderly development. Recently, there has been a realization of the negative effects of uncontrolled growth, and some attempts have been made, in the case of Kampala and other urban areas in Uganda, to link the urbanization pattern with the ability of these communities and cities to provide services and fruitful employment to their residents. These attempts are just in preliminary stages, and much work remains to be done.

The realization of this significant relationship has not been random. The increase in population and the increase, to a limited extent, in economic activity in cities have been the two driving factors. As economic activity increases, more jobs are created and this encourages job-seekers to migrate

into the area. In most cases the rate of population growth is much higher than the rate of growth in economic activity so that many people do not find employment. With population increase (resulting from both rural-urban migration and natural increase) additional demands are placed on the facilities in cities. Cities like Kampala and other cities in other African countries are unable to provide adequate transportation, housing, recreation and education for their residents. The absence of proper planning and implementation of effective urban growth management techniques has resulted in urban blight, traffic congestion, overcrowded schools, rising crime rates, tax increases and other effects which have robbed the urban environment of its many good qualities.

But at the same time cities are in the African setting to stay and cities make a positive contribution to the development of all African countries. For example, Hance describes the African cities as

> The intellectual and social capitals, the seats of governments, the main foci of political activity of all sorts, and the economic capitals of their respective countries, the major transport centers, the major financial nodes . . . they contain the vast bulk of the newer market-oriented manufacturing establishments as well as a considerable share of the raw-material oriented plants. Indeed, one of the notable characteristics of many African countries is the rapid fading away of the signs of modernity as one leaves the urban centers.[1]

Thus the main problem is to try to integrate the urban way of life into present-day African society by taking advantage of the benefits resulting from the growth of cities and at the same time try to find solutions to problems resulting from this kind of growth.

## Some Definitions and Delimitation of Area of Study

A city as an area of study involves various disciplines including sociology, engineering, urban and regional planning, architecture, public

health and economics. One of the major approaches devised by integrating these disciplinary approaches is the development and implementation of an "urban growth management program." For example, one of the most notable problems in urban growth is the imbalance in availability of high-cost housing for the rich and low-cost housing for the urban poor. In almost every major city in every country in the world (whether New York, Kampala, Moscow, or Mexico) there is a shortage of housing for the low-income group. Thus, in urban growth management, a country is well advised to look beyond its territory to find solutions to domestic problems. Nationalism must give way to international exchange of knowledge and ideas in planning, housing, finance and environmental concern. However, this does not mean adoption of the growth management strategy of one city by another. It simply means learning from each other's experiences in order to formulate a strategy which suits the local conditions.

Certain terminology needs some clarification. The term "growth" may be defined basically as increase in population and economic activity. Most of the major African cities have experienced overwhelming increase in population but comparatively little increase in economic activity, resulting in higher rates of unemployment and underemployment than in Western developed nations like Britain, the United States and France.

The term "urban growth management program" is difficult to define without incorporating the concept of "development management system." According to Einsweiler's definition, every community has a "development management system," which may or may not be integrated:

> The term system includes all the development controlling, guiding, or influencing elements employed by the public sector. Normally all elements have not

> been conceived as an integrated system, but they do act concurrently on a given development decision and should therefore be viewed as a system. The lack of integration among the elements should be seen as a problem in system efficiency rather than a question of whether or not a system exists. The need is for a systematic view of development controls. The term management is selected to describe what actually occurs, however well or poorly.[2]

Thus a "growth management program" could literally mean the strategy or policy to guide the development of a community in an integrated and orderly fashion so as to enable that community to achieve its goals by making the "system" more coherent. This is a very broad definition, but to date not much research has been done in this area and thus some terms must remain relatively imprecise.

Uganda, a landlocked country, lies between 29 1/2° W. and 35° E. longitude and between 4 1/2° N. and 1 1/2° S. latitude. It is 233,000 sq. km. (or 91,134 sq. miles) in area; 1/6 of the total area is occupied by water. Uganda now has a population of approximately 11 million with an average population density of 110 persons per square mile. Approximately 85% of the population are farmers who generally work small-sized plots. According to the 1969 Ugandan census, the term "urban area" is defined as a settlement of 2,000 persons or more.[3] By the same 1969 census data, 7% of Uganda's population lived in urban areas compared to 5% in 1959.[4] It was projected that about 1.5 million people (or at least 11% of the total population)[5] will be living in urban areas by 1980. The capital and largest city in Uganda is Kampala, with a population of 330,000 and an area of 200 sq. km. Politically, Uganda is divided into 10 provinces, and there are about 18 major and minor cities (see Figs. 1 and 2 and Table 1).

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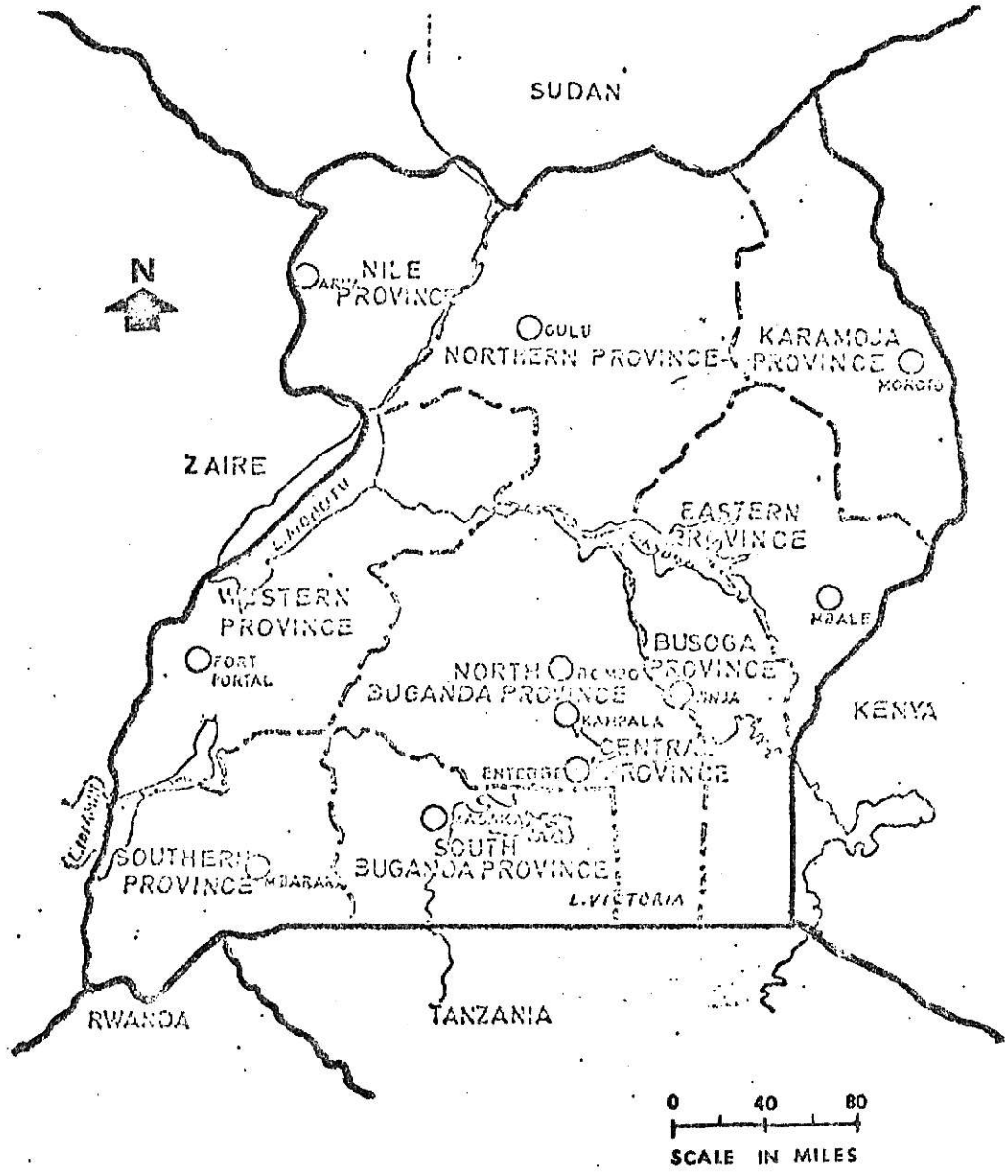


Fig. 1. Provincial boundaries and headquarters in Uganda.

Source: Supplied by the headquarters, Ministry of Provincial Administrations, Kampala, Uganda, August 1976.

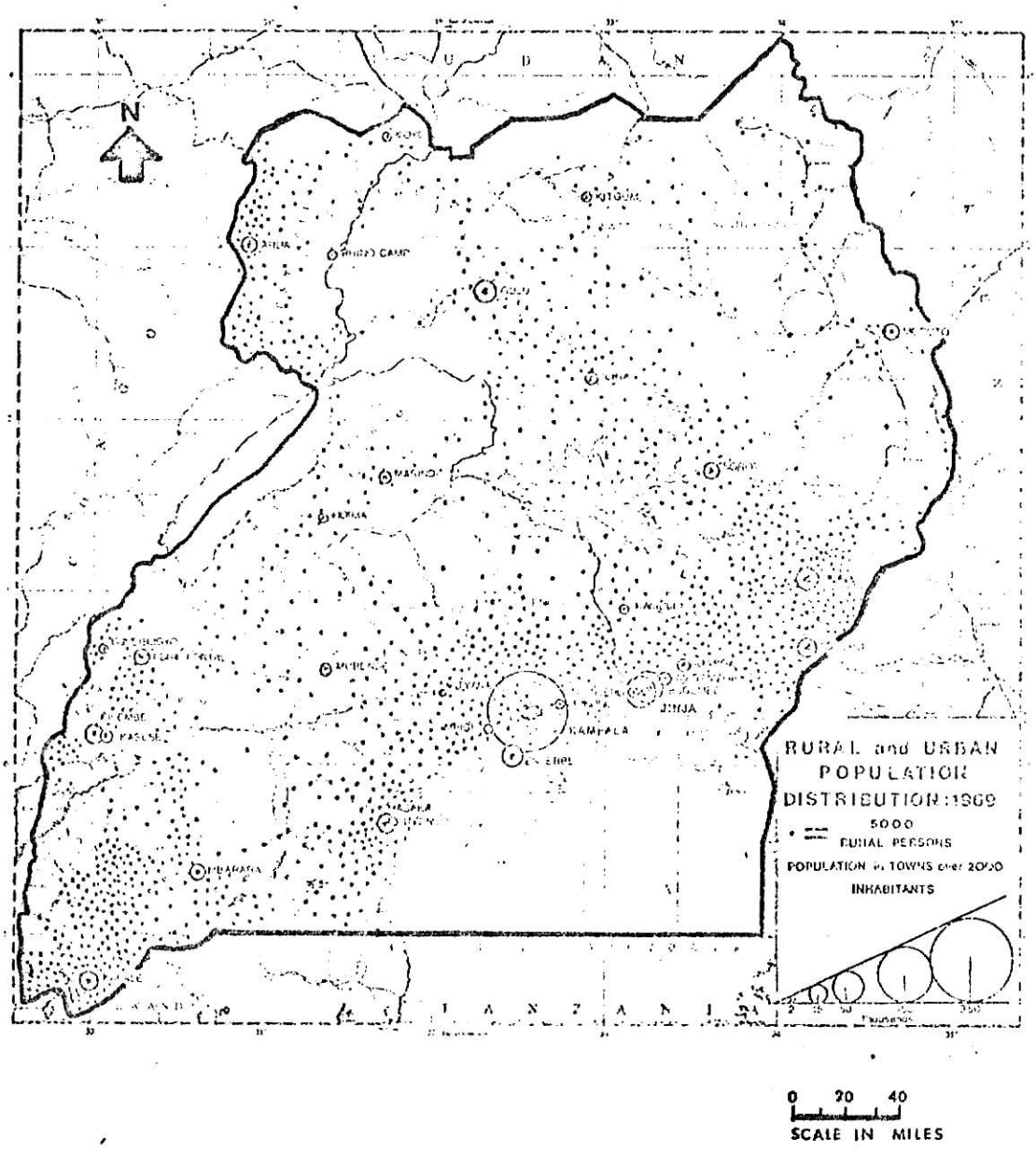


Fig. 2. Distribution of urban and rural population in Uganda (1969).

Source: Uganda's Third Five-Year Development Plan 1971/2-1975/6 (Uganda: Government Printer, 1971, p. 69.

TABLE 1. The main urban areas and their population size.

| TOWNS | POPULATION 1969 CENSUS | INTERCENSAL PERCENTAGE GROWTH 1959-1969 | PERCENTAGE OF TOTAL URBAN POPULATION IN 1969 |
|---|---|---|---|
| Kampala | 331,889 | 8.2 | 49.93 |
| Entebbe | 21,176 | 6.6 | 3.18 |
| Masaka | 13,008 | 10.0 | 1.96 |
| Jinja | 47,298 | 4.6 | 7.12 |
| Bugembe | 48,054 | N/A | 7.23 |
| Tororo | 14,136 | 8.0 | 2.13 |
| Mbale | 23,539 | 5.5 | 3.54 |
| Soroti | 12,330 | 6.2 | 1.85 |
| Moroto | 8,264 | 13.8 | 1.24 |
| Lira | 7,338 | 9.2 | 1.10 |
| Gulu | 19,707 | 14.2 | 2.96 |
| Arua | 11,099 | 8.7 | 1.67 |
| Kilembe | 13,673 | N/A | 2.06 |
| Fort Portal | 8,278 | 0.0 | 1.24 |
| Kaseze | 7,145 | 15.2 | 1.07 |
| Kabale | 11,239 | N/A | 1.69 |
| Mbarara | 10,273 | 9.8 | 1.54 |
| Other Towns* | 56,267 | 0-18.1 | 8.46 |
| TOTAL | 664,713 | 7.75 | 100.00 |

*Other towns over 2,000 population: Mpigi, Njeru, Mukono, Nyendo, Mityana, Mubende, Lganga, Magamaga, Kamuli, Bundibugyo, Hoima, Mesindi, Rhino Camp, Moyo, Kitgum.

Source: Uganda's Third Five-Year Development Plan 1971/2-1975/6 (Uganda: Government Printer, 1971), p. 100.

Problem Statement and Methodology

This thesis will concern itself with development of a planning framework to deal with urban growth. Special emphasis will be given to Uganda and her major city, Kampala. Following are the major segments to be covered:

1. The concept of growth as related to the community and national government. Linkages between urbanization and the development process will be mentioned.

2. An outline of urban growth policy.

3. A description of land use controls and growth management techniques utilized in various cities both within and outside Uganda.

4. A case study describing the experiences of the Kampala metropolitan region in Uganda. In this case study, attempts will be made to apply the concepts of growth management programming, wherever this is feasible.

5. Conclusions drawn from the study.

Because no empirical research has been done on growth management strategies in African cities, the analysis will be descriptive, relying heavily on literature review, discussion with scholars and professionals, and personal experience on the part of the author.

## NOTES

[1]William Hance, Population, Migration and Urbanization in Africa (New York: Columbia University Press, 1970), p. 209.

[2]Robert C. Einsweiler, "Comparative Descriptions of Selected Municipal Growth Guidance Systems," preliminary report in Management and Control of Growth (Washington, D.C.: Urban Land Institute, 1972), p. 284.

[3]Ministry of Planning and Economic Development, Uganda's Third Five-Year Development Plan 1971/2-1975/6 (Uganda: Government Printer, 1971), pp. 109-110.

[4]Ibid.

[5]Ibid.

# CHAPTER II

## THE CONCEPT OF GROWTH AND THE LAND USE PROBLEM

Most of the growth which results from increase in economic activity is very desirable because of the low level of production in most African cities. But this kind of growth creates problems, among them the fact that it attracts more people than there are new jobs created. There are no adequate data available on the current demographic and economic activity trends for the various cities in the country. However, some aggregate data for the total economy and population trends are available for past years.

There has been a phenomenal rate of population growth, especially in the large cities of Uganda. Ugandan cities, like their counterparts in other African developing nations, are demographically growing at the fastest rates recorded in the present century. This population growth is a result of an acceleration in both rates of natural increase and rural-urban migration. Presently the rate of natural increase in Uganda is 3.2% annually. As far as rural-urban migration is concerned, according to the 1969 census (the intercensal period), the growth of population in urban areas was 7.5% per annum--over twice the rate of population growth in Uganda.[1] The result was that in 1969 about 7.8% of Uganda's population lived in towns with over 2,000 inhabitants, compared to 2.4% in 1959[2] (see Table 1 and Fig. 2 for demographic figures and location of each city, respectively). The number of towns with a population of over 2,000 increased from 18 in 1959 to 31 in 1969. Thus recent rapid population growth in Uganda is of significantly different proportion than the rate of growth experienced during the early period of

industrialization in those countries now more developed. The reasons for this dramatic rural-urban migration are better economic opportunities in urban areas than in rural areas and the attraction of the cultural, social and recreational and other amenities in cities. But the fundamental cause of the rural-urban migration is rural economic decay or stagnation, a phenomenon common to most developing countries with an agriculture-based economy. On this point the U.N. Report states generally of African cities:

> Cities are growing rapidly at a time when most governments are faced with rural economic stagnation which is severely affecting their foreign exchange earning capacity. This stagnation, combined with increased net birth rates and the lure of the city, is contributing immensely to the current high volume of rural-urban migration. Economic rationality dictates that the rural sector should receive priority in resource allocation, but the disadvantage embedded in noncultural economies characteristic of the continent has tempted several governments to diversify their economies. In so doing, some have resorted to industrialization for two main reasons: to curb the high urban unemployment rate and to reduce the almost total reliance on advanced countries for manufactured goods. Thus, incipient industrialization has further accentuated the urbanization process and the growth of large cities.[3]

Reflecting the increase in economic activity, the annual average growth rates from 1966 to 1970 for manufacturing, construction, transport and communication, and other urban-oriented economic activities were much higher than the annual average growth rates for agriculture, forestry and other rural-oriented economic activities. The trend of the GDP (Gross Domestic Product) is demonstrated in Table 2.

However, these increases have been recent and Ugandan cities, including the capital, still need more economic investments. So, it would be unwise to call on these cities to adopt "no growth" strategies to cope with their spatial-related problems. In fact, more investments in cities

TABLE 2. Table Showing Gross Domestic Product of Uganda Economy by Sector 1966-70.

| | | | | | | Annual Average Growth Rates 1966-70 | Annual Average Growth Rates Plan Targets |
|---|---|---|---|---|---|---|---|
| | Shs. million | Shs. million | Shs. million | Shs. million | Shs. million | % | % |
| Agriculture | 1,480 | 1,478 | 1,445 | 1,746 | 1,768 | 4.5 | 5.1 |
| Cotton Ginning, Coffee Curing and Sugar manufacture | 96 | 95 | 94 | 113 | 113 | 4.1 | 5.6 |
| Forestry, Fishing and Hunting | 52 | 59 | 65 | 75 | 76 | 9.9 | 6.0 |
| Mining and Quarrying | 104 | 99 | 110 | 117 | 123 | 4.2 | 6.6 |
| Manufacture of Foods | 49 | 48 | 56 | 65 | 66 | 7.8 | 10.8 |
| Miscellaneous Manufacturing | 359 | 378 | 393 | 426 | 452 | 5.9 | 12.6 |
| Electricity | 68 | 78 | 84 | 87 | 87 | 6.4 | 9.8 |
| Construction | 69 | 84 | 96 | 101 | 108 | 11.8 | 11.3 |
| Commerce | 811 | 805 | 844 | 861 | 885 | 2.2 | 7.0 |
| Transport and Communications | 225 | 248 | 266 | 291 | 304 | 7.8 | 8.5 |
| Government | 323 | 361 | 331 | 370 | 411 | 6.2 | 7.7 |

TABLE 2. (continued)

| | | | | | | Annual Average Growth Rates 1966-70 | Annual Average Growth Rates Plan Targets |
|---|---|---|---|---|---|---|---|
| | Shs. million | Shs. million | Shs. million | Shs. million | Shs. million | % | % |
| Miscellaneous Services | 351 | 388 | 407 | 443 | 451 | 6.4 | 9.8 |
| Rents | 213 | 212 | 212 | 238 | 231 | 2.0 | 7.4 |
| TOTAL MONETARY ECONOMY | 4,200 | 4,333 | 4,403 | 4,933 | 5,075 | 4.8 | 7.2 |
| SUBSISTENCE ECONOMY | 1,871 | 1,942 | 2,003 | 2,158 | 2,149 | 3.5 | 3.2 |
| TOTAL GDP | 6,071 | 6,275 | 6,408 | 7,091 | 7,224 | 4.4 | 6.3 |

Source: Uganda's Third Five Year Development Plan 1971/2 - 1975/6, Government Printer, Uganda, p. 28.

are needed to broaden and stimulate their economy base. This thesis will take the view that an increase in economic activities in cities is needed and should be encouraged but within the framework of a "growth management program." The planning framework should take into account the location, timing and cost of the various investments in the cities so as to prevent sporadic and disorderly development. In discussing the negative and positive effects of growth, more than just a focus on population and economic activities is required. There are a number of other factors which impinge on urban development and land use in an African city. Particular attention is needed concerning such issues as land tenure systems and other land policies, the development of an urban land market and the establishment of a solid coordinated planning framework, including provision of manpower for planning action. Briefly we shall examine each one of these issues with respect to the problems they pose in developing a proper urban growth management program.

In the U.N. Report, the problems posed by the absence of a developed urban land market were well summarized.[4] The absence or lack of a developed urban land market is partly responsible for skyrocketing land prices, which are obviously inflationary. Also, because of the lack of a developed urban land market, potential developers may be unaware of what real estate is available. This situation could sometimes superficially intensify the shortage of urban land.

In the more advanced market-oriented economies such as the United States, United Kingdom, and West Germany, there exist two major institutions available to a family or company seeking to develop a parcel of land, namely, the real estate agency and the mortgage bank or loan company. The real

estate agency supplies information on various selling prices determined by such factors as accessibility to community facilities, income class of neighborhood, transportation and power lines. The real estate agency assumes the responsibility of checking the accuracy of ownership titles and the accuracy of land surveys. The mortgage bank or loan company supplies capital for various aspects of real estate development. There exist both first mortgage banks, specializing in primary mortgages, and second mortgage banks, serving as clearinghouses for defaulted primary mortgages.

The real estate agencies and mortgage banks, including savings and loan associations, the builders, and present owners jointly constitute the supply side of the real estate market. On the demand side are the consumers (i.e. the house builders and firms who desire to own their own premises). Thus, the system is such that demand and supply factors can adjust to each other through the economic institutions.[5]

However, the traditional systems of land ownership militate against the development of a workable urban land market and proper urban land use planning in Kampala. Until rapid urbanization brought about commercialization of urban plots, dispersal of family plots to non-members of a community, tribe or clan was a tedious exercise. It was even difficult for the governments to acquire land for public projects like housing and industry because the owners either refused to offer it for sale or offered it at inflated prices.

Other factors which are fairly obvious and commonly mentioned by students of land use problems are the lack of proper planning and the existence of technical problems such as shortage of qualified personnel and lack of data base.

All these factors work in combination to produce various growth and land use problems.

A Glance at the Dimensions of Urban Land Use Problems

The lack of proven strategies to deal with urban growth and land use problems has produced a series of unfortunate effects both within the cities and on the urban fringes.

1. Too many pressures and imbalances are exerted on the existing facilities in the city. This is mainly due to the influx of people into the cities at a higher rate than the government can provide public services for. Additional demands are created for transportation facilities, parks, schools, solid waste and sewer treatment, employment, housing and a whole range of other services. Deterioration in urban water supply, sewerage and drainage systems and deficiencies across the whole range of social services are thus bound to occur.

2. Soaring tax rates on property and income can occur.

3. Uncontrolled peripheral growth leads to conflicts of land utilization at the use margins.

4. Without implementation of proper land use controls, incompatible land uses in a neighborhood occur. For example, the location of a noxious industry like a chemical manufacturing plant in a residential neighborhood can be a nuisance to the residents. Also, incompatible land uses reduce property values.

5. A problem which has not been given due attention in African cities is that of pollution and impairment of the environment.

6. The structural layout of a city can cause land use problems. For example, the Kampala Master Plan notes that the city has a radial road system and this makes it difficult to get access to or even develop the interior locations of the city. Another example noted in the U.N. Report is that of

the location of indigenous settlements of poor housing and low-quality services in areas of high land values. According to the report, this contravenes the notion of efficiency in land use.[6]

7. Quasi-squatter settlements, land areas occupied by people who legally do not own the land and do not pay rent for occupying it, become slum areas. Some of the so-called squatters were required, under customary law, to use the land for specific agricultural purposes. But under the conditions of rapid urbanization, the squatters violated the customary rules and put up structures for renting. From the physical planning point of view the concern is the poor physical condition of the neighborhoods. On this subject, Richard E. Stren notes:

> Evidence from many developing countries shows the dilapidated quality of most squatter housing, the overcrowding, the limited or non-existent sanitary and recreational facilities, and the lack of amenities such as water, electricity, and decent roads. At the same time, planners often feel that land occupied by squatters could be more usefully zoned for other purposes. . . . at the very least, effective planning controls would lead to improvements in both the quality of housing and level of amenities available.[7]

So almost all squatter settlements or quasi-squatter settlements fall under the category of slums or rundown neighborhoods.

8. Other problems relate to land conservation and the esthetic nature of the city. In many cities in Africa, including Uganda, the high-income group have a tendency to build on large lot sizes for single-family houses. This results in urban sprawl and costs not only to the individual but also to the community. In the recent study carried out by Real Estate Research Corporation on the Costs of Sprawl, it was found that a planned unit of clustered and higher-density land uses is much more efficient than a non-contiguous, low-density, single-family development pattern: "Planned higher

density communities could save forty-four percent in investment and energy costs and produce forty-five percent less pollution."[8] It is essential to say a word of caution about clustered dwelling units. Planned unit clustered and higher-density uses do not in any way mean overcrowding, which can pose even more serious problems like health hazards. It simply implies that cities must consider how much of what kind of growth they want, and where, when and how it should be guided reasonably without hindering the economy of the local community.

Those are some of the major land use problems that land use and growth management techniques should address in a comprehensive manner. In general we are trying to answer the question, "How can governments at local, regional, national or a combination of levels respond to and attempt to influence population pressures in order to achieve the highest possible quality of life for the residents in a community?" In other words, how can a community develop and implement an effective growth management program?

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## NOTES

[1]Ministry of Planning and Economic Development, Uganda's Third Five-Year Development Plan 1971/2-1975/6 (Uganda: Government Printer, 1971), pp. 99-100.

[2]Ibid.

[3]United Nations, Urban Land Policies and Land-Use Control Measures, Vol. 1: Africa (New York: Department of Economic and Social Affairs, 1973), p. 1.

[4]Ibid., pp. 20-23.

[5]Ibid., p. 20.

[6]Ibid., p. 9. According to the report, "efficiency in land-use" implies a notion of intensity in land use. The report goes on to define land-use intensity as "the over-all structural mass and open space relationship in a developed property. It correlates the amount of floor area, open space, livable space, recreation space and car storage space of a property with the size of its site or land area."

[7]Richard E. Stren, "Urban Inequality and Housing Policy in Tanzania," The Problem of Squatting (Berkeley, California: Institute of International Studies, 1975).

[8]Real Estate Research Corporation, "The Costs of Sprawl: Detailed Cost Analysis," in Management and Control of Growth, Issues, Techniques, Problems, Trends, Vol. II (Washington, D.C.: The Urban Land Institute, 1975), p. 579.

# CHAPTER III

## DEVELOPING A FRAMEWORK FOR LOCAL GROWTH MANAGEMENT PROGRAM

This section will rely heavily on the findings presented in two articles: (1) a study by Steve Carter, Kendall Bert and Peter Nobert entitled "Local Government Techniques for Managing Growth" and (2) a study by Robert C. Einsweiler and his associates entitled "Comparative Descriptions of Selected Municipal Growth Guidance Systems."[1]

In both these articles, the point is made that every community has a growth system that is operational. Citizens may not be aware of its existence, but nevertheless it has all the elements such as public attitudes toward growth, master plans, zoning procedures, building permits, transportation policies and programs, tax rates and structures, sewer and water connection fees, and many other policies. These policy instruments are found not only in developed nations but also in developing countries. Of course, they differ in their level of sophistication and applicability but nevertheless they are there. The point is that all these policy instruments help to shape the quantity and quality of growth, but most communities have not effectively mobilized these components into a coordinated growth program aimed at shaping future growth in accord with local goals.

Carter has stated that a growth program uses a set of policy instruments (growth control policies and techniques) to try to bring growth into conformity with local goals.[2]

It is difficult to say what the growth program for cities in general should consist of or how it should be developed--what is effective in one

area may be useless in another. However, it is necessary to determine some of the features that can be included in a program. Carter mentions the following elements:[3]

1. Comprehensiveness in the approach.
2. Staffing and organization or some kind of planning mechanism.
3. Formulation of general goals and objectives.
4. Adoption of interim controls.
5. Analysis of growth policy instruments and techniques. Various areas including population, employment, land use, housing environment, fiscal system, public service delivery, and private sector ought to be considered.
6. Selection of program policies and techniques.
7. Adoption of the growth policy either by a separate policy statement or as part of the master plan.
8. Implementation and coordination of the growth policy.

An attempt will be made to explain each one of these elements individually.

Comprehensive Approach

Developing a growth management program means that the various decisions taken will eventually have numerous spillover effects, both direct and indirect. Therefore, a systems approach which recognizes this inter-relationship should be taken. As Steve Carter notes:

> The development of a growth policy should be a comprehensive process. It should recognize that decisions related to the quantity and location of housing, commercial and industrial developments will have spillover impacts on numerous social, environmental, and economic factors--water pollution, air pollution, social mix of the community, economic activity, government finances, local taxes, traffic congestion, and open space availability. Thus a systems approach is needed which recognizes the dynamic nature of municipalities and the interaction of social, economic and environmental factors upon one another.[4]

This requires understanding the public interest and thereby raises the necessity for public involvement in the whole process of developing a growth policy.

Organization and Planning Framework

In most of the developing countries there is a short supply of competent urban planners, lawyers, administrators, engineers and other professionals required to carry out the various technical studies and work involved in devising a growth policy. Most of the African nations compensate for this deficiency by hiring outside consultants or seeking assistance from United Nations bodies concerned with urban and regional planning. Many of these countries have now embarked on programs intended to train their indigenous people as planners in various colleges in the United States, Britain and at home. Because understanding a city involves a whole range of diverse professionals, there is a need to include trained personnel with different academic backgrounds on the planning staff. Until recently, most planners in Ugandan cities were predominantly architects and engineers. Today the trend is changing for the better, and the planning staff now includes people with a background in social sciences such as sociology, economics, public administration and municipal finance.

There are various approaches which can be taken to organize the planning staff for carrying out the project. One of these approaches is to form a project team or task force. Another approach is to assign the task to the department which will be the most directly involved in developing it. In the case of Uganda this would undoubtedly be the Department of Town and Regional Planning. In the case study on Kampala, this was the approach taken in developing the growth policy for the city.

In terms of the pros and cons of these two approaches, the project team concept helps to focus the efforts of the participants on the task to be accomplished, gathers together the expertise in the city required by the project and allows affected departments to provide needed inputs. One of the major advantages of an independent task force or committee is that the committee will be able to redirect the political pressure likely to arise from the adoption of new policies.

On the other hand, the agency concept such as a Department of Town and Regional Planning has potential advantages over the independent task force. There is likely to be a continuous availability of expertise in the already established agency. Furthermore, the agency may be able to maintain the support of the local elected and appointed officials and administrators more than a committee. For example, the committee may recommend something that is too sensitive politically and thus jeopardize the effectiveness of the committee's recommendations. The departmental approach may be able to avoid these complexities.

There are other approaches, such as assigning the whole project to consulting firms or to a university, or to a United Nations team of experts. A combination of any of these approaches is feasible. At any rate, whatever approach is selected, the following points are important to note:

1. People in responsible positions must participate in whatever planning exercise is established and must be meaningfully involved in implementation. The head office of the task force or the agency must locate in the community where the study is conducted. In the case of Uganda, this may not pose any problems for a metropolitan region or major city like Kampala (see Fig. 2) because the necessary facilities are all available at the

location. But for a city like Mbale or Gulu (see Fig. 2), or any other intermediate-sized city, there may be a tendency to conduct the studies and make the plans from Kampala. Plans developed in this way may lack inputs from local citizens, and thus there is a danger of drawing invalid conclusions Furthermore, they can prove to be far more expensive than plans developed within the community itself.

2. There should be strong citizen support for governmental action in developing a growth policy for a city. The population at large, including constructive interest groups, should be consulted. In the case of Uganda, these may include the branch of the Uganda Chamber of Commerce in the area, youth clubs, recreational and social service organizations like the YMCA and YWCA, and professional associations.

3. Key departments to be involved in carrying out and implementing the growth policy must be represented and consulted during and after the process of developing a growth policy. In the case of Uganda, the following departments are included:

(i) The City Council or the Mayor's office. The representatives would provide direction for the work to be accomplished and would provide various analytical capabilities related, for example, to registration of land titles, social services, tax systems, and a number of other items.

(ii) The Department of Town and Regional Planning. Detailed knowledge of existing and potential land use controls and planning techniques would be an obvious requisite for the planning team. The department would also provide coordination with the existing comprehensive planning and long-range urban form considerations.

(iii) The Public Works and Transportation Department/Ministry. Inputs regarding transportation, water supply, sewer lines, treatment capacity and other information would have to be considered in a growth policy.

(iv) The Legal Department or Ministry of Justice. Many of the growth management tools and strategies to be considered might pose significant questions of legality. As one writer notes:

> Good, creative legal inputs to the process are vital. As a note of caution, it may be necessary early in the process to remind the legal representative that he is there to do more than tell the team what it can't do. Rather, he is also there to investigate how growth management tools meeting ambiguous legal requirements can be developed. This may mean that the town clerk (or city manager), the council, and the legal department must be prepared for the contingency of litigation once the program is implemented.[5]

(v) The Ministry of Finance. Knowledge of tax policies and budget procedures would be a valuable input. This would also provide a tie into capital improvement programming.

(vi) The Housing Authority. A representative with knowledge of low-cost and public housing would be an important asset. One of the most vulnerable areas of growth policies is the extent to which they cause or increase the gap between supply and effective demand of housing for the urban poor. The growth policy should be carefully coordinated with the community's program to meet its responsibilities to individuals from all levels of the socioeconomic scale.

(vii) There are a number of other departments, ministries and public authorities and councils which could be consulted or even represented on the study group.

Formulation of Growth Program Goals and Objectives

As far as formulating a growth policy is concerned, goals and objectives should be taken to mean the guidelines for how city growth should proceed in fulfillment of basic needs and wants of residents, firms and institutions of the community. For example, Professor Weisenburger wrote:

> For planning purposes, we can define goals as generalized statements of ideal situations toward which a community wishes to progress through a planned course of action. In this sense goals are ideals which are expected to endure. An objective can be defined as a sub-goal which will contribute to the attainment of a goal. The term objective is used to designate a specific detail such as the construction of a physical plant or organization of a new governmental department.[6]

Guidance in general goals and objectives is beneficial to the community's decision-makers, staff workers, and private sector investors in that they reflect the views and desires of the community. The community can revise its objectives through the years to take advantage of new opportunities.

A statement of goals and objectives tends to be addressed to major policy issues such as provision of public facilities and services, housing, employment, transportation, financial planning and environmental protection.

There are various approaches utilized to gain input into the process of formulating growth program goals and objectives. The process usually begins with staff consideration of critical issues and follows them through with personal interviews with city council members, various departments and ministries, and the general populace at large. Public hearings and referenda can also be conducted.

Adoption of Interim Controls

There is no clear definition of what interim development controls constitute. However, broadly stated these are "controls that can be used to prevent land development, during the formulation of planning policies, which

would conflict in any way with permanent growth management techniques and land use controls implementing the basic planning policies."[7] These controls take the form of moratoria on a section or some sections of the planning area. These moratoria could be placed primarily on requests for rezoning, building permits and water and sewer connections.

To initiate the process a temporary ordinance or statutory instrument could be enacted. Development can proceed during the interim period, if the proposed future development of the area suggests no change from the existing regulations.

According to Freilich, interim development controls are designed to serve three important functions:

1. They serve the necessary function of protecting the planning process during the implementation stage and during the continuing planning process which must follow if the land use system devised is to remain viable and effective.

2. They prevent the creation of non-conforming uses during the process. They therefore become a means of assuring that the effectiveness of the system will not be destroyed before it has been fully implemented.

3. They promote public debate on the issues involved. This gives sufficient time to the planning staff and committees to arouse and make use of public involvement so that planless implementation of a scheme thoughtlessly devised can be avoided.[8]

The time span involved should be reasonable and no undue hardship should be placed on the developers and families.

Some of the typical moratoria and the difficulties involved in adopting interim controls in an African city will be examined in Chapter V.

Analysis of Growth Policy Instruments and Techniques

Developing a growth program for a community requires a variety of technical analyses. In order to carry out the necessary analyses, efforts to collect relevant information should be made. On this subject Dr. Rivkin notes:

> Availability of information is fundamental to the operations of any land use programming or control process. Clearly the more information available about the community, its resources and its potentials, the more sensitive the program and control process can become. However, it is important to stress that lack of extensive information on a particular subject, or information whose accuracy is clearly flawed, should not be deterrents to planning. So long as the gaps are known and some working assumptions constructed in their place, planning can proceed. Since planning can be a sequential and iterative operation, successive stages of review can benefit from successfully fuller bodies of information.[9]

There are various areas about which information and consequently analysis would be required, including population, employment, land use, housing stock for both low- and high-income groups, environmental conditions, transportation, fiscal systems, public service delivery, private sector conditions, recreation and land policies. Because of the size of major cities, it may be helpful to conduct sophisticated analyses utilizing computer models. The technical complexities involved in some of these analyses may require assistance from interested universities and research firms.

Analyses of growth policy instruments and techniques not only rely on the traditional hard data related to static aspects of comprehensive land use but also involve:

(a) analyses related to timing and phasing of development and

(b) impact assessment of the various growth options.

Introducing these two elements (i.e., timing and impact assessment of growth

policies) in the development of a growth policy makes it possible to treat a city as a changing and dynamic entity rather than a static one.

Development Timing

Primarily, development timing refers to phasing the future rate and amount of anticipated growth with the provision of capital or public facilities to service this growth. As one writer notes:

> Traditional comprehensive planning has often produced plans which indicate a desired land use map for fifteen or twenty years in the future; the plans have basically been concerned with the location of growth, not with the amount of timing. . . .
>
> Locations have been readily identifiable, while when development will take place has often been left up to the private response to development needs.[10]

However, the necessity of development timing has been realized and many management systems are attempting to anticipate amounts of growth that would result from planned development and to adjust the growth policies so as to influence the location as well as the extent of growth.

According to Fagin, there are five main planning bases for timing control:

1. The need to economize on the costs of municipal facilities and services. The sequence of building operations determines, for example, whether linear facilities such as pipes and streets will have to be extended gradually to serve areas built in careful phase with efficient facility growth.

2. The need to retain municipal control over the eventual character of development.

3. The need to maintain a desirable degree of balance among various uses of land. For example, it is essential to the economic stability of

certain municipalities which contain large areas of low-value houses that service costs be offset by tax income from commercial and industrial notables. In such places it is essential that new residential construction be timed in proper relation with business and industrial expansion.

4. The need to achieve greater detail and specificity in development regulation.

5. The need to maintain a high quality of community services. When newcomers are added faster than municipal facilities and services can be increased, the resulting overloads on existing capacities cause a decline in the quality of services.[11]

Timing controls could range from the Kampala grid-road concepts in Uganda to the Ramapo's point-system in the United States. In other words, every timing control has to meet the local conditions because what might work in one area can be useless in another.

Impact Assessment of Growth Options

Prior to adoption of any growth policy, an analysis relating to the impact of the policy on a wide range of variables should be made. Referring to Schaenman,

> The impact measures are intended to clarify the likely advantages and disadvantages of a development--enabling officials and administrators to act more confidently to accept a proposal, to negotiate to maximize the positive aspects, to identify problems that require local policy changes, and to reject proposals when projections appear detrimental. In short, they should help communities better manage the course of future growth.[12]

In the same study, Schaenman and Muller give thirteen recommendations for deciding and assessing the impacts of the various land developments. For example, they state that "each new development--residential, commercial,

industrial and public--should be weighed against a check list of major considerations or impact measures."[13] Each community should develop its own check list based on the local objectives. An example of a check list produced by them is shown in Appendix I. Other recommendations include:

> Local officials should consider evaluating groups of proposed developments and alternatives to comprehensive plans, as well as individual developments, using the same check list of impact measures.
>
> The impact of selected past development should be evaluated regularly.
>
> Land use impacts should be considered for specific clientele groups as well as collective impact of community-wide development activity.[14]

Depending on the size, economy and other variables in the city or community, there are various areas to be considered in the analysis, as mentioned previously. All these studies are quite important for any major city. However, four of them--population, fiscal, employment and transportation--deserve more detailed discussion.

Fiscal impact analysis. The fiscal impact analysis concentrates on the impact of growth on the budgets of local and central governments toward a particular development or plan. The fiscal impact analysis attempts to discover which types of development will "pay for themselves" and which ones will not. The governments should ask such questions as whether new developments will "force them to pull in their belts and reduce the quantity or quality of services? Or will the new homes, businesses and industries proposed generate net revenue that can be used to expand the parks and transportation networks and to improve schooling, fire protection, trash collection, public safety and other governmental activities that residents and businesses desire?"[15]

Fiscal impact analysis, sometimes referred to as cost/revenue impact analysis, differs significantly from cost/benefit analysis in that cost/benefit analysis is broader in scope and attempts to assign dollar values to all impacts including economic, social and environmental concerns. On the other hand, the fiscal impact analysis concentrates on the financial budgets of the local and central government concerned with growth or land developments. Fiscal impact analyses serve two distinct purposes:

(a) to evaluate the fiscal impact of specific development proposals under consideration, and

(b) to evaluate the fiscal impact of land use alternatives from a general planning point of view.

Most of the approaches project the costs of providing services such as sewer, water, solid waste disposal, police protection, and education to a development on a yearly basis over a given period of years. These costs are then matched against the revenues that the local agencies would expect to receive from the development over that same period. The outcome of the analysis depends on the tax structure and categorical grants from the central government. There are various approaches utilized for fiscal analysis. Thomas Muller's study divided the approaches into four classes:

> 1. Rough, one-dimensional methods, e.g., personnel estimates which refer to the technique of asking local agency heads--police, recreation, sanitation, etc.--how many extra people they will need to hire in order to provide services to a proposed development; use of community standards; and accounting approach.
>
> 2. Analytic methods aimed at individual developments. These use demographic profiles and income analysis.
>
> 3. Analytic methods aimed at growth patterns of development in general. These are based on cross-sectional analysis, time-series studies, fiscal-flow studies and econometrics.

4. Analytic methods aimed at physical characteristics.[16]

Muller's study is primarily oriented to urban areas in the United States. It is unfortunate that no cost revenue study for any of the medium-sized or metropolitan cities in East Africa has yet been done. This is indicative of the information gap between an African city's master plans and fiscal impact analysis.

Relevant here is the recognition that fiscal impact analysis ought to be viewed within the framework of short- and long-range community objectives. On one hand, for example, a community may need to encourage development of low-income and moderate-income housing to achieve social and long-term goals, even though such housing may not fiscally pay its way. Also construction of a road may be necessary in a poor neighborhood so as to stimulate private economic activity. On the other hand, developments which show fiscal surpluses should be evaluated in the context of the overall impact on the community, including impact on the environment and degradation in the quality of life.

Various researchers in fiscal impact analysis, including Thomas Muller, have noted that the primary variables to be considered in a fiscal impact analysis should include the demographic characteristics as well as division of responsibility providing public services.

Muller notes that in already established suburbs, revenues from new households would generally be substantially lower than the incremental costs of public services such new improvements consume, causing a fiscal deficit to the city.[17] Also, on the periphery of established areas, where land is less expensive, locations for houses, businesses and other institutions would require larger new capital investment, thereby contributing to deficits.[18]

It is generally agreed that mechanisms to offset negative fiscal effects have not been sufficiently tested to provide guidance to local or national officials. However, some options do exist. For example, the city could shift the deficit to taxpayers who are the present residents, a politically unpopular option, or could apply taxes and other pricing mechanisms to the developer, new residents or new business enterprises. At any rate, clustered or planned unit developments would by far reduce costs of capital facilities compared to scattered and uncoordinated developments.[19]

Analysis of public service capacities. Again, the discussion on public or capital facilities must consider the differences between a city in a developed country such as the United States and a city in a developing country such as Uganda. In various cities in the United States there are times when sewer and water extensions have purposely been cut off for a period of up to 18 months so as to control growth (see Ramapo case). However, water and sewer lines, schools and other capital facilities should not in any way be used as mechanisms to cut off or prevent growth in a city in a developing nation like Uganda, because in these cities there is insufficient available capacity of sewer, water, and other public utilities already. Instead, sewer, water and other utility extensions should be used to redirect population pressures. Permanent or long-term moratoria on utilities like sewer and water would only result in the shortage of decent housing, depression in the building industry, diversion to traditional sanitary water systems which are unhealthy (at least in the already built up areas) and other negative consequences.

Estimates developed for capacity measures should consider how the capacity of different facilities might vary as a result of future levels of development.

Population analysis. Development of a growth management program must be based on both the present and future requirements of the people living in the community. In order to estimate what their requirements would be, it is necessary to know as accurately as possible how many people would be living in the area in the various periods and what the composition might be. Also migration patterns have to be estimated for the future. Based on the estimate of future population and the phasing or timing of development, it is possible to determine the approximate size of necessary residential, commercial and industrial facilities. Several techniques have been developed for the purpose of population forecast and analysis. An effective technique should include elements such as

1. An estimate of future in-migration and out-migration.

2. An estimate of natural population increase or decrease (i.e., the net difference between local births and deaths).

3. Estimations regarding the number of people that would be added to the population in the various sections of the city as a result of annexation, and in what directions such annexations are most likely.

4. Information on age, sex, race, ethnic group trends, education standards and the like should be computed.

The various methods of population analysis can be grouped into three broad categories:

(a) ratio methods

(b) mathematical methods

(c) disaggregative methods.

In the ratio method the computations follow the algebraic notion that if three or four dependent values are known, the fourth can be computed. The

general formula for this technique follows:

$$\text{STUDY AREA}_{(\text{fut.})} = \frac{\text{PARENT AREA}_{(\text{fut.})} \times \text{STUDY AREA}_{(\text{pres.})}}{\text{PARENT AREA}_{(\text{pres.})}}$$

The method projects the population of the study area, which is one part of some known population aggregate referred to as parent area. Though this method is relatively fast and easy it is based on broad assumptions and gives only aggregate data.

Mathematical techniques usually fit a line to past population values and extend that line into the future. Examples include linear regression, parabolic regression, polynomial regression, and exponential and logistics curves. The choice of which curve to use is governed simply by which one best fits the past population trend.

Disaggregative methods are the most commonly used for population forecasts. These techniques disaggregate the planning area of the city into components of age, sex, race, etc., and they follow a basic formula:

$$P_1 = P_0 + B - D + NM$$

where $P_1$ is the population at the end of the period (e.g., 5 years),

$P_0$ is the population at the beginning of the period,

B is the number of births during the period,

D is the number of deaths during the period,

NM is the net migration during the period.

The most commonly used and most reliable technique for population analysis is the cohort-survival technique. The required data for the cohort-survival projections are (1) an age-sex cohort population of the section or city; (2) probabilities of living (survival rates) expressed as a decimal

number for each age-sex cohort; (3) probabilities of births for females in the child bearing cohorts; and (4) probabilities of migration for each age-sex cohort.

It is beyond the scope of this discussion to go into detailed methodological procedures of these techniques. There are a variety of references to which an interested reader can turn.[20]

Economic-base, employment, and income levels analysis. Most metropolitan areas flourish because they serve as centers for the production and distribution of goods and services. Production and distribution functions create jobs; employment opportunities attract people. Therefore, the urban economy creates, to a large extent, the city growth. An expanding economy means that more land and other facilities are needed to accommodate the subsequent growth. The impact of the growth options and policies on the economy has thus to be evaluated and assessed. There are various techniques for assessing the impact of growth policies on the economy, including export-base analysis, input-output analysis and location analysis.

Export-base analysis conceives the urban economy as made up of basic activities, which produce and distribute goods and services for export to firms and individuals outside a defined localized area, and the non-basic or service activities, whose goods and services are consumed at home within the confines of this localized area.[21] Export-base analysis, through the computation of location quotients, identifies the export-oriented firms in the city or region as the prime movers of the economic forces within the area. One of the major criticisms of this theory has been that concentration on the export base may lead to neglect of other potential factors contributing to local growth, e.g., import-substitution.

On the other hand, the input-output theory says that understanding the structure of a particular economy is dependent on a complete picture of the sources of purchases procured and the destination of sales of goods and services produced for each of the sectors or parts of the local economy. The input-output model had its beginnings in the theoretical work of Wassily Loentief, and its experimental extensions from Isard.[22] Despite this technique's comprehensiveness, availability of the necessary data, e.g., sales, poses the most serious problem for its use.

Environmental impact analysis. In most African countries environmental impact analysis has not yet been integrated into the urban planning framework. This is exemplified by the lack of environmental impact statements for urban communities, or legislation in this line, in Uganda. This is because most of the resources have been directed toward economic development projects and none at all toward the preservation or protection of the environment, except possibly in the game parks. Even in the game parks, the primary aim is not so much to preserve the environment for ecological balance and natural beauty as to attract tourists who bring foreign exchange into the country.

In some instances in Uganda the planners of the major sectorial industrial and agricultural projects have prepared environmental assessment statements, especially with regard to drainage, soils and soil erosion. There have also been attempts made to assess the effects on the areas of critical concern--like flood plains, marshes, shorelines and mining fields--before any development can take place. However, all these attempts have been sectorial in nature, uncoordinated and voluntary on the part of the developers because they have to do it on their own initiative.

There is a need to streamline the procedures of the environmental impact statements and make them mandatory for major projects by both the private and public sectors. This will make it possible to detect the developments which could be harmful to the environment and steps can be taken to prevent the impairment or degradation of the environment. For example, in the United States the environmental impact assessment is one of the several considerations on which planning commissions and the city commissions have to base their decision about whether to accept, deny or modify the development of any project in the city. Typical factors which may be discussed in an impact statement are noise and air pollution, drainage and soil erosion, and architectural, biological and engineering considerations.

Other analyses. There are a number of other analyses which may be required in developing a growth management policy, e.g., social impact analysis, transportation and land use, shift and share analysis, location analysis and others. Depending on the complexity, size and resources available to the community, only some of these impact analyses may be possible or required. But for a metropolitan area the size of Kampala, all these analyses, if not more, would most likely be required to develop a sound growth policy. This is so because the more information about the relationship between the various variables involved in the city growth, the better the chances of developing a meaningful and workable growth policy of a community.

## Selection and Adoption of Growth Policies and Techniques

After the various analyses have been made, selection of specific program policies and techniques for programming land use and managing growth can be made. Steve Carter identifies four major points to be considered in selecting the growth policies and techniques:

1. Current community policies affecting growth should be reviewed for consistency with the program goals and objectives. These would include utility extension policies, property tax classifications and rates, service fees, and the like.

2. It would be advisable to note the growth policies of surrounding jurisdictions within a region (or state). If possible, a regionally coordinated policy should be developed for maximum effectiveness.

3. The policies should be integrated into the comprehensive planning process.

4. The policies should reflect the goals and objectives established at the outset.[23]

After the growth policies have been established, there should be a review of the land use controls and management techniques which in effect would be the tools to implement the policies. According to Carter, these techniques should be reviewed in terms of their effectiveness, public acceptance and legality.[24] These land use control and growth management tools should be in the form of a package that emphasizes positive land use innovations to guide the community toward realizing its growth policies. Some attempts should also be made to evaluate the policies and techniques, perhaps at annual intervals, because it may be some time before any results can be seen and outside forces may have a major impact.[25]

Once the land use controls and growth management techniques are selected, the growth policy can generally take two forms: "either as a separate policy statement and/or resolution by the local governing body, or as part of the comprehensive or master plan."[26]

In the case of Kampala or other urban areas in Uganda, adoption of the growth policy as part of the comprehensive or master plan would be

preferable to adopting it as a separate resolution, because integrating the growth policy into the overall planning framework would then be made easier.

One of the internationally recognized scholars on urban growth management and land use control measures in developing nations is Dr. Malcolm Rivkin. In his recent study, Dr. Rivkin identifies the four most important conditions favorable to effective land use control measures and growth management techniques in any developing nation:

1. Institutional mechanisms expressly geared to dealing with the land use and infrastructure problems of cities.

2. Some measure of national government priority to provide a flow of planning and infrastructure funds to the metropolitan and rapidly expanding communities.

3. Technical capacity (e.g., manpower) to plan and administer for these communities located physically in communities themselves.

4. Local political receptivity to growth management and control.[27]

These four conditions call for the review and analysis of the intergovernmental relations for policy planning. In the next chapter an attempt will be made to cover the intergovernmental relations for policy planning in Uganda.

NOTES

[1]The two articles are to be found in Management and Control of Growth--Issues, Techniques, Problems, Trends, Vol. II (Washington, D.C.: The Urban Land Institute, 1975), pp. 283-354.

[2]Ibid.

[3]Ibid.

[4]Ibid., p. 333.

[5]Ibid., p. 334.

[6]Ray Weisenburger, "The Planning Process (6)--The Process of Urbanization," Kansas State University, 1967, pp. 17-18.

[7]H. Robert Freilich, "Interim Development Controls," in Management and Control of Growth--Issues, Techniques, Problems, Trends, Vol. II, p. 397.

[8]H. Robert Freilich, "Development Timing, Moratoria, and Controlling Growth: Preliminary Report," in Management and Control of Growth, pp. 363-364.

[9]Malcolm D. Rivkin, Land Use and the Intermediate-Size City in Developing Countries (New York: Praeger Publishers, 1976), p. 27.

[10]Robert L. Duane, "A Case Study of Growth Management Practices (Montgomery County, Maryland)," Master's thesis, Kansas State University, 1975, p. 22.

[11]Henry Fagin, "Regulating the Timing of Urban Development," in Management and Control of Growth, Vol. I, pp. 298-299.

[12]Philip S. Schaenman and Thomas Muller, "Land Development: Measuring the Impacts," in Management and Control of Growth, Vol. II, p. 495.

[13]Ibid.

[14]Ibid., pp. 395-396.

[15]Thomas Muller, "Fiscal Impact: Methods and Issues," in Management and Control of Growth, Vol. II, p. 534.

[16]Thomas Muller, "Fiscal Issues of Local Growth," in Public Management Strategies for Controlling Growth, ICMA, May 1974, pp. 4-6.

[17]Ibid.

[18]Ibid.

[19]See Real Estate Research Corporation for the Council on Environmental Quality, The Costs of Sprawl: Detailed Cost Analysis (Washington, D.C.: 1974).

[20]For a detailed description of the cohort-survival technique the reader is referred to John E. Hedeen, "Population Projection: A Demographic Procedural Manual for Planning Practitioners," a non-thesis report (Kansas State University, 1973). Another source would be ICMA, "Principles and Practice of Urban Planning" (1966).

[21]There are various references which explain this technique including: Stuart Chapin, Urban Land Use Planning (Urbana: University of Chicago Press, 1965), Ch. 3; ICMA, Principles and Practice of Urban Planning (Washington, D.C., 1968), Ch. 4; C. A. Keithley, "City Planning I, Laboratory Manual," Kansas State University, Manhattan.

[22]Walter Isard, Methods of Regional Analysis (New York: 1960) as referenced by Stuart Chapin, Urban Land Use Planning, p. 257.

[23]Steve Carter, Kendall Bert and Peter Nobert, "Local Government Techniques for Managing Growth," in Management and Control of Growth, Vol. II, pp. 339-340.

[24]Ibid.

[25]Ibid.

[26]Ibid.

[27]Malcolm D. Rivkin, op. cit., p. 4.

# CHAPTER IV

## INTERGOVERNMENTAL RELATIONS FOR POLICY PLANNING IN UGANDA

The actions of public authorities and other governmental agencies at national, provincial or regional, and local levels do influence the pattern and extent of local growth. In many countries in Africa with a centralized governmental structure, the growth policies for local communities filter from the top levels of government down to the lower levels of government. A high degree of centralization of administrative, legal, and other government functions at the national level reduces the legal and administrative powers and functions delegated to the local urban authorities. In the few instances where some power is delegated, it is concentrated in the capital cities or metropolitan areas. This state of affairs has led a number of professionals to believe that the national government has more control over the destiny of local communities than the communities themselves. On this subject, one author has generally noted that, on the whole continent of Africa,

> Local governments in Africa are weak partly because of personnel and management problems, and partly because of the limited fiscal, administrative and legal powers at their disposal to initiate their own development plans. This chronic weakness is reflected in low standards of services, e.g., garbage collection and access roads.[1]

This degree of centralization in planning practice is almost a direct contrast to conditions in the United States and Britain, for example. In the United States, the power to plan is inherent in the federal government. In turn, the fifty states are granted some of this power. Each one of these states delegates some of its power to the local communities, mainly the

metropolitan and other incorporated areas or cities. Some of these powers include powers of zoning, property and sales taxation and public land acquisition. For example, in the state of Kansas, the state legislature passes power to the local communities through what is called "home rule" or charter provisions, which consist of enabling statutes. Every incorporated area or city in the state of Kansas has the power, for example, to levy taxes, select and implement an organization form most suitable to local conditions, and require or condemn property in the public interest.[2] All these are powers which have a direct bearing on the growth of local communities.

With a few minor exceptions, the British system for planning at the local level is very similar to that of the American. Although in recent years there has been an increasing tendency in England toward more control from the national government, particularly in the development of New Towns, the British system of government remains basically decentralized. Local urban authorities have legislative powers to levy property taxes, acquire land in the public interest and zone property. In addition, they have a variety of administrative functions, including health, education, police, and fire. As in the United States, the British use committees or councils in their planning activities and to direct and control paid officials. The dominant power is vested in the freely elected council, a body of unpaid citizens, and there is considerable voluntary citizen participation in local authority affairs.

In Russia and other socialist or communist countries, the structure of the local government is based on the system called "democratic centralism." There is ultimate state control throughout the several levels of local government or "soviets." Decisions made at the higher levels of authority are

binding on the lower. The second element of democratic centralism is the one-party system. The local soviet--for example, Murmansk, Komi, or the city of Moscow--elects its own chairman, secretary, executive committee members and members of standing committees. Members of these committees are not compensated for their services but they may continue to receive their salaries at their normal jobs while attending committee meetings. Within the executive committees of the local soviet is a presidium of full-time executive officials who preside over the work of the administrative departments.[3]

Turkey, which is by no means a communist or socialist country, has a highly centralized governmental system. The provincial (Vilayet) governors and county (Kaza) executives are appointed from Ankara, the capital, by the Minister of Interior. However, the major and local council officials are locally elected. The infrastructure agencies are national in character and the municipal budgets and property tax structures are centrally determined. Iller Bank, the national agency, has the responsibility of preparing physical plans in all communities between the size of a large village and a city of 250,000.[4] Iller Bank, which was created in the 1930's, is a constituent agency of the Ministry of Reconstruction and its plans must be approved by the Minister. The ministry also has the responsibility for regional planning, construction of public housing and disaster reconstruction, e.g., earthquakes and floods.

## Coordination of Land Use Planning in Uganda

National level. In Uganda, the Town and Country Planning Act 1964 (revised edition) governs the pattern of growth in the so-called planning areas through zoning, public and capital facilities, planning schemes and various other instruments. All towns in Uganda have been declared planning

areas. The Act established a national town and regional planning board, subject to the general directions and approval of the Minister of Provincial Administrations. According to Professor G. Kanyeihamba, Section 6(2) of the Act states:

> If in respect of any area, being, or being within a municipality or town, the Board, upon representations made by or after consultation with the local authority concerned is of the opinion that an outline scheme be made in respect of such area and makes recommendations to that effect to the minister, submitting therewith a plan of the area, the Minister may, by statutory order declare such area to be a planning area.[5]

Another area in which national activities are assumed or known to affect growth and development is in the implementation of proposals made in the periodic national Five-Year Development Plan. The Five-Year Development Plan is a comprehensive document, embracing development proposals in all sectors of the Ugandan economy, and is designed to benefit all sections of the land. Since the Ugandan economy depends primarily on agriculture, the plan is rural-oriented. However, it contains broad guidelines on urban policies, especially concerning land use, population, and the economy of urban communities. For example, the third Five-Year Development Plan states that

> Indeed the rate of urbanization (in Uganda) is deemed to have been excessive mainly on the grounds that there exists, in the towns today, widespread unemployment and extreme pressure on certain basic facilities, especially housing, water and sewerage as is evidenced by the mushrooming of slum areas within or just outside the boundaries of all important urban areas. The well-known grave economic, social and political dangers inherent in such a situation render urban development a legitimate area of urgent concern in overall development planning.
>
> The first important issue regarding urban development is how to keep the overall rate of urbanization within the limits dictated by our ability to provide urban services and fruitful employment.[6]

The growth and structural plans of the local communities and regions must be guided by the national Five-Year Development Plan in force at the time. Proposals for the development and protection of natural resources like the National Game Parks and Forests and Lake Victoria Shorelines are also guided by the national development plan through the various responsible ministries.

Other activities by which the national government affects the growth of local communities include categorical grants to local urban authorities and provinces, location and employment levels of capital facilities, construction of public works, registration and licensing of various property and services, income taxation and sales tax policies and assessments, and loan guarantees for provinces and local authorities in the country. Establishing communication between regions and the centers selected for various development programs is another important aspect of national control.

Regional and local levels. According to John Friedmann, regional planning is "the process of formulating and clarifying social objectives in the ordering of human activities in supra-urban space."[7] In essence, then, regional planning is a management tool for preparing plans, programs and objectives, and public policies that have a regional dimension. It is concerned with understanding and predicting the pattern of functional linkages that occur on a regional scale, for there are a number of factors beyond the influence of the local level.[8]

In his book, Jeremy Alden identifies three reasons for regional planning.[9] First, regional planning can deal with any issue or problem arising within a supra-urban space. This supra-urban space does not necessarily have to be a homogeneous region but could as well be a polarized

region or growth pole. Regional planning is suited to finding solutions to problems encountered in both large homogeneous areas as well as polarized spaces. Included under homogeneous regions are river valleys, highland areas, coastal and mining fields, places with such problems as agricultural productivity and mechanization, floods and irrigation, and other problems in exploiting their resources. On the other hand, polarized regions are spaces around one or more modes of intense social and economic activity and are defined not by their homogeneity but by their functional interaction and interdependence, e.g., a growth pole and its satellites--the Kampala-Mengo area in Uganda would be a very good example.[10]

The second reason why society might institutionalize regional planning is that this form of planning facilitates other forms of planning, namely, national economic and local physical planning.[11] Some of the major national economic objectives--like full employment, maximum economic growth and redistribution of income--cannot be achieved without considering, for instance, the redistribution of scarce resources among regions and settlement schemes in underpopulated regions. At the local level, some growth policies may need to be coordinated with the surrounding territories, e.g., extraterritorial zoning to bring about better managed local growth.

Thirdly, the lack of regional planning could lead to expensive duplication. Smaller jurisdictions are wasteful because they are not coordinated.[12]

The studies of the Kampala-Mengo Regional Planning Mission, undertaken in 1964-1966, represent the first work in regional physical planning in Uganda and probably the first in East Africa.[13] Apart from the provinces which in fact are political subdivisions for administrative purposes, there are still

no established formal planning regions similar to those recommended by the team of experts on the Kampala-Mengo Regional Planning Mission. There are ten provinces established in Uganda (see Fig. 1, Ch. I, p. 5) and each one is headed by a Governor. These provinces are more suited for administering and ordering of agricultural activities and projects within their boundaries than for planning such things as transportation systems and protection of natural environment. This is so because their boundaries do not correspond to the criteria of planning functions. It is hoped that as more thought is given to the role of regional planning in the development of a nation, boundaries of provinces, districts and counties will correspond as closely as possible to such criteria of planning areas as homogeneity, economies of scale, growth poles and natural environment.

Most of the physical planning takes place at the local level, particularly in the urban areas of 2,000 people and over. All these urban areas have been declared planning areas (see Fig. 2, in Ch. I.). The efforts of Kampala-Mengo Regional Planning Commission and those of two subsequent missions were directed toward regionalism. But most of their recommendations were adopted only by the local authorities, especially the Kampala City Council. As Fig. 3 shows, following the studies of the Kampala-Mengo Regional Mission, the then existing local authority pattern was drastically changed. The Kampala City Council was expanded to cover the former Nakawa, Kawempe and Mengo municipalities, and part of Kyadondo County planning authority. Gradually, by 1972, all these authorities were combined into a single metropolitan authority called the Kampala City Council. However, even though the city limits were expanded, the city council still covers less territory than the proposed region recommended by the Kampala-Mengo Physical Planning Mission.

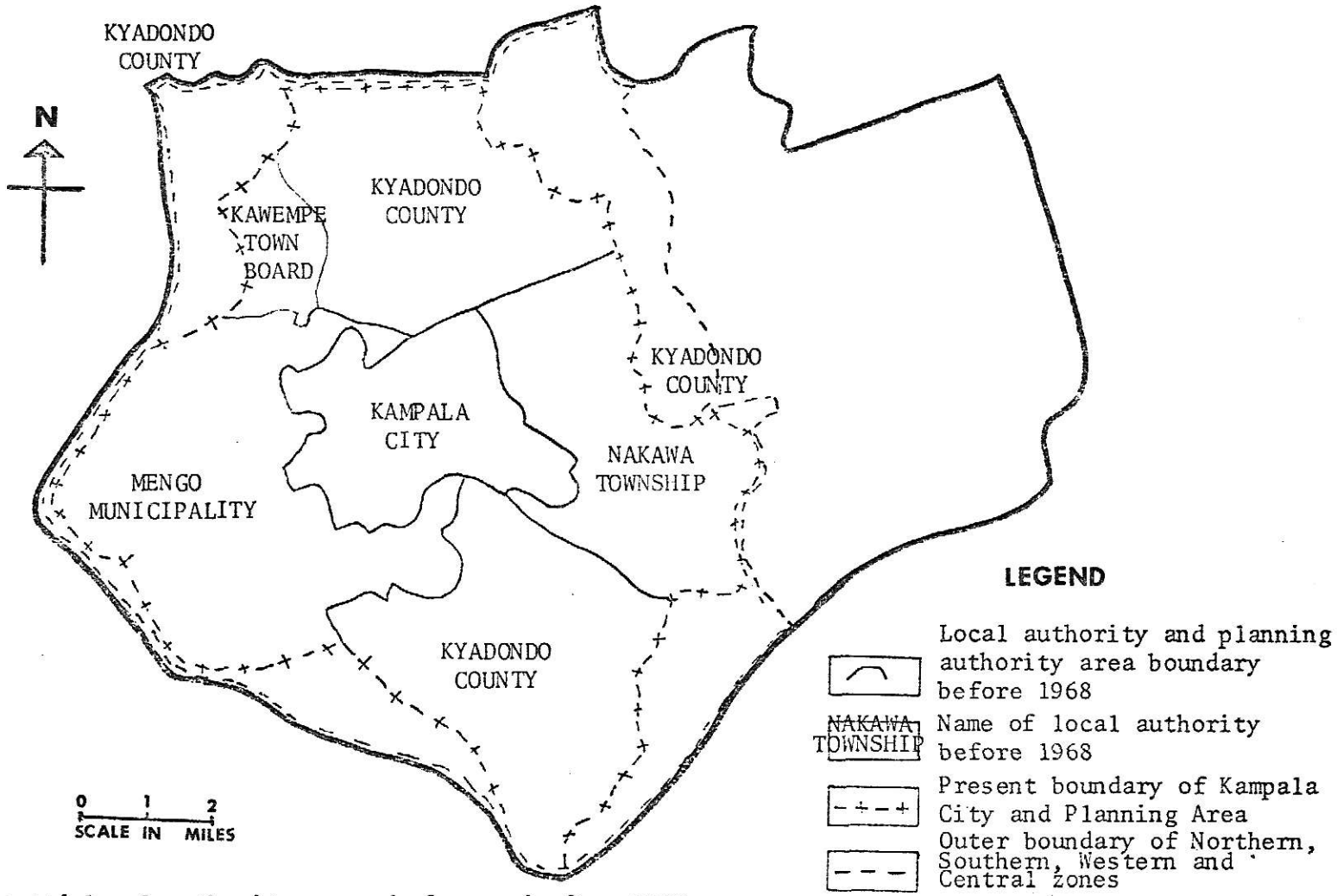


Fig. 3. Planning and local authority areas before and after 1968.

Source: "Kampala Development Plan Structure Report, April 1972," by Department of Town and Regional Planning (Kampala, 1972), p. 8.

Such local urban authorities as the Kampala City Council, Jinja Town Council in Busoga Province, Mbale Town Council in Eastern Province, Gulu Town Council in Southern Province, just to mention a few, are responsible for making detailed structural and master plans for their cities. In addition they provide, to some extent, services like water supply, access roads, schools, medical clinics and garbage collection.

## Conclusion

In conclusion, it would be safe to say that the national government has played a dominant role in the growth of local communities. This has been accomplished by government financing and ownership of the development projects and facilities itself in the cities. However, the government cannot continue to afford financing most of the projects in cities without the assistance of the private sector. Entrepreneurs have now established a number of industries and businesses to meet this increased demand. In addition, the indigenous people are demanding more role and responsibility in running their local communities. And the post-independence governments have encouraged the indigenous people to assume more responsibilities, for example, through small-scale businesses, housing projects located within the city limits and, to a limited extent, public elections. Finally, the annexation of more territory to the city limits means that more people have to be integrated into the city life styles.

This kind of growth and expansion would thus call for more innovative and meaningful management for land use and city growth. The authorities who are more familiar with the local conditions ought to do a better job of planning and developing growth management tools for their localities than the officials at the national levels, who would have to rely on second-hand

information. In order to implement the devised growth management tools, the local authorities would have to be delegated more administrative, legal and fiscal powers.

The Minister's authority should be confined to approving planning schemes, and this approval should be automatic if the plan does not contravene the general national strategy for economic and social development. It is necessary to specify this because previously there have been occasions when Ministers disapproved of some planning scheme because of political self-interest. Professor Kanyeihamba noted one controversy between the Gulu Town Council and the Minister.

> The town's planning committee proposed an industrial scheme for the area which was approved by the local authority. The authority made representations to the Minister concerned. However, for political reasons and contrary to the advice of expert planners, the Minister decided to award the industrial scheme to a rival local authority instead of approving it for Gulu planning area. The Gulu Council sent a delegation to the Minister to express their disappointment and to persuade him to change his decision. The delegation was sent away by the Minister without being heard. Shortly afterwards the government dismissed all the protesting councillors and appointed new ones by statutory instrument, not withstanding that the former had not completed their term of office.[14]

Concerning fiscal powers, there are various ways these could be delegated to the lower levels of government. Local urban authorities could, for example, be granted more powers to levy property tax, including sales tax. This would expand their tax yield and thus give them more fiscal capabilities. Other methods might include the imposition of fees on some facilities like game parks which are now controlled by the central government, buying of shares and stocks guaranteed by the central government, introduction of general and specific bonds into the fiscal structure of the urban authorities, and various other special assessments. Other powers which

might be delegated to urban authorities and other local communities include power to zone and control growth, and power to grant some types of building permits and enforce the building and other planning regulations. Most of these powers are now held by the national government, and, in the few instances where this power has been delegated, it has been centered in the largest city and capital of Uganda, Kampala.

NOTES

[1]United Nations, Urban Land Policies and Land-Use Control Measures, Vol. 1: Africa (New York: Department of Economic and Social Affairs, 1973), p. 37.

[2]Kansas Planning Laws.

[3]Sydney Litherland, "Metropolitan Co-ordination," No. 4, Kampala-Mengo Regional Planning Study, p. 12.

[4]Malcolm D. Rivkin, Land Use and the Intermediate Size City in Developing Countries (New York: Praeger Publishers, 1976), p. 51.

[5]W. George Kanyeihamba, "Urban Planning Law in East Africa," in Progress in Planning, Vol. 2, Part 1 (Oxford: Pergamon Press, 1973), p. 61.

[6]Ministry of Planning and Economic Development, Uganda's Five-Year Development Plan 1971/2 - 1975/6 (Kampala: Government Printer, 1971), pp. 109-110.

[7]John Friedmann, "Regional Planning as a Field of Study," in Regional Development and Planning, Friedmann and Alonso, eds. (Cambridge, Mass.: MIT Press), p. 64.

[8]Advisory Commission on Intergovernmental Relations, Multistate Regionalism (Washington, D.C.: ACIR, 1972), p. 4.

[9]Jeremy Alden and Robert Morgan, Regional Planning: A Comprehensive View (New York: John Wiley and Sons, 1974), pp. 2-4.

[10]Ibid.

[11]Ibid.

[12]Ibid.

[13]The work of the Mission is contained in the series of studies ranging from legislation and Metropolitan Co-ordination to industrial location and Residential Unit. For a period of one year in 1963-64 a United Nations Urban Planning Mission came to Uganda to study and prepare a Master Plan for the area then called Mengo Municipality. The Mission formed the opinion that Mengo Municipality could not be considered in isolation but should be examined together with the whole of what they termed Greater Kampala. To this end they recommended the initiation of regional planning for the area as a whole. Following this recommendation the Ugandan Government obtained technical assistance from the United Nations through an arrangement with the Swedish government to provide five associate experts to include one regional planner, two architects and

two statisticians. The British government under the Special Commonwealth African Assistance Plan agreed to provide a senior regional planner. They all worked in Uganda together as a team called KAMPALA-MENGO REGIONAL PLANNING MISSION 1964-1966 under the general direction of the Chief Planner of the Uganda's Department of Town and Regional Planning. Uganda had had a Department of Town Planning since 1953, which was almost wholly concerned with the planning of urban areas on a local authority basis. In July 1964, the designation of the department was changed to Department of Town and Regional Planning. This was a significant move which acknowledged the growing need for physical planning to be considered on a regional basis.

[14]George Kanyeihamba, op. cit., p. 71.

# CHAPTER V

## TECHNIQUES OF LAND USE CONTROL AND MANAGEMENT

Growth management and land use control has always been a publicly administered exercise. The government can impose or at least initiate the restrictions, incentives and tools to guide growth because of its inherent powers of eminent domain, police power, and taxation.[1] The private sector does not possess any of these powers unless, in special cases, they are granted by the government.

Eminent domain refers to the powers inherent in a government to acquire land compulsorily. Ideally, land is taken from its owner for acknowledged public purposes with fair compensation. As shall be shown in the next chapter, the power of eminent domain has been extended in Uganda to the point that all occupiers are made tenants of the government and occupy the land on leasehold basis.

The police power simply refers to the power of the government to regulate a variety of private market activities, e.g., zoning and subdivision regulations.

Lastly, the government has power of taxation and other spending incentives which have an impact on growth.

In most communities there is an application of multiple techniques for controlling growth. This is so because each technique is limited in what it can do. However, a systems or package approach is necessary so that no contradicting techniques are adopted. The comprehensiveness of the plan becomes more critical as the control measures are made more complex.

Efforts to control and manage land use by public authorities fall into one of three classes. According to M. Rivkin, these are

1. Incentives or positive actions by government utilizing government power and financial resources.

2. Restrictive or negative actions by government, utilizing government power to restrain or otherwise direct private land use and development activities.

3. Government actions that include both positive and negative elements.[1]

## Positive Techniques

Positive techniques are utilized by the government to grant income-generating and cost-saving benefits to developers and families. The aim is to encourage and attract rather than prevent certain types of development. There are varied techniques in this classification, ranging from bonus and incentive zoning to placement of capital facilities and public land acquisition. Some of the most important techniques in this category are discussed below.

Placement of capital facilities. As far as directing growth is concerned, there are two aspects involved in the placement of capital facilities. First is the location of facilities to influence growth. Second is access to facilities, which involves an additional timing control.

Location of facilities to influence growth refers to the placement of roads, sewer, water and other utilities and services essential for development. Once the basic services for new development are installed, a given area becomes particularly advantageous for such development and thereby attracts development. Location of facilities can take two forms--the basic

transport and utilities systems that lead to growth and the service facilities, such as schools, health and community centers, that support growth when it occurs. In developing nations, indeed in most developed countries, such facility location is a governmental function, although it may be distributed among a number of agencies and levels.

The second element of placement of capital facilities and improvements is the timing control. Refusing to permit a tap into a sewer or water line, or a curb cut to a street or highway, can prevent the premature development of areas by imposing a de facto moratorium.

This technique of placement of capital facilities and improvements can be combined with a variety of other techniques, depending on the goals and objectives of the "growth management program." In many developing countries the combination is dictated by the capital budget or capital improvement program in order to create a simple public investment management process for influencing growth.

Public Land Acquisition

Dr. Rivkin and a number of other authors[3] have mentioned that the greatest capability of managing land in the public interest is when this land is publicly owned. With reference to the developing nations, Dr. Rivkin observes:

> There appears to be a definite trend among less developed country governments to recognize that public land acquisition is a most central element in development control. It is often the only firm guarantee of land availability for public purposes. The negative or restraining measures produced through regulatory action just cannot administratively or politically control speculation. Thus despite excessive costs, countries are turning to advance land acquisition for housing and industry as well as public housing.[4]

There are four common forms of public land acquisition in African developing nations:

1. Nationalization of land. This is when all land in the country becomes state-owned. In a number of developing countries, governments have taken this move. In Uganda this was done by the adoption of "The Land Reform Decree, 1975," which was an amendment to "The Public Lands Act, 1969." (The two acts are reproduced in Appendix II.) The land is now administered by a national agency, The Uganda Land Commission, which, in turn, has created local land committees in every small jurisdiction. The factors which brought about this move deserve more analysis and will therefore be presented in the next chapter.

Another example is the Republic of Tanzania, where land acquisition and land use control have been brought under a single ministry, the Ministry of Lands, Housing and Urban Development.[5]

2. Fee simple acquisition. This involves the acquiring of full title to land by purchase, grant or eminent domain for public purposes, such as a park, open space, school or hospital. The government has rights to the use of the land both on the surface and below. It is the outright public purchase of full title to the land and all the rights associated with that land. This is the method most commonly used by local governments in the United States for preservation of open space and urban renewal. Other methods of public fee simple acquisition include land donations to the local governments and tax sale.[6] The major difference between nationalization of land and fee simple land acquisition is that in case of nationalization, all the land becomes state-owned even if that land is not put to full use. The technique of fee simple is employed only when full use of the property by the

public is required or anticipated, and it is limited only to a given site in the local community.

3. Land banking. Robert C. Einsweiler[7] defines land banking as the public acquisition of land where urban expansion is expected and holding it for timely and appropriate use by the public or private sector.[8] Fishman summarizes these objectives of land banking:

> 1. The promotion of a better land market and the elimination of land speculation.
>
> 2. The promotion of more rational patterns of development in lieu of urban sprawl.[9]

Fishman also notes that a number of countries in Europe and the Middle East have tried a variety of land banking techniques since the beginning of the twentieth century. He notes that municipalities in Sweden, the Netherlands, Finland, and Israel entered the market to buy land, held it and then sold or leased it in such a way as to control land speculation, make land available at low cost for public uses and guide the development of new areas in conformity with well-conceived master plans.[10]

Land banking as a land use control tool necessitates that an agency like a public land bank be created and granted the power to acquire land, and any interest therein, both through negotiations on the open market and by eminent domain procedures.[11] The land bank can thus observe market forces and then develop or dispose of land at a proper time for development in conformity with a publicly adopted plan for the area. Some of the drawbacks of this system are the exorbitant expenses involved in acquiring land and the legal problems. To date, no tropical African country has utilized this technique.

4. Less than fee simple acquisition. This type of acquisition is employed where only certain rights to the property are required, and it

usually costs less.[12] Acquired rights might include scenic easements, rights to trespass, restrictive covenants, transfer of development rights, direct leases or licenses, and zoning.[13]

These rights may be affirmative, giving the public agency and the public the right to use land for such purposes as fishing, biking or riding; or these easements may be negative, giving no public right to use the land but rather restricting how an owner may use his land.[14] Conservation easements limiting land use to farming, forestry or wetlands are examples of negative easements. Such easements, both positive and negative, have been utilized by public agencies when full ownership has not been necessary or has been too costly to achieve such open space goals as protection of watersheds, prevention of floods, or preservation of large scenic areas.

Leaseholds can be acquired by public agencies over a particular period of time, for example, 100 years.

At the moment, the two most important methods of public land acquisition in Uganda are:

(a) Nationalization of land, which in fact is an advanced form of fee simple acquisition.

(b) Less than fee simple, especially leaseholds.

Government as the Financier and Developer

In addition to providing capital facilities and public improvements for economic and social growth in the right locations, almost all governments in East Africa and indeed other developing nations are engaged in direct financing and development of housing, industry and commercial facilities in the urban areas. In the rural areas the participation is even greater in terms of agricultural and farm estates.

In Uganda the main arm of the government's industrial effort is the *Uganda Development Corporation.*[15] This is a parastoral body and has establishments in all towns in Uganda. The corporation, with its subsidiaries and affiliates, owns and manages more than 100 major factories. For example, it runs and owns a cement plant with 100,000 tons annual capacity at Hima in western Uganda, a meat processing plant at Soroti, a jute bag and hessian factory at Tororo, a starch factory at Lango, a sanitary ware factory and refrigerator assembly plant in Kampala plus many more factories and establishments.[16]

As far as housing is concerned, the National Housing Corporation (N.H.C.), established in 1964, is the Ugandan government's main agency in the housing industry. By the end of 1970 the N.H.C. had completed a total of 1,200 new housing units and had another 1,700 units under construction, the bulk of which were located in Kampala.[17] Although the government envisaged a pilot program of low-income housing in Kampala, Jinja and selected minor towns, most of the housing units built were for higher- and middle-income groups. The Corporation has not been successful with demonstration houses of traditional materials. Thus more research needs to be done, because without utilizing traditional materials better the gap in housing needs between the urban poor and the rich is bound to increase.

In the commercial sector, a national agency, the State Trading Corporation, is responsible for both importation and exportation of selected products like drugs and sugar. These are just a few examples of the government's efforts as the financier and developer.

Most of this effort, although it has produced some good results, is still too sectorial. There should be ways of integrating all these various

agencies so as to bring about more rationalization and coordination. Multi-purpose authorities, instead of single-purpose authorities or corporations, should be created for the overall area of community planning.

Taxation

Taxes have been imposed by various levels of government for essentially two purposes: the acquisition of revenues for governmental operation and the regulation of social and economic activity. Basically there are three types of taxation: (1) direct taxes or taxes imposed on income earnings tax, (2) indirect tax or taxes imposed on the purchase of goods and services, and (3) property tax or taxes imposed on the ownership of real property and improvements.[18] Viewing the potential capabilities of the governmental power to tax, scholars have suggested that it be directed as a policy tool, along with other government actions, to influence developmental patterns and timing. However, little empirical research has been done concerning the usefulness of the taxation mechanism as a land use control device. Written material on the existing tax policies of the continent of Africa is quite scarce. But it would be safe to assert that taxation policies in the East African countries are set up primarily to generate revenues and promote development rather than direct development in the right locations. A brief description of some of the examples of taxation techniques that directly and indirectly affect development is made below:

In an effort to increase industrial investment in the intermediate-size cities in India, the government in the 1960's combined the tax incentive package for certain types of industry with denial of construction permits for those industries in Bombay and Calcutta.[19] However, Rivkin[20] reports that the package had little effect.

In the United States, the property tax has provided the main source of revenue as well as regulatory power to most of the local communities and states. In many communities and states, taxation systems like preferential tax assessment, tax exemption, tax deferral, and other taxation tools aimed at preservation of existing land uses and provision of more open space have been devised.[21] At the same time, authors like Brower[22] have observed that property taxation has been a primary cause of land conversion from agriculture to commercial and industrial uses. Brower notes that

> Since land and property is assessed at its highest and best use value and not at its actual land use or productive value, owners of land used for agriculture, forest, and other undeveloped purposes are often forced by the high tax level to sell to a developer. In that way, development pressures acting through the property tax cause land conversion and the sprawl phenomenon. Also, through mass subdivision, prime agricultural land at the urban fringe is removed from cultivation.[23]

If this practice is not checked, it could reduce the amount of cultivable and agricultural land used in food production. To prevent this, states such as North Carolina, Idaho, Colorado and Kansas have instituted preferential tax assessment measures to enable certain owners to retain agricultural, forest or other open land. This system of preferential tax assessment bases the tax on current use rather than urban market value or "highest and best use."

Under the tax exemption system, public open spaces--like parks and public conservation areas--are usually exempted from property taxation.

Annexation

Annexation is the process by which usually contiguous, fringe territory is added to an existing municipality. Annexation is a particularly useful tool in directing growth and development for a community which is fully developed, or nearly so. Also annexation allows cities to develop and

expand with sound planning because construction requirements and facilities otherwise outside the city limits are thereby brought under city control.

The colonial policy of considering the native Africans in Uganda as "outsiders" in the nation's urban framework made the conditions in the contiguous, fringe territories in many cities deteriorate terribly. The city was considered to be a work and home place of only the high-income group, and during the colonial days these were the only areas planned for. And, as will be seen in the Case Study on Kampala, this lack of care permitted the fringe areas to develop without planning, sound construction, sanitation, adequate police protection and streets. The post-independence governments (both local and national) attempted to correct these conditions with massive injections of national government and city funds, especially in Kampala. In many instances, the damages done were beyond repair because of the limited financial resources available. Also the layout of the buildings and sites made it more difficult to provide adequate services like streets, lighting, water, sewers and other facilities. In the quasi-settlements, for example, buildings were located in a disorderly, uncoordinated manner, showing the results of crowding and lack of planning. Furthermore, due to the low income of the people in these neighborhoods, the tax burden for providing these services had to be placed on the richer segment of the city. All these problems would not have been experienced to such an extent had annexation taken place in time.

Thus cities should establish, well in advance, orderly programs of planned annexation which recognize that adjacent urbanizing areas should be part of the city and that it may be no real kindness to the residents thereof to temporarily delay annexation.

In almost all cities in Uganda, where annexation has taken place the method has predominantly been unilateral annexation by the city. However, there is a need for the local city/town councils to clarify the procedures for annexation and to allow more citizen participation, which at the moment is minimal, in all levels of planning activities. For example, procedures and legislation need to be adopted as regards the (a) annexation of adjacent land and (b) annexation of noncontiguous land.

Negative Techniques

As already mentioned, negative techniques are government regulations intended to prohibit inappropriate development counter to public objectives. The first and foremost of these techniques is zoning.

Zoning as a land use control mechanism. "Zoning is a separation of the municipality into districts and the regulation of buildings and structures in the districts so created, in accordance with their construction and the nature and extent of their use."[24] In other words, zoning is a planning tool for controlling the pattern of urban land use, density and height of buildings, traffic circulation, alignment of public utilities, performance standards of industrial and commercial activities, light, air and privacy for persons. Zoning in African countries is not as sophisticated as the zoning practices in the United States or Britain. The form of zoning common to many African countries simply describes the pattern of land use on a map or in a master plan. In case of Uganda, these are called zoning schemes. In many cases, written zoning ordinances do not exist. A United Nations global report on urban land policies and land use control measures made the following observation on zoning in African countries:

> As far as performance standards for various economic activities are concerned, a majority of local planning authorities have adopted a laissez-faire

> attitude and contend that because their municipalities badly need industries, it is important that a maximum leeway be given to infant industries to do what they see fit. With such a prevailing sentiment, it is not rare to find poorly located industries here and there in a metropolitan area emitting noxious smoke and noise.[25]

This is almost a direct contrast to the United States and Britain, where zoning is the chief regulatory tool used by local governments. In these countries, zoning has traditionally been concerned with the location and use of land, leaving the timing of development to the owner. Recent development management techniques have combined zoning with capital programming, for example, to add a timing element. There are various zoning techniques which can be used to direct or control growth in African cities. It is not safe to pinpoint which one would be applicable and which would not until proper research is undertaken. However, it is safe to give an array of alternatives, mainly from Western countries, on which some research has been done, and note the applicability of these techniques to the framework of the Land Reform Decree, which nationalized all the land in Uganda.

Techniques ranging from town zoning, large lot zoning, interim and contract zoning, performance standards, and bonus and incentive zoning do exist.

Development district zoning. This technique divides land into development zones, based upon their readiness for development.[26] The primary aim of development district zoning is to prevent scattered development and urban sprawl while encouraging development in general. This can be accomplished through a number of ways, including sequencing and service improvements in coordination with defined development zones. The state of Hawaii (almost at the same level of development as many African nations) in the United States divided the territory into four districts: "conservation,

agricultural, rural, and urban."[27] "The land use law authorized land in the urban district to be used for whatever purpose is permitted under the local zoning regulations. Lands in the agricultural and rural districts were to be used only in compliance with regulations of the State Land Use Commission, and lands in the conservation district were to comply with regulations of the State Department of Land and Natural Resources."[28]

Urban districts included substantially all areas developed for urban use, plus a reserve of land sufficient to accommodate urban growth for the next 10 years.

Rural districts included areas characterized by low-density residential development of a semi-rural nature on lots of at least one-half acre. The agricultural districts included both crop and grazing land, plus the sugar mills and other industrial activities typically associated with Hawaiian agriculture. The conservation districts had boundaries coterminous with the boundaries of the Forest and Water Reserves Zones.

In Bucks County, Pennsylvania, the land use map divides the county by four classifications:

(a) urban areas, where few parcels remain undeveloped.

(b) development areas, where growth pressures are intense.

(c) rural holding areas, where much land is still agricultural.

(d) resource protection areas, where development would jeopardize natural, recreational and historical resources.

Agricultural zoning. This is similar to the Hawaiian Land Use Law classification of an agricultural district.

Performance standards. This approach employs "a set of standards relating to acceptable levels of nuisance or side effects of the development

rather than specifying acceptable uses."[29] Performance standards have been used in industrial zoning to control noise, glare and similar side effects or nuisance emissions from industrial activity. In some developed countries, the performance standard approach more recently has been applied to services such as traffic, sewage and the like. A further application is to meet environmental concerns by specifying resources by development. However, performance standards are as yet imperfectly defined, especially in the developing nations.

Location standards. Location standards are most frequently used in cities of developing nations for industrial zoning. For example, the 1972 Kampala Structural Plan listed four main principles for location of major industrial areas:

(a) close proximity to living areas with high densities.

(b) nearby interconnecting transit and thoroughfare routes - these transportation links would insure easy access back and forth.

(c) dispersal of industries to various parts of the urban area.

(d) location on relatively flat land.

Variance. This is a procedure for allowing a use when the full array of requirements, such as setbacks, cannot be met due to specific unique attributes or limitations of the parcel or site.[30]

## Planned Unit Development

Density zoning or planned unit development focuses mainly on density requirements for a large tract rather than specific sites for individual lots. The government authority determines what percentage of a particular district must be devoted to open space, for example, and what percentage used for dwelling units. The ultimate goal of this density or cluster concept is to

create an entire self-contained community. The rules of density zoning control not only the relation of private dwellings to open space but also the relation of homes to commercial establishments, schools and churches. This type of development offers the developer flexibility in designing the site so long as an overall density restriction and other requirements for improvement are met. Hopefully, this flexibility would offer the potential for promoting environmental quality and the aesthetic beauty of the city. And, in view of the increasing popularity of large-scale residential development in the suburbs of Kampala, land developments can be more efficient.

Bonus and incentive zoning. "This category includes an array of practices in which the community obtains certain features or amenities in a development by granting additional income-generating benefits to the developer."[31] For example, additional open space or community facilities above the minimum required may be obtained by an allowable increase in density. These techniques can be most effective as growth control techniques when specifically utilized to provide amenities which perhaps could not be obtained in light of existing development regulations.

Incentive techniques are also becoming increasingly effective in the United States as a means of insuring that a community provides an adequate supply of low- and moderate-income housing.[32]

## Subdivision Regulations

Subdivision regulations are the locally adopted laws and procedures governing the process of converting raw land into building sites.[33] This is mainly accomplished through plat approval procedures. A developer cannot be given permission to make improvements on the site, sell or divide the land until the plat, or map of the proposed design, is in compliance with the

standards set forth in the subdivision regulations. In the case of Uganda, such approval or disapproval is granted by local planning and land committees on the advice of the city engineer's Office of Lands and Surveys and the Department of Town and Regional Planning. Various standards can be set in any subdivision regulation, but they have to reflect the conditions and desires of the local community in providing for the harmonious development of the city. For example, some of the standards might include minimum plot sizes for various types of construction, design standards that meet minimum space standards, design standards that ensure good sanitation and sewerage and alignment of access roads.

In most cases, subdivision regulations are more concerned with the building regulations and the types and quality of building materials rather than with the site. Subdivision regulations serve various purposes, including the capability to ensure certain lot sizes, setback and similar provisions in the zoning laws, and thereby assure purchasers of developable, drained lots. They also enable the local and national government to coordinate the work of adjacent separate developers.

Slum Clearance

Various countries in Africa have attempted to improve the quality of life in the urban areas by tearing down the housing areas considered slums or otherwise physically deficient. These attempts have been made, for example, in Nairobi, Mombasa, Lagos and Ibadan. In Uganda, however, massive "urban renewal" has not been practiced. The reluctance to implement urban renewal in Ugandan cities stems from two major facts: first, the cost of slum clearance and construction and, second, the housing shortage, especially in the case of Kampala. This is well summarized in the Kampala Development Plan:

> . . . there should be no wholesale slum clearance. To knock down all these areas would only make the situation worse. The inhabitants of these areas would then have to be re-housed either by the city council, or through their own efforts. The city council has insufficient money to re-house all the people from these areas, and even if it re-housed some of them, it would have insufficient money left for the new inhabitants of the city. The other alternative of leaving the displaced people to find new accommodation for themselves would only result in new "peri-urban" areas springing up in different places probably with worse conditions than the original ones.[34]

Thus, given the limited resources available, as various authors like Turner[35] and Stren[36] suggest, the better way of dealing with slum and peri-urban areas is not to tear them down but to upgrade them by providing them with services like water, sewage disposal, roads, street lighting, clinics, schools and other social and economic facilities, as resources permit. In this way, the property value of these places could improve with few buildings being demolished. Also, due to the changed environment, a lot of people might be encouraged to rehabilitate their own buildings.

Techniques with Both Negative and Positive Elements

As already mentioned, these techniques have incentive or bonuses to encourage certain development while they restrict or prevent development deemed to be undesirable for the community. These types of techniques are vital for the harmonious development of the city in any developing country and should be encouraged. They call for close cooperation between the public and the private sectors.

Capital Improvements, Programming and Capital Budgeting

Both small and large communities are faced with the difficult task of increasing public services while staying within the constraints of limited financial resources. In many communities, if not all, it is becoming

impossible to respond to the demand for services. It is therefore necessary that the best available techniques of municipal management be used to ensure that needs for public services are matched with available revenues in the most economical and effective way. One of the most effective techniques available is capital improvements programming. "Capital improvement programming is the preparation and updating of a proposed schedule of public works and related equipment to be built or purchased by local governments during a specified period of time, usually 5-6 years."[37] To be effective, the program should cover the community's entire range of public facility and service requirements. All future projects should be listed in order of construction priority, together with cost estimates and the anticipated means of financing each project. (See hypothetical example in Appendix III.)

The capital improvement program is generally based on the locality's comprehensive plan. A six-year programming period is generally considered to be most suitable. Two or three years is too short for effective programming because planning and financing of major facilities usually take longer. Conversely, a period of seven or more years may project the program too far into the future to be of practical value.[38]

There are various major steps involved in the programming process. These are summarized as:

1. Submission of proposal capital improvement projects to the planning agency or program coordinator from the various local government's operating departments. It is advisable that the coordinator supply forms to each operating department, agency, organization, or individual on which proposed projects are to be submitted. Necessary data to be included on the form are:

(a) Name, description, location, and purpose of the project.

(b) Estimated costs involved in each project, including planning, land, construction, equipment, and other related costs.

(c) Impact of the new projects on operating costs and revenue, including estimated annual costs of maintenance, additional personnel, equipment needs, as well as anticipated revenue producing potential of the project.

(d) Scheduling of construction phases and project expenditures.

(e) Justification and priority of the project.

(f) Recommendations on how the project is to be financed including any available grants.[37]

2. Financial analysis of both the community's ability to pay for the projects and the means to be used in financing them.

3. Review and selection of projects for inclusion in the program in order of their priority.

4. Preparation of a tentative six-year program.

5. Consideration and final approval of the program by the governing body.

6. Public approval of financing arrangements for individual projects.

7. Annual review and revision of the program.[40]

Some communities do prepare annual capital and operating budgets. The major difference between a budget and a capital improvement program is that the budget is prepared on an annual basis and includes both the capital and recurrent expenses while the capital improvement program involves projections of costs of public improvements for several years in the future.

This kind of municipal management has not been practiced to a great extent in Uganda.

Dr. Rivkin[41] identified one technique which he observed as being practiced in various developing nations. This is what is called a capital budget. The capital budget covers specific directives for the use of public funds over a one- to five-year period. According to Dr. Rivkin, it is formulated in accordance with the following processes:

1. The development goals of the city or region are assessed, and the goals of each public agency responsible for public works are identified.

2. The specific projects which each agency wants to work on over the five-year period are identified and priced.

3. All the projects are identified on a map of the urban area so that complementaries and conflicts are revealed.

4. Decisions are made, by the budget authority or planning agency, as to which land areas are critical for short term development or improvement and which of these areas or projects are appropriate for the purpose.

5. The budget authority or planning agency then rejects or defers the projects which are incompatible with the land development objectives or each other.

6. The chosen projects are then scheduled in sequence over the time period and provisions made for the necessary appropriation of funds for each agency.

7. The governing body approves or modifies the budget and it is enacted into law.[42]

Capital improvement programming and capital budgeting have worked effectively in the United States, Britain and other developed countries, where resources are not limited. This type of programming capital improvements can bring about better coordination among expenditures and can increase

efficiency of the government, thereby achieving optimum use of the taxpayer's money. In addition, programming for public improvements would cut down the rate of premature growth before or without adequate services.

The Plan and the Planning Process as a Control Device

The plan establishes the rationale that can sustain the operation of the development management system as development control measures become more complex.[42] As we shall see in the case study, the Development Plan for Kampala contains the various growth and land use policies for the city, ranging from the future structure of the city, industry and housing to transportation and land policies. The plan represents the legal and planning instrument to guide the overall development and growth of the city. The plan is itself a statute and all proposals to develop should comply with its provisions.

Special Assessments

Special assessments is a tax method which calls for close public-private cooperation. It is a "tax method in which the cost of the specific facility such as a road improvement, sewer, or water system is assigned fully or partially against the adjacent benefiting property. Special assessing allocates the cost in relation to benefits received; financing with general taxation spreads costs across all development."[43] This technique of municipal financing and controlling growth has been used in various cities in the United States. Economic and legal theories of special assessments assume that improvements financed by special assessments benefit both the public-at-large and specific parcels of property.[44] Thus, the first step in allocating costs is to determine what part of the total should be assigned to the public-at-large and what part to land owners within the assessment district. The second

step is to determine how much of the costs assigned to land should be billed to the owner of the parcel.[45] Financing is usually accomplished through sale of bonds and tax levy.

Another technique, very similar to special assessments, is that noted by Dr. Rivkin to operate in Brazil. The technique is called cura.[46] Cura was created by the Brazilian National Bank (National Housing Bank), which has the overall responsibility of financing local infrastructure or capital improvements. Cura is adopted for a specific area earmarked for growth, usually at the urban fringe. A plan is then prepared for the area, including the detailed uses, densities and utilities, the construction of which is financed by the bank (N.H.B.). The money is paid back to the bank by levying a betterment tax on all the properties within the area. The tax is considerably higher than what the property owners are paying for undeveloped land. It is so high that most owners will develop productive uses in accordance with the plan or sell to someone who will. However, according to Dr. Rivkin,[47] no cura project is yet in operation, but at least two communities are in the process of developing one.

This technique can be of more importance as a tool for orderly land development in developing countries.

## Conclusion

In this section an attempt has been made to enumerate a number of growth management and land use techniques which can be incorporated in a growth management program. The examples have been drawn from various cities all over the world but an attempt was made to relate them to Uganda. The techniques discussed are not necessarily new but they call for some new legislation in order to be operational in a Ugandan urban setting. Of major

concern is the delegation of more powers from the higher levels of government to the local levels. The discussion did not attempt to present a full range of all the techniques but rather to reflect the variations that exist and show how the various techniques can be integrated to bring about change in the urban environment. Before we can see how these techniques reviewed in the last section are applicable to the city of Kampala, Uganda, there are some legal aspects which have to be examined. Most of these legal aspects concern the Land Reform Decree of 1975, which nationalized all the land in the state, thereby affecting the nature of any urban growth management techniques which might be used. For example, costs for land acquisition, the rights of the occupiers of land, taxation policies and leaseholds are all affected by this Land Reform Decree.

NOTES

[1]Steve Carter, Kendall Bert, and Peter Nobert, "Local Government Techniques for Managing Growth," in Management and Control of Growth (Washington, D. C.: Urban Land Institute, 1975), p. 341.

[2]Malcolm D. Rivkin, Land Use and the Intermediate-Size City in Developing Countries (New York: Praeger Publishers, 1976), p. 32.

[3]See references 1 and 2 above.

[4]Malcolm D. Rivkin, op. cit., p. 33.

[5]United Nations, Urban Land Policies and Land-Use Control Measures, Vol. 1: Africa (New York: Department of Economic and Social Affairs, 1973).

[6]ICMA, Principles and Practice of Urban Planning (Washington, D.C.: 1968), pp. 199-207.

[7]Robert C. Einsweiler, Michael E. Gleeson, Ian T. Ball, Alan Morris and Diane Sprague, "Comparative Descriptions of Selected Municipal Growth Guidance Systems," in Management and Control of Growth, p. 293.

[8]Ibid.

[9]R. P. Fishman, "Public Land Banking: Examination of a Management Technique," in Management and Control of Growth, p. 65.

[10]Ibid., p. 66.

[11]Ibid.

[12]Robert C. Einsweiler, "Comparative Descriptions of Selected Municipal Growth Guidance Systems," in Management and Control of Growth, p. 293.

[13]Ibid.

[14]ICMA, op. cit., p. 250.

[15]The Ministry of Planning and Economic Development, Uganda's Third Five-Year Development Plan 1971/2-1975/6 (Uganda: Government Printer, 1971), p. 207.

[16]Ibid.

[17]Ibid., p. 359.

[18]David J. Brower, D. W. Owens, R. Rosenberg, Ira Botvinick and M. Mandel, Urban Growth Management Through Development Timing (New York: Praeger Publishers, 1976), p. 83.

[19]Malcolm Rivkin, op. cit., p. 35.

[20]Ibid.

[21]See ICMA, op. cit., Ch. 7.

[22]David J. Brower et al., op. cit., p. 84.

[23]Ibid.

[24]League of Kansas Municipalities, Kansas Planning Laws and Procedural Guide Outline (Topeka, Kansas, 1973), p. 1.

[25]United Nations, op. cit., p. 45.

[26]Steve Carter, "Local Government Techniques for Managing Growth," in Management and Control of Growth, p. 345.

[27]Fred Bosselman, The Quiet Revolution in Land Use Control in U.S. (Washington, D.C.: Council on Environmental Quality, 1971), pp. 7-8.

[28]Ibid.

[29]Stuart Chapin, Urban Land Use Planning (Urbana: Chicago University Press, 1965), p. 378.

[30]Robert Einsweiler, op. cit., p. 295.

[31]Ibid.

[32]Ibid.

[33]Ibid.

[34]Department of Town and Regional Planning, Kampala Development Plan 1972, Structure Report (Kampala: City Council, 1972), p. 30.

[35]Turner, "Barriers and Channels for Housing Development in Modernizing Countries," American Institute of Planners Journal, Vol. 33 (May, 1967), pp. 167-81.

[36]Richard Stren, Urban Inequality and Housing Policy in Tanzania (Berkeley, Calif.: Institute of International Studies, University of California, 1975), Ch. 1.

[37]U.S. Department of Housing and Urban Development, Urban Management Assistance Administration, Office of Metropolitan Development, Capital Improvements Programming in Local Government (Revised Edition, October, 1969). Found in Paul E. Merz, "Capital Improvement Expenditure Plans of Major Local Governments and Selected Private Enterprises, 1970-1974," p. 2.

[38]Ibid.

[39]Ibid.

[40]Ibid.

[41]Malcolm D. Rivkin, op. cit., pp. 30-31.

[42]Ibid.

[43]Robert C. Einsweiler, op. cit., p. 297.

[44]Glenn W. Fisher, Special Assessments and Financing Public Improvements in the City of Wichita (Wichita: Center for Urban Studies, Wichita State University, 1974), p. 29.

[45]Ibid.

[46]Malcolm Rivkin, op. cit., p. 37.

[47]Ibid.

# CHAPTER VI

## THE LAND TENURE SYSTEMS, THE 1975 LAND REFORM DECREE AND OTHER LEGAL MATTERS

The feasibility and success of both public and private development projects, especially in urban areas, depend, to a large extent, upon the availability of land and the ease with which it can be acquired for development. Before 1975, there were various land tenure systems with varying degrees of complexity in Uganda. Both scholars and administrators were questioning the validity and success of these tenure systems, especially after Independence in 1962. First and foremost, they thought that the traditional and the "colonial" land tenure systems were impeding proper economic and social development of the country. Secondly, they argued that such systems resulted from an error made by the British colonial administration. Thus, they agitated for the state ownership of land, which was achieved in May 1975 by issue of a decree known as the Land Reform Decree.

It is difficult to understand the various factors which contributed to the issuing of this decree without a historical discussion of the various land tenure systems which existed over the period of various phases of development. An attempt will be made to give a more detailed discussion and this will be based on three phases, namely,

1. The traditional systems of land tenure prior to 1900.
2. Land policies and land tenure systems during the colonial era (1900-1962).
3. Post-independence developments after 1962.

Traditional Land Tenure Systems (Prior to 1900)

Before the establishment of the colonial administration, land in Uganda and indeed the whole of East Africa was governed by rules of customary law. Professor Kanyeihamba[1] identified three basic systems of land tenure under the customary law:

A. The system which prevailed in the societies with hereditary rulers like kings.

B. The system which prevailed in societies with powerful chiefs or clan heads but not kings.

C. The systems which existed in societies with no central authority or chiefs.

Examining each one of these systems we see that category A existed predominantly in the former Buganda Kingdom. Ideally all land in the kingdom belonged to the Kabaka, or king of Buganda, who then distributed it to his loyal chiefs and subjects at his (Kabaka's) discretion. Three types of traditional rights of control over land could be identified under the Buganda's land tenure system:

(a) clan ownership (or Obutaka)

(b) official estates (or Obutongole)

(c) individual tenancy (or Obwesengeze).[2]

Clan ownership. Traditionally all people in Buganda are divided into clans. Each clan is identified by a symbolic name, say of an animal. There are more than 20 clans and each is headed by a clan head, traditionally known as Omutaka (or Abataka if many). Under clan ownership, each clan had an area of land (Obutaka) which basically was the ancestral land of kindred groups. To quote Mair:

> . . . to the Baganda (people who live in Buganda), the butaka (clan rights to lands) are essentially the traditional homes of the kinship heads in which any member of the group to which the area belongs may claim the right of burial: and indeed, a considerable proportion of the land seems to have been taken up, not by cultivation, but by graves.[3]

Official estates. Under official estates, the Kabaka had the prerogative power to grant land to the great chiefs (or Bakungu), to whom the administration of sections like counties (or sazas) of the country was entrusted. It is acknowledged that the administration of Buganda was the most sophisticated and developed in the entire of Central and East Africa.[4] Also, rights to ownership of land were granted by the Kabaka to the lesser chiefs (or Batongole) for services rendered or for reasons of favoritism.

Hereditary individual tenancy. The Hereditary Individual Tenancy was the least common type of landholding. An individual could claim ownership of a parcel of land and would acquire it by prescription. In order for the Kabaka to authorize this type of landholding for an individual, the claimant had to show that he had been living on the land for some considerable time and that his possession was not challenged by his neighbors. Professor Kanyeihamba quotes Mukwaya on another method by which this kind of landholding could be acquired:

> Both chiefs and peasants who had some access to the king availed themselves of some opportunity to have a permanent claim to one particular piece of land recognized. It was common for a chief early in his career to choose one holding for his personal use as distinct from the holding in his official use.[5]

The second type of land tenure system, B, was found in such societies as Acholied Lango, which accepted communal ownership of land. To quote Professor Kanyeihamba:

> The land belonged to the whole tribe or clan with the council of chiefs acting as trustees and guardians of the land for the members of the tribe or clan. The tribe claimed the land to the exclusion of other tribes or individuals. . . . the occupancy lasted as long as the land was under cultivation.[6]

The third type of land tenure is classified as C in our analysis. It existed in the nonkingdom, nonchieftainship societies, like Karamoja, which did not have central authorities. Each family settled wherever they wanted, and, at the death of the family head, land would be distributed among the relatives in accordance with local custom.

## Land Tenure Systems and Policies During the Colonial Era

British Colonial Administration officially started in Uganda in 1890 by the signing of an agreement between the Kabaka, or King of Buganda, and the Imperial British East Africa Company.

Around the middle of 1899, Sir Harry Johnston[7] was appointed to Uganda as Special Commissioner, with instructions to restore ordered civil administration and to make the Uganda Protectorate more nearly self-supporting.[8] The British soon realized that land settlement was one of the more urgent necessities. Johnston, on behalf of the colonial administration, concluded what came to be known as the "1900 Buganda Agreement."[9] The Agreement was signed by the leaders of the Buganda Kingdom and Colonial Administration. The major aim of the Agreement was supposedly to preserve the customary land tenure. But, in reality, land settlement under the Agreement took a completely different form from the original customary tenure in Buganda. This was mainly due to the fact that the Abataka and the common men were not consulted.

The total area of land in Buganda was assumed to be 19,600 square miles.[10] This was to be divided between the Kabaka and other notables and

the British Colonial Administration in Uganda. Briefly, this was how the land was to be divided:

> The Kabaka, certain members of the royal family, the Regents, county chiefs and certain other leaders were to receive either private or official estates totalling approximately 1003 sq. miles. About one-thousand chiefs and private landowners were to receive the estates of which they were already in possession with. . . . These were computed at an average of 8 square miles per individual making a total of 8,000 square miles. As much as (sic) 92 square miles were to be granted to the three missionary societies, 50 square miles was set aside for existing Government stations and 1,500 square miles for forest reserves.[11]

> The remaining area, amounting to an estimated 9,000 square miles of uncultivated land was to be vested in Her Majesty's Government. It was this land which came to be called Crown Land.[12]

No attempt was made to define the type of tenure created; it was simply called "Mailo" land. The word "Mailo" was the English mile or square mile and was then adopted in Buganda to indicate an estate of any area.[13]

In other areas of Uganda, the Agreement turned virtually all the lands over to Her Majesty's Government and thus most of the lands in the country were crown lands. It was only in Buganda that the Mailo land system developed.

The new land tenure system meant that the rights of the Abataka (clan heads) were abrogated. Also, no provisions were made to protect the peasants. The customary tribute, known as Busulu, was converted into money and the landlords started demanding other dues from their tenants. This started with the introduction of cash crops, mainly cotton and coffee. The peasants and the clan heads objected to this form of exploitation and they began to press for the revival of their customary rights. This controversy resulted in the passing of the "Busulu and Envunjo Law of 1927" by the Buganda

Legislative Assembly (Lukiiko). This law established protection measures for the peasants, in that the rent for the land was fixed at 10 shillings (U.S. $1.45) per year and no peasant was to be evicted from the land so long as he paid his dues. In a way, the "Mailo System" was a commercial tenure in which custom yielded to contract as a basis for economic relations characterized by quasi-freehold titles.[14] The Mailo system did not achieve its objectives.

The consequences of introducing individual ownership of land, especially for agricultural development, were severe. Local farmers (peasants) did not have incentives to develop the lands which did not belong to them. Even if some did, they were limited by the amount of land available to them. This was aggravated by lack of financial institutions which could give credit facilities to indigenous developers. Secondly, the individual ownership meant that, at the death of the family head, land had to be distributed to the sons, daughters, and other relatives of the deceased. Through generations this led to intense land fragmentation. The subdivisions could not economically be developed.

Furthermore, the Mailo land system was a hindrance to proper urban planning. As we shall see in the case study, planning schemes applied only to those areas designated as crown lands and the Mailo lands were left out of the planning area until after independence in 1962. So, most of the slum areas are found on former Mailo lands.

Post-Independence Developments

The first attempts in land reform after independence were made to take over the crown lands which were under the auspices of British government. So, the Public Lands Act of 1962 vested the crown lands into local land boards

empowered to exercise the same powers previously exercised by the colonial administration. However, the customary tenure was left intact. Because of lack of experience and political maneuvering the Boards did not function. Another act, the "Public Lands Act, 1969" (Act 13/1969), was passed by the Uganda's National Assembly. Under this act all public lands were vested in a national agency--the "Uganda Land Commission." Thus the local land boards were abolished. The official estates were also converted into public lands. Thus it was only the Mailo landowners who still maintained their rights over land; otherwise, the act had virtually nationalized all the lands. Thus it was the aim of the 1975 Land Reform Decree to abolish the Mailo land and all other minor land tenure systems which were springing up and rest the title of ownership of all the land in the country into a national agency, the "Uganda Land Commission." In a way the new 1975 Land Reform Decree was an amendment to the 1969 Public Lands Act. A copy of the Land Reform Decree is reproduced in Appendix II.

The Decree makes it abundantly clear that it was only the land and not the developments on the land which were nationalized. Individuals, private and public bodies (local and provincial and national), religious groups and other interest groups have a right to occupy land wherever they wish but only on a leashold basis. Leasehold in this context seems to mean the rights granted by the Uganda Land Commission to an individual or body to use land for a certain period of time.

## Goals of Public Land Acquisition

The public acquisition of all land in the nation can be used as a strong tool for urban land use control and management. As a tool for dealing with urban growth problems, nationalization of the land could conceivably

serve two major purposes:

(1) By providing a more orderly process of urban growth. Public Land Acquisition would provide a mechanism by which public agencies (in this case the Uganda Land Commission, the respective planning committees, and the city councils or town councils) could direct where development can take place and the nature of that development. This is necessary because private land development decisions are not necessarily concomitant with those of the community as a whole. The authority would sell leases for development to occur in localities which are ready for development. Also public ownership could reduce or recapture the costs of providing public services and facilities in conjunction with the new development.

(2) By controlling or in fact eliminating the inflation of urban land prices. After achieving independence the policy of the various governments has been to attract more indigenous people in the towns compared to the colonial policies which in fact discouraged indigenous people in cities. More businesses have been opened up in cities by indigenous people and more industries and government jobs have become more accessible to indigenous people than at any other time before. Increasing income and population have created high levels of demand for urban land. This continued demand, in conjunction with a limited supply of land available for development, has caused a rapid increase in the price of urban sites. In part, this inflationary trend is caused by speculators, who do not intend to develop their property; instead they hold land until the market price rises enough to induce them to sell. Other speculators just hold land and construct houses on individual plots as sources of finance permit. If land is owned by a public agency, then the prices of all urban sites as well as other sites in

the rural areas will be standardized. In the case of the new Decree the prices will be in form of rents and royalties. Section 8 (2) of the Decree specifies that the rents and royalties would be minimal; however, the Decree does not include the formula to be used for the assessment.

(3) By replacing the various numerous land tenure systems, which have been hindering the availability of land to developers. The indigenous people had believed that land was unsaleable. So it was kept for their descendants, regardless of how large the land was. Even for those who decided to sell it, land purchase through customary channels took too long to complete. Thus this unmarketability of land titles which resulted from customary land tenure systems militated against the development of a workable urban land market. The purpose of nationalizing land would not be to create an urban land market but rather to offer land to those who are willing to develop and not to hold on to it. Of course, a real estate market would be required and the government would have to develop more affirmative mortgage programs through the banks, insurance companies, and housing corporations if the standard of living of the people is to increase.

Land Disposition Through the 1975 Land Reform Decree

The payoff of nationalizing land is not in the acquisition or holding of land, but rather in its ultimate disposition for use for both urban and rural uses. In disposing of land the Land Commission should operate under a development control strategy. Disposition controls are the key element involved in achieving the three above-mentioned purposes. The range of these controls was enumerated in the last chapter. Thus, it would take additional study and research to find which of these techniques would most suit this framework.

The range of development controls could be fairly broad, such as the ones mentioned in the Decree. The land could be disposed of subject to a requirement for conformance with master and zoning plans developed by the Planning Committees. The controls would therefore be similar to present zoning and subdivision regulations. If these controls were tied to effective administration of the public ownership of land, most of the significant purposes of growth control could be achieved.

Disposition Through Sale or Lease

Disposition of land could be accomplished either through the sale of the fee simple title or through long-term leases. However, disposition through sale of title would again bring individual ownership, which the Decree tended to abolish anyway. There are various payoffs for leaseholds over freehold. But at the same time leaseholds should be administered with caution.

(a) First of all, public disposition of land through leasing is necessary in order to retain public control and to facilitate the ultimate cycle of renewal. To ensure the nonoccurrence of urban sprawl, proper land subdivision, density control and other measures are necessary, as are economic, safety, and health considerations.

In terms of agriculture, for example, measures to prevent impoverishment of the soil, bad husbandry, overstocking, or destruction of forests ensure economic use of the land. There are definite limits to the degree of control that may be exercised, beyond which the drafting and implementation of the lease may become too complex and may defeat its own objectives.

(b) Adequate security of tenure can be given. To ensure this, a 99-year or a 199-year term could be generally sufficient, depending upon the purpose of the lease. During the early years of a leasehold, the leasee's

policies toward maintenance and new capital investment would probably be the same as if he owned the fee simple title since he could still reasonably expect to amortize the costs (or recapture them if he sold the leasehold). But during the later years, all incentives to maintenance and new capital investment would disappear since the leasee would expect to lose title to his improvements along with the expiration of the lease.[15] "What should the appropriate policy position be towards a mechanism which might threaten accelerated deterioration of properties as leasehold expiration approaches? Does this threat constitute a weapon in the hands of the leasee which permits indefinite re-extension of leases under favourable conditions, effectively negating the prospect of public control and renewal?"[16]

The answers to these questions are simply not known since there appears to have been no research on actual occurrence under long-term land lease arrangements.

## NOTES

[1]George Kanyeihamba, "Urban Planning Law in East Africa," in D. Diamond and J. E. Loughlin (eds.), Progress in Planning, Vol. 2, Part 1 (Oxford: Pergamon Press, 1973), p. 13.

[2]Ibid.

[3]See L. P. Mair, "Buganda Land Tenure," Africa, Vol. 2, April 1933, pp. 187-205, as referenced and footnoted by Henry West, The Buganda Mailo Land System (London, 1958), p. 97.

[4]George Kanyeihamba, op. cit., p. 14.

[5]Ibid.

[6]Ibid.

[7]Henry W. West, Land Policy in Buganda (Cambridge: The University Press, 1972), p. 15.

[8]Ibid.

[9]The "1900 Buganda Agreement" in a way reaffirmed the British Colonial Rule not only in Buganda Kingdom but also in the whole of Uganda. The British started ruling the whole of Uganda through Buganda Administration.

[10]Henry W. West, op. cit., p. 17.

[11]Ibid.

[12]Ibid.

[13]Kanyeihamba, op. cit., p. 15.

[14]Henry West, The Buganda Mailo Land System (London, 1958), p. 50.

[15]Sylvan Kamm, Land Banking Public Policy--Alternatives and Dilemmas (Washington, D.C.: Urban Land Institute, 1970), p. 50.

[16]Ibid., p. 51.

# CHAPTER VII

## A CASE STUDY ON GROWTH MANAGEMENT PRACTICES OF KAMPALA, UGANDA

This case study will focus on the development and applicability of urban growth management theory and practice at a metropolitan level in an African urban environment. Kampala will be used as the area of study for this purpose. This case study will attempt to show the local, regional and national efforts to develop and implement controlled growth programs for the city of Kampala. The growth policy of the city is not yet well established; it is still in its formative stage. This should be easy to visualize considering that comprehensive urban planning, let alone urban growth management, is a new field in most African cities.

The case study will examine the following:

1. Development of Kampala's growth policies over a period of time and the major deficiencies of the previous plans.

2. Implications of the new Kampala Development Plan and the planning framework of the city.

3. Current and planned specific land use controls and growth management techniques of the city.

4. Suggested planning guidelines and conclusion.

### LOCATION AND SPECIAL FEATURES OF KAMPALA

From its beginnings, Kampala developed as an indigenous African town.[1] This is in contrast to other towns in Uganda like Jinja, Mbale, Gulu, and Kabale, which developed mainly from trading outposts or as colonial

administrative centers. The municipality of Mengo (see Fig. 3, p. 51) had been the seat and headquarters of the Kabaka (king) of Buganda and all his administration since 1884.[2] Mengo became a center of attraction for explorers, missionaries, colonial administrators, commerce, trade, and education. Mengo is now part of Kampala city.

Literally, "Kampala" is a Luganda (native language of the Baganda people) name meaning hill of impala (a type of an antelope).[3]

Kampala lies within the lake belt of Lake Victoria in the southern part of Uganda and is the capital. Kampala is the location of major educational institutions, including Makerere University, headquarters of the religious institutions, modern hospitals including Mulago Hospital, and the largest modern factories and industries, government offices and various other important institutions which make the society operate. Main roads connect the city to the west, north, east and south of the country. All these inter-territorial roads radiate from Kampala. Also the railway line links the capital to the Indian Ocean through Kenya. This railway line was the first link to be established between Uganda and the rest of the world market in the mid-1900's. It has played a very major role in the economic development of the country. This is the principal route used to transport Uganda's exports like coffee, tea and cotton to other countries. It is also the principal route for importing manufactured items into the country. The city is well served with air transportation since Entebbe International Airport is only 35 km (21 miles) away.

## Population

The population of Kampala has grown at a very fast rate. According to the population projections made by various teams of experts on Kampala,

the population will continue to grow even faster for some decades to come. Following are some of the figures on the population growth of Kampala.

Table 3.*

| Year | Population |
|---|---|
| 1926 | 4,000 |
| 1930 | 8,000 |
| 1948 | 90,000 |
| 1959 | 158,000 |
| 1969 | 331,000 |
| 1979 | 540,000 (estimate) |
| 1989 | 1,600,000 (estimate) |

Figure 4 also depicts this rapid population growth of the city. Until its extension in 1968, the city's area was no more than 11 sq. miles. Since that date more territory has been annexed to the city limits and the area of Kampala is now 75 sq. miles. This means that until 1968 over 80 percent of the present city area had not been subjected to any form of urban planning, legislation or control.

Because of the dominant role which the city plays in the economy of the country, Kampala attracts many migrant workers from other parts of the country and until recently from neighboring territories. Most of the migrant workers come from the rural areas. During the intercensal period between 1959 and 1969, Kampala's rate of population growth was about 2 1/2 times more than the rate of population growth of the whole country.[4] Of all the rural-urban migration which took place in the thirty-one major and small towns in the country, Kampala absorbed 39% of that growth.[5]

Using the population distribution graph derived from the data of census year 1969 (see Figs. 5 and 6), we see that comparatively there is a very high percentage of people in the city between ages 20 and 29, especially

*Source: Derived from the data presented in "Kampala Development Plan 1972"; George Kanyeihamba, "Urban Planning Law in East Africa," pp. 14-17; "Report on the 1969 Population Census," Vol. 1 in The Population of Administrative Areas.

**THIS BOOK CONTAINS NUMEROUS PAGES WITH DIAGRAMS THAT ARE CROOKED COMPARED TO THE REST OF THE INFORMATION ON THE PAGE.**

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Fig. 4. Population growth of Kampala.

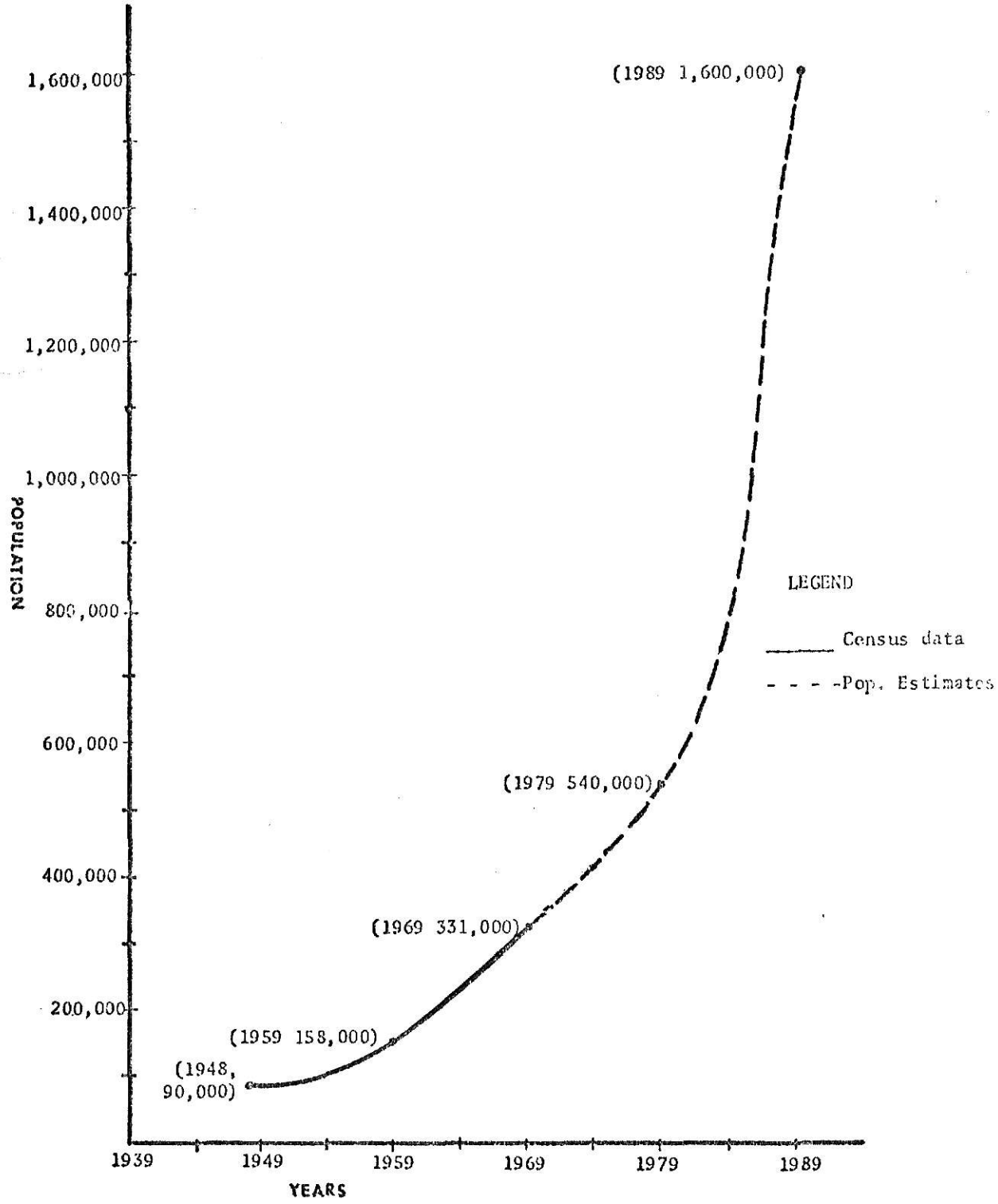

TABLE 4

POPULATION SIZE OF KAMPALA CITY
FROM 1969 CENSUS DATA

| Age Cohort | Male | Female | Total |
|---|---|---|---|
| 0-4 | 26,799 (8.1) | 27,682 (8.4) | 54,481 |
| 5-9 | 17,185 (5.2) | 19,287 (5.8) | 36,472 |
| 10-14 | 12,947 (3.9) | 13,672 (4.1) | 26,619 |
| 15-19 | 19,483 (5.9) | 19,189 (5.8) | 38,672 |
| 20-24 | 27,761 (8.3) | 19,327 (5.8) | 47,088 |
| 25-29 | 25,550 (7.7) | 15,563 (4.7) | 41,113 |
| 30-34 | 17,821 (5.4) | 10,617 (3.2) | 28,438 |
| 35-39 | 12,012 (3.6) | 6,396 (1.9) | 18,193 |
| 40-44 | 7,405 (2.4) | 5,063 (1.5) | 12,468 |
| 45-49 | 5,678 (1.7) | 3,211 (1.0) | 8,889 |
| 50-54 | 3,423 (1.0) | 2,553 (0.8) | 5,976 |
| 55-59 | 2,142 (0.7) | 1,157 (0.4) | 3,299 |
| 60-64 | 2,002 (0.6) | 1,720 (0.5) | 3,722 |
| 65-69 | 841 (0.3) | 660 (0.2) | 1,501 |
| 70-74 | 793 (0.2) | 791 (0.2) | 1,584 |
| 75+ | 1,010 (0.3) | 939 (0.3) | 1,949 |
| TOTAL | 182,852 | 147,827 | 330,679 |

Source (1) Report on the 1969 Population Census, Vol. I: The Population of Administrative Areas (Ministry of Planning and Economic Development, 1971), Vol. III, pp. 101-103.

(2) Ibid., Vol. III, p. 30.

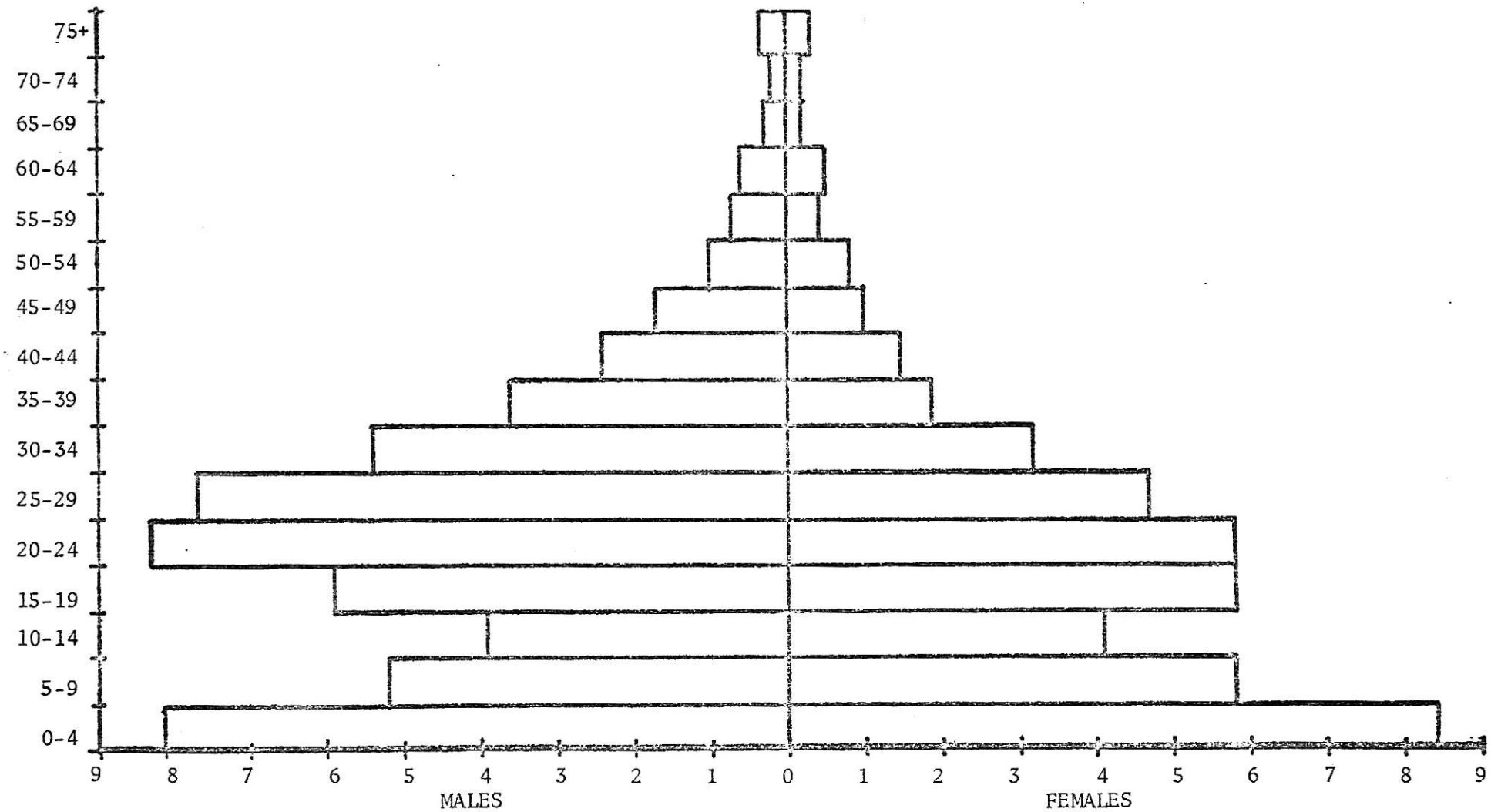


Fig. 5. Population pyramid for Kampala City using 1969 census data.

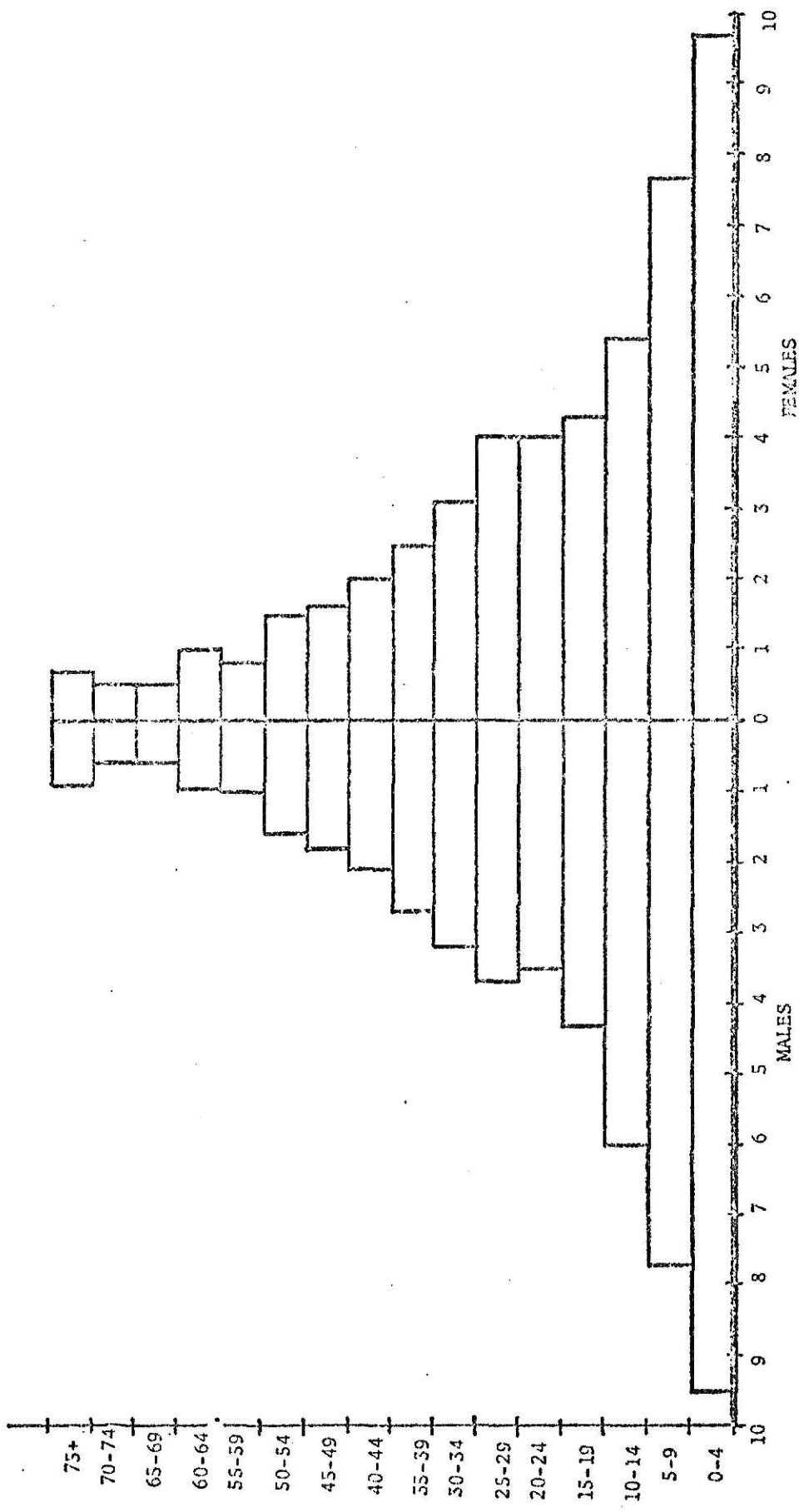


Fig. 6. Population pyramid for Uganda using 1969 Census data.

of the males. This is a phenomenon which usually occurs in a city where there is a high rate of in-migration. Population distributions of African cities have been explained as having a broad base due to somehow a high birth rate in the cities. The same phenomenon also occurs between ages 0 and 4, after which there is a sharp decline until the distribution reaches cohort ages of 20-29. The population distribution of the whole country is in the form of an inverted V, which indicates that there is a higher birth rate for the total country as a whole than for the city of Kampala and that Kampala has more adults proportionally than the country as a whole. This is a very critical problem for the rural areas because there is a continuous drain of energetic young adults to the urban areas. The end result is lower agricultural productivity, because agriculture in most of the developing countries depends on labor-intensive farming techniques rather than capital-intensive technology, as in the developed countries like the United States, and there must be people to deliver this service.

Thus, nationally, one of the stated strategies of improving the quality of life in the urban areas is to try to cut down the rate of influx of people from the rural areas by expanding opportunities for gainful employment in the rural areas and making rural life generally more attractive from the social and cultural point of view. But this alone is not enough, because of the strength of the desire for an urban life-style. Thus, this strategy must be accompanied by other practices of managing growth at the local level.

Economy

Presentation of data on economic activities in Ugandan cities is hindered by the fact that most of the accounts on the economy are published on nationwide basis. There has been no effort to publish data on subnational

levels such as citywide, district-wide or province-wide. A larger information base and systems developed in both aggregate and disaggregate forms on some kind of local basis would permit proper analysis and rational planning especially for cities. However, data from the national level indicate to a limited extent the economic activities which go on in most of these urban areas, especially Kampala. Examining the data on the Gross Domestic Product of Uganda during the period of 1966-1970 (see Table 2, p. 12), we see that annually there was substantial growth in the urban-oriented economic activities such as manufacturing (12.6%), construction (11.2%), commerce (7%), transport and communications (8.59%). Comparatively the growth of the rural-oriented economic activities such as cotton ginning, coffee curing (5.19%), forestry, fishing and hunting (6%) was slightly lower, which again seems to indicate the relatively lower pace of development in the rural areas.

In the Development Plan for Kampala it was estimated that in 1968 the total employment was 90,000. Future estimates indicate that in 1979-80 and 1990 total employment will be 160,000 and 450,000 respectively.[6] These data refer tothe registered or formal employment and do not take into account informal employment, which is difficult to assess.

A United Nations Mission produced figures for the income levels in 1968. It showed that 77% of the population of Kampala were in the low-income group, earning less than (U) shs. 500/= (U.S. $71.40)per month. Thirteen percent were in the middle-income group, earning from (U) shs. 500/= to 2,000/s per month, and 10% were in the high-income group, earning over (U) shs. 2,000/= per month.

# DEVELOPMENT OF KAMPALA'S GROWTH POLICY

## Introductory Note

The growth policies for the city of Kampala have been very incremental in character and have taken a long time to become concrete. Since the beginning of the century, successive governments have increasingly recognized the need to plan Kampala. The first comprehensive planning scheme was completed in 1919 and approved in 1920. This was followed by another plan in 1930, and a third one in 1951. The 1951 plan, known as the "Outline Scheme," remained in force until it was revoked in 1968. Now the new Kampala Development Plan has been adopted by the Kampala City Council and was approved by the Minister of Provincial Administrations. The 1972 Kampala Development Plan is the legal instrument for controlling all development to occur in the city for a period of 15-20 years.[7]

## Successes and Deficiencies Resulting from Past Policies to Control Urban Development

In their analysis of the past plans of Kampala, the authors of the 1972 Kampala Development Plan indicated that the previous plans had both good qualities which frequently were successful in accomplishing their objectives and also failures, especially in view of the changing conditions in the city and the country as a whole, from the early 1950's.

The first planning scheme for Kampala was suggested and prepared from 1912 to 1919. The scheme was finally adopted in 1919. The major objectives and thus concentration of efforts of this plan centered on prevention of the outbreak and spread of contagious diseases including malaria and plague rather than physical planning and development of the city. The 1919 planning scheme (see Fig. 7) was based on the proposals made by Professor Simpson, a British

urban planner at the time. His recommendations included:

1. The necessity of securing the development of Kampala along healthy lines.
2. The protection of its water supply and the institution of a public supply from Lake Victoria.
3. The drainage of the marshes.
4. The removal of the ginnery located in the town and, in the meantime, the compulsory disinfection of certain stations of all raw cotton from infected districts before being brought to Kampala.
5. Systematic examination of rats for plague, establishment of an infections hospital and of a properly equipped observation camp.[8]

He also recommended that subdividing be limited to certain measures for people desiring to build shops. He recommended that no plots larger than 50' x 100' be leased to any person who wanted to build a shop and that under no circumstances should they be permitted to subdivide the plot. But more importantly he recommended the creation of the Central Planning Board as well as local planning boards to be responsible for the formulation and adoption of policies. This proposal, which was adopted, set the tone for the now existing National Planning Board and the whole planning framework in all cities in Uganda.

The 1919 Scheme of Kampala is reproduced in Fig. 7. The failures of this scheme will be discussed later.

By 1929 Kampala had grown fast and in many ways unsatisfactorily. The government then asked Mr. Mirams, another British consultant, to prepare a report and plan for the expansion of Kampala and another large town in the

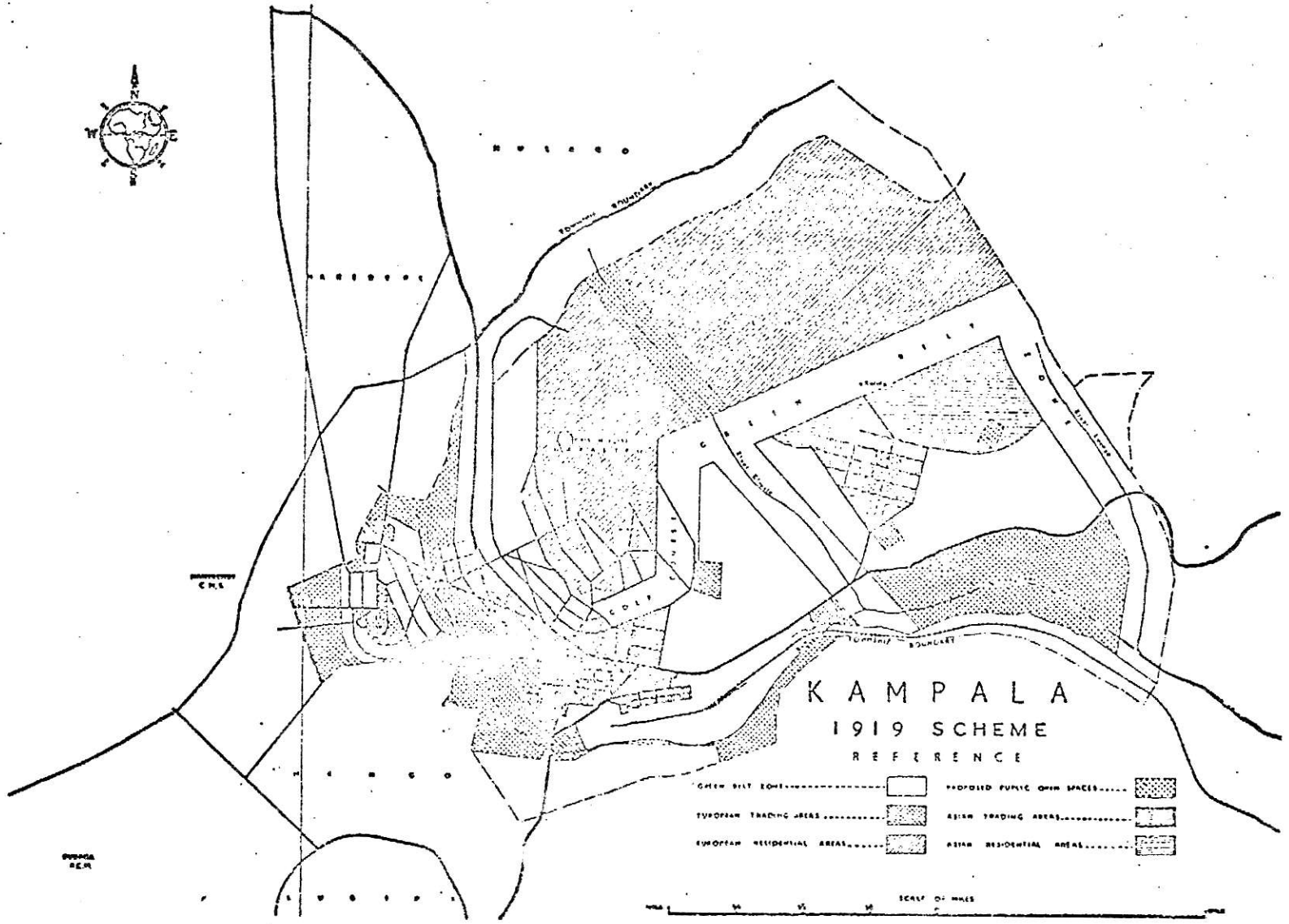


Fig. 7. Kampala's 1919 Planning Scheme.

Source: Henry Kendall, "Town Planning in Uganda" (London, Crown Agents for Overseas Governments and Administration, 1955), p. 22.

east, Jinja. Mr. Mirams proposed a zoning as well as a road network system as presented in Fig. 8 which was adopted in 1930. The now existing built-up area in the older parts of the city of Kampala, especially on Nakasero Hill, is a direct result of the recommendations made by Mr. Mirams.[9] The map showing the then existing and proposed land uses is reproduced in Figure 7.

There was an enormous amount of building and general development within and at the outskirts of Kampala going on immediately after World War II. This type of development and the problems associated with land use at the time could not be solved under the 1930 Planning Scheme. There were also other problems like the administration of the zoning plans, lack of coordination between the various agencies of development, lack of a Zoning Ordinance/Planning Ordinance, and problems associated with meetings of the various planning committees just to mention some. It thus became necessary to hire a competent full-time urban planner to handle the various problems. Mr. Henry Kendall was hired for this purpose in 1949.[10] Mr. Kendall organized the Department of Town and Country Planning in various useful ways:

1. More ideas were discussed and more regular meetings of the Central Town Planning Board were held.
2. The Town and Country Planning Ordinance was passed.
3. With the basis of the 1930 Planning Scheme before them and the experience of development trends between 1930 and 1950, the local planning authority, on the direction of the Town and Country Planning Board, commenced the preparation of a comprehensive development plan for Kampala.

Various recommendations were made on subjects such as zoning (see Fig. 9), road network (see Fig. 10), construction and design of buildings, and land

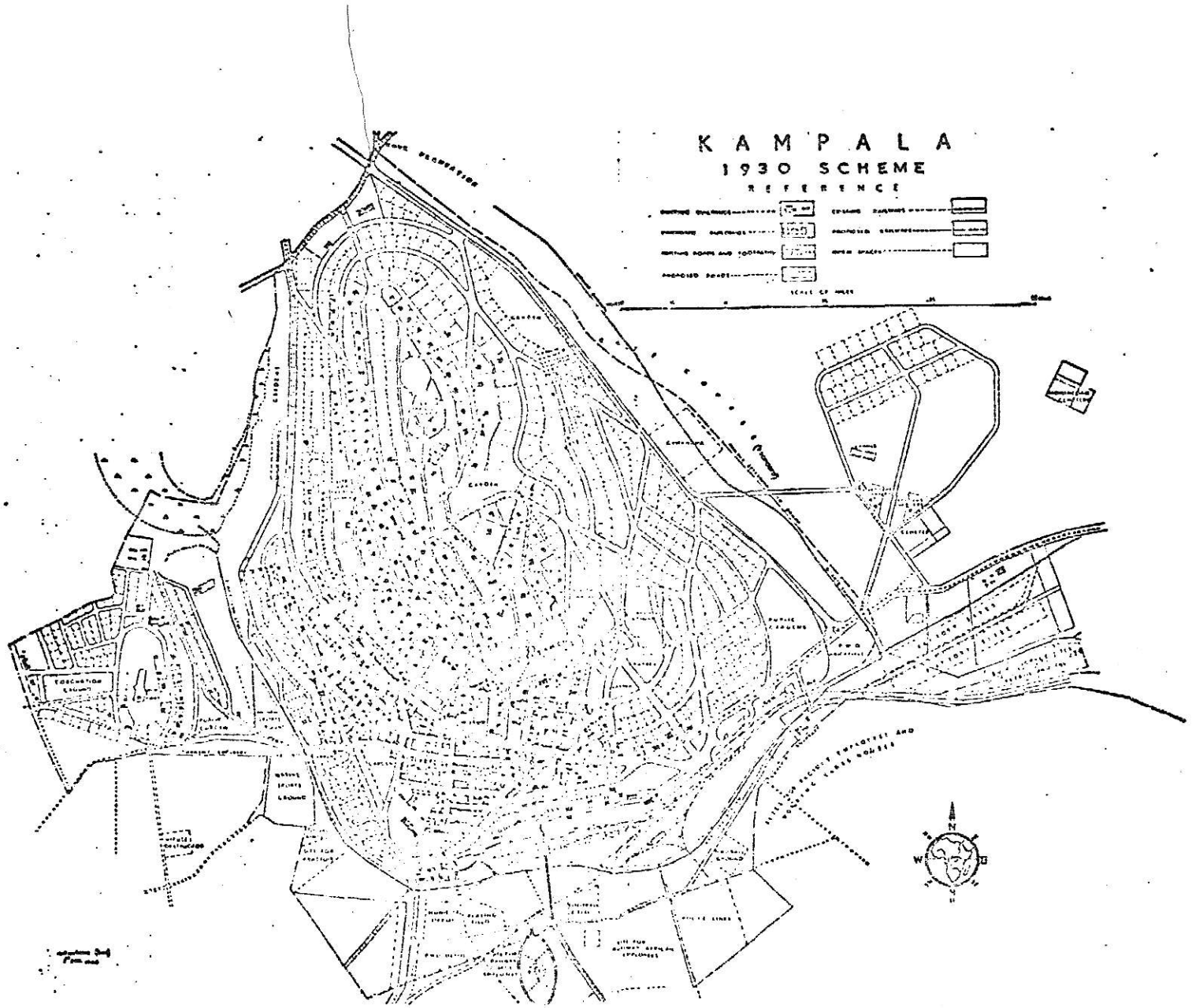


Fig. 8. Kampala's 1930 Planning Scheme.

Source: Henry Kendall, "Town Planning in Uganda" (London: Crown Agents for Overseas Governments and Administration, 1955), p. 19.

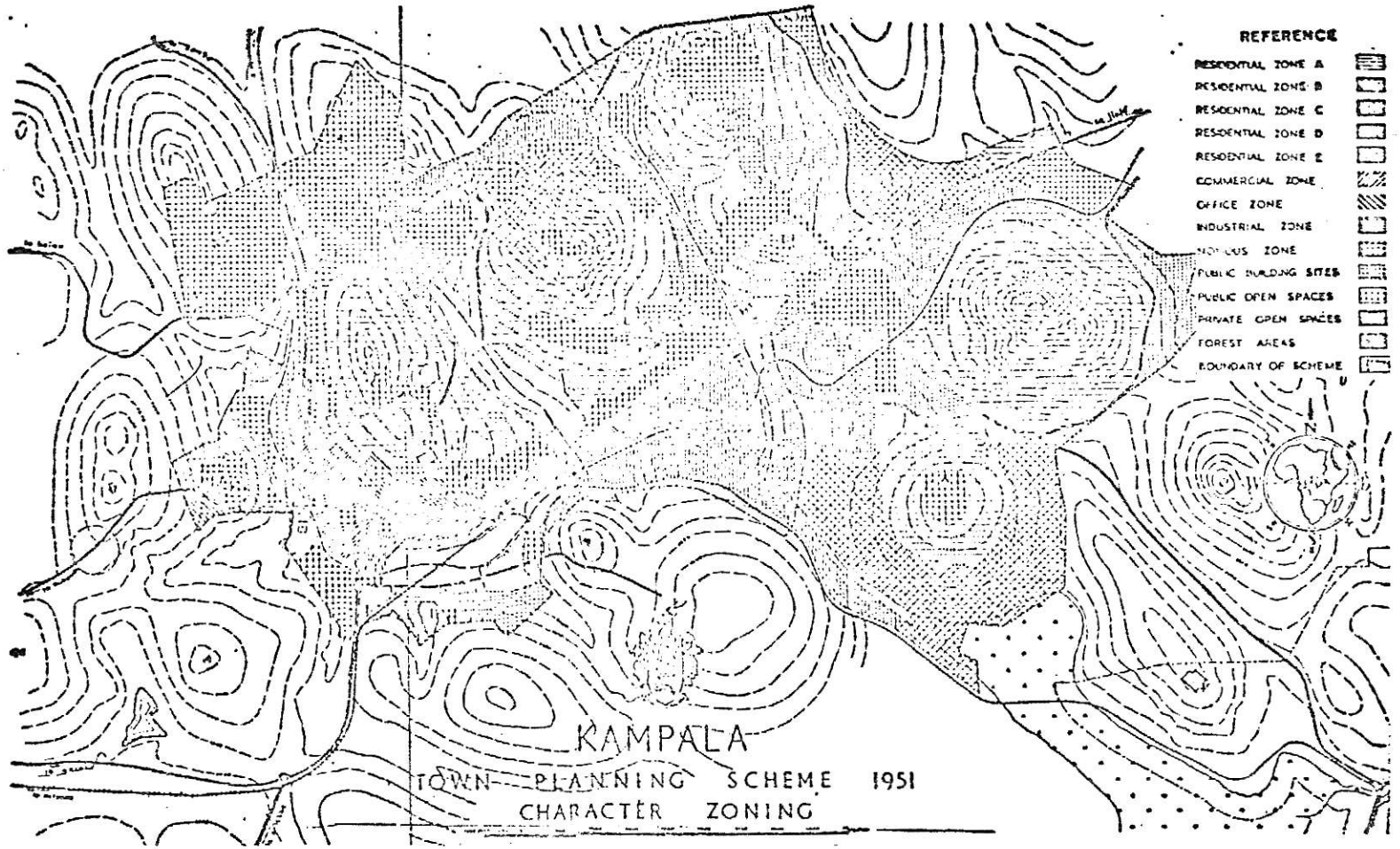


Fig. 9. 1951 Kampala zoning scheme

Source: Henry Kendall "Town Planning in Uganda" (London: Crown Agents for Overseas Governments and Administration, 1955), p. 25.

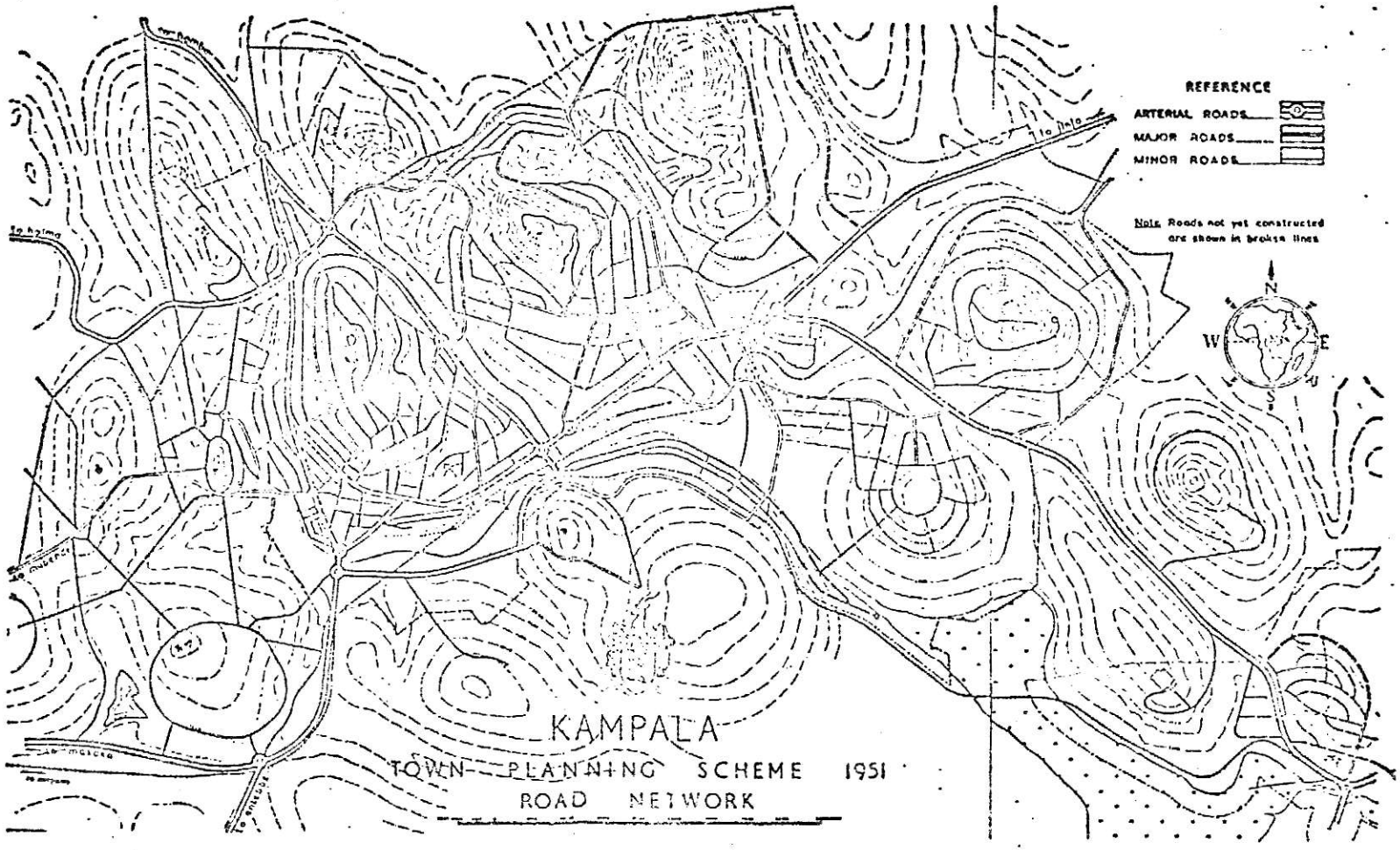


**Fig. 10.** Kampala's planning scheme 1951 - Road network

**Source:** Henry Kendall, "Town Planning in Uganda" (London: Crown Agents for Overseas Governments and Administration, 1955), p. 24.

subdivision. The scheme provided for an optimum population of 100,000 people.

The various plans had major inadequacies, especially in terms of the area they covered and the proportion of the urban population they assisted. In particular, the 1951 plan covered only 28 sq. km (or 11 sq. miles). Urban developments were taking place both inside and outside the official city limits. Those areas within the city limits were generally well planned and built according to plan, while those outside the city limits grew up in a haphazard way without any control.

Another failure of the previous plans was in the proportion and the segment of the population they assisted. The earlier plans assisted only a few people in the high- and middle-income brackets. In particular, the residential zoning of the 1919 Scheme was based on racial grounds. As Fig. 7 represents, Professor Simpson proposed different living areas or zones for the Europeans (on the top of hills) and Asians (on the slopes). The indigenous people were considered to be unfamiliar with the urban way of life and remained in unplanned areas at the fringe of the city limits. Living quarters for Europeans and Asians, let alone Blacks, were separated by large open spaces which neither side could encroach. The idea behind this arrangement was not so much to preserve the beauty of the city but rather to prevent malaria fever and blackwater fever from spreading from the lower slopes of the hill amongst Indians and a few Africans to the higher parts of the hills occupied by the Whites.

The zoning scheme of 1951 was not based so much on racial grounds but rather on income levels. By then a number of indigenous people had acquired educational skills and had started to join some of the top-level and middle-level executive and management positions in both the government and private

corporations, so they could afford to live in luxurious houses on the hills. But still a larger portion of the population was left out of the planning efforts and continued to live in poor housing at the outskirts of the city. This meant then that the planners at the time assumed that the average African was not to be integrated into the city way of life. But this was contrary to what was happening. The African was already integrated in the cash economy and his income levels were rising, and as more and more industries developed this encouraged migration to the sites. Because no housing was available within the city limits at the time, most of the workers resided in the shanty houses at the outskirts of the city put up by various landlords in a haphazard fashion. Most of these areas are now slums and are now proving very difficult to correct.

Another deficiency of the earlier plans is to be found in the limitation of the number of tools to implement the plans. Such tools as public land acquisition (through either eminent domain or police power), annexation, capital improvement programming, and coordination could have been integrated into plans of a metropolitan area like Kampala. This could have helped in directing the proper and harmonious development of the city.

Another limitation of the city's past comprehensive plans was their frequent failure to relate the intensity of development permitted by their zoning recommendations more closely to the carrying or service capacity of planned public facilities. Many facilities such as sewers have been over-utilized, which has caused overflow of the effluent and blocking of the sewer lines. In part, this has been due to lack of coordination between the various agencies at the national and local levels responsible for development of the infrastructures in the cities. But largely it has been due to the limited

financial resources to meet the increasing demands of the population in the city. Some attempts should have been made to open up new areas in the right places so as to ease up population pressure on just the city center.

In the limited parts of the city which were planned, the previous plans were strong on location but weak on timing and cost. In the case of cost even the most organized and financially well-backed developers had to rely on the government to provide many of the facilities needed to support development. In fact, the government financed many of the developments which took place in the city. With the increased population demands on the facilities and the extended city limits, it is most unlikely that the government could finance as many developments as it has in the past. Thus there is a need to devise some techniques of growth so that the developers can finance some of the public facilities. Such techniques as special assessments (or cura) and self-help projects could fill in the gap.

## GOALS AND IMPLICATIONS OF THE 1972 KAMPALA DEVELOPMENT PLAN

Because of the limitations of the previous plans, there was a need to prepare and implement a new development plan for Kampala city. Although since the beginning of the 1930's the residents were very much concerned with the pattern of growth of their city, there was no concrete comprehensive plan which took into consideration the realities of the future.

Actions to institute the new growth policy date back to 1957, when the Town and Country Planning Board recognized the serious limitations of the 1951 Kampala Outline Scheme and agreed that the scheme would have to be revoked and replaced by an entirely new one.

The first major step in formulating the new policies came in 1963, when a United Nations team arrived in Uganda to investigate the urban development problem of the Kampala area. It collected and analyzed some important data. After this team's work a number of other U. N. Missions as well as the Ugandan government (through the Town and Country Planning Board) initiated studies and cautiously made recommendations.

For example, from 1964 to 1966 a U. N. team of experts, the Kampala-Mengo Regional Planning Mission, produced series of studies ranging from population growth to physical planning organization and administration. These studies fell short of being a new development plan. They suggested a general method of approach but did not make definite and comprehensive allocations of land.

It was left to a third U. N. team, this time known as the United Nations Physical Planning Mission, to carry the work a stage further. This mission worked in Uganda from 1967 to 1969 and produced a "Report on Survey of Present Land Uses and Master Plan Programme for Kampala." This report laid down the guidelines for work that was needed to complete the Development Plan.

After 1969 the Department of Town and Regional Planning began to play a bigger role. Up until that time, the department had played largely an advisory role to the various U. N. teams. The department too carried out surveys and studies ranging from "Housing for Low Income People" to "Land Policy."

The plan was finally completed in 1971 and was approved, with a number of modifications and additions, in 1972 by the Minister of Provincial Administrations.

One of the major goals of the plan is to allocate sufficient land for the expected growth of Kampala over at least the next 15 to 20 years from 1972. The plan pays particular attention to low-income people, who make up 77% of the city's population.

Future policies as stated in the plan involve changing the present radial road system to a grid road system, providing good accessibility to all parts of the city (see Figs. 11 and 12).

The emerging growth pattern then calls for concentration of developments in various dispersed locations instead of concentrating every development in the city center. The grid has been elongated in a generally east-west direction, as it is anticipated that the greatest pressures for development will be to the east and west along the major Jinja-Entebbe axis.

As we shall see later, for the purpose of phasing developments, the plan divides the whole city and part of the territory surrounding it into various zones, districts, and sectors which will have to be developed or provided with capital improvements in accordance with the water supply and sewerage plan which is already in the operation phase. These improvements are to be based on the size of population in each sector.

The plan addresses itself to various fields of housing, industry, education, recreation, transportation, water and sewer, and land policies.

## CURRENT AND PLANNED METHODS FOR DIRECTING GROWTH IN KAMPALA

There are various tools that are already in use for implementing the Kampala Development Plan, and there are a number of potential techniques to direct the growth of this rapidly expanding region. It is, however, unfortunate that there has not been more empirical research done on these

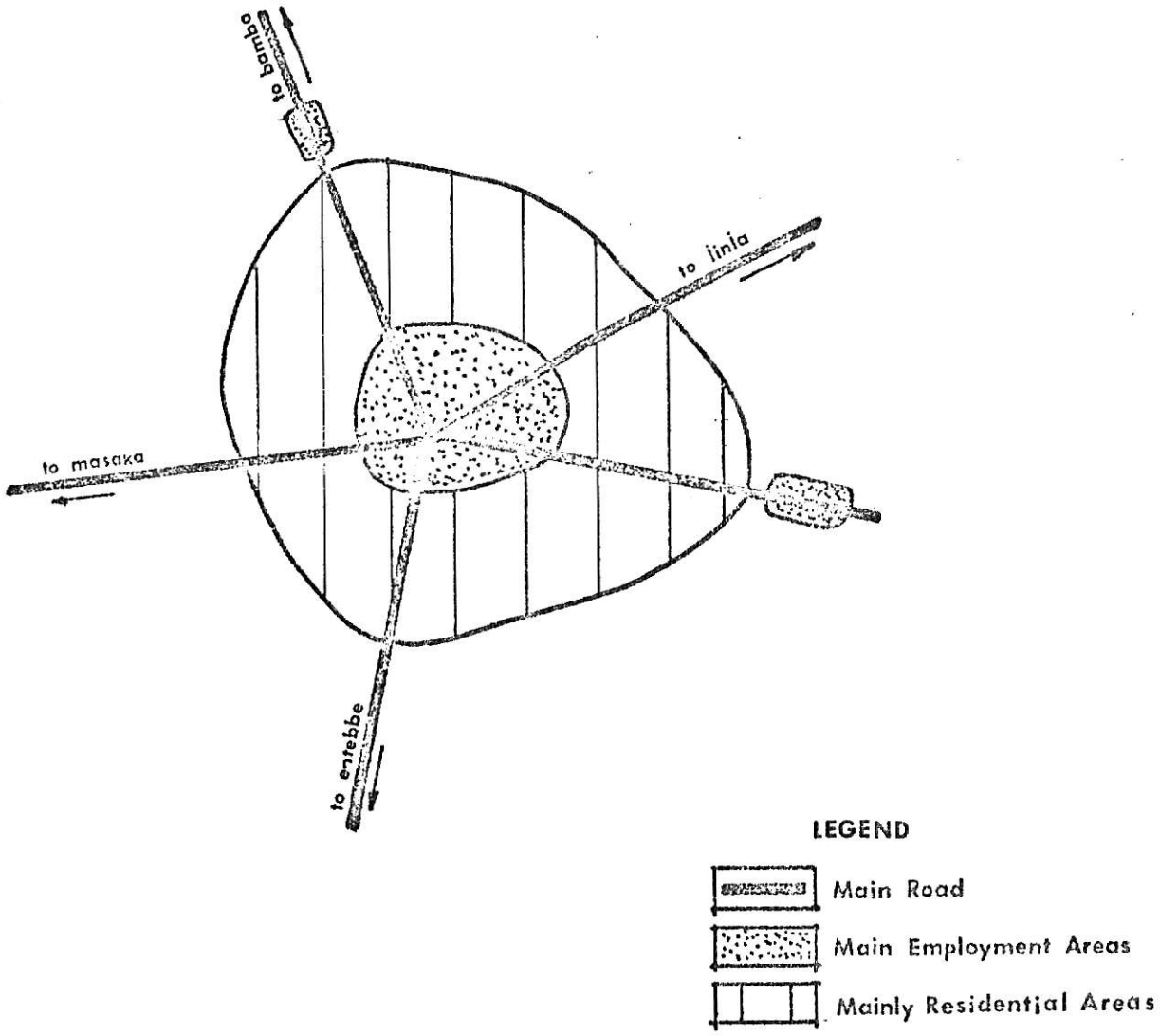


Fig. 11. Diagrammatic presentation of the radial road network system of Kampala in 1972

Source: "1972 Kampala Development Plan," p. 19.

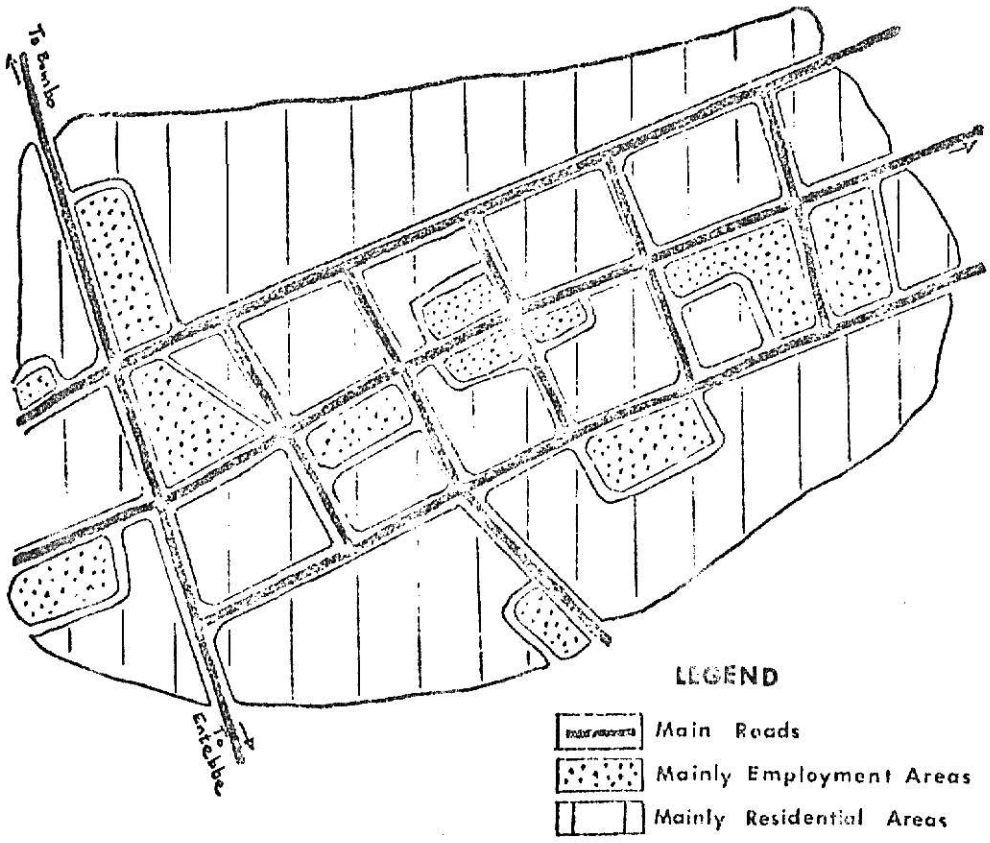


Fig. 12. Diagrammatic presentation of the proposed grid road system of Kampala

Source: "1972 Kampala Development Plan," p. 20.

techniques to assess their suitability and applicability to the local conditions. More research needs to be done in the area of growth management practices for a city in an African setting.

Zoning has been one of the most readily used tools for implementing the Comprehensive Plan. Formerly, zoning in Uganda cities was seen as a means of controlling nuisance rather than a means of controlling growth.

## Zoning

Most recently in the development of Kampala city's growth policies a combination of zoning tools has emerged as a means of controlling growth. These include CBD zoning, neighborhood zoning, industrial zoning, and periphery zoning. As defined by ICMA[11] "zoning" refers to the division of a municipality into districts and the regulation within these districts of

(a) density of population.

(b) the use of buildings and other structures as far as trade, industry, residence or any other purpose is concerned.

(c) the area of a lot which may be occupied and the size of required open spaces.

(d) the height and bulk of buildings and other structures.

Figure 13 shows the pattern of the then existing land uses both within the city limits and in the bordering territory.

The zoning scheme both within the city and in the neighboring territory is reproduced in Fig. 14, which shows a zoning map for the various zones, districts and sectors in the city, and at the same time a table which indicates the future land uses, population distribution and phasing of development in these zones, districts and sectors shown in the map. Admittedly, this is a broad zoning scheme and specific planning on a more

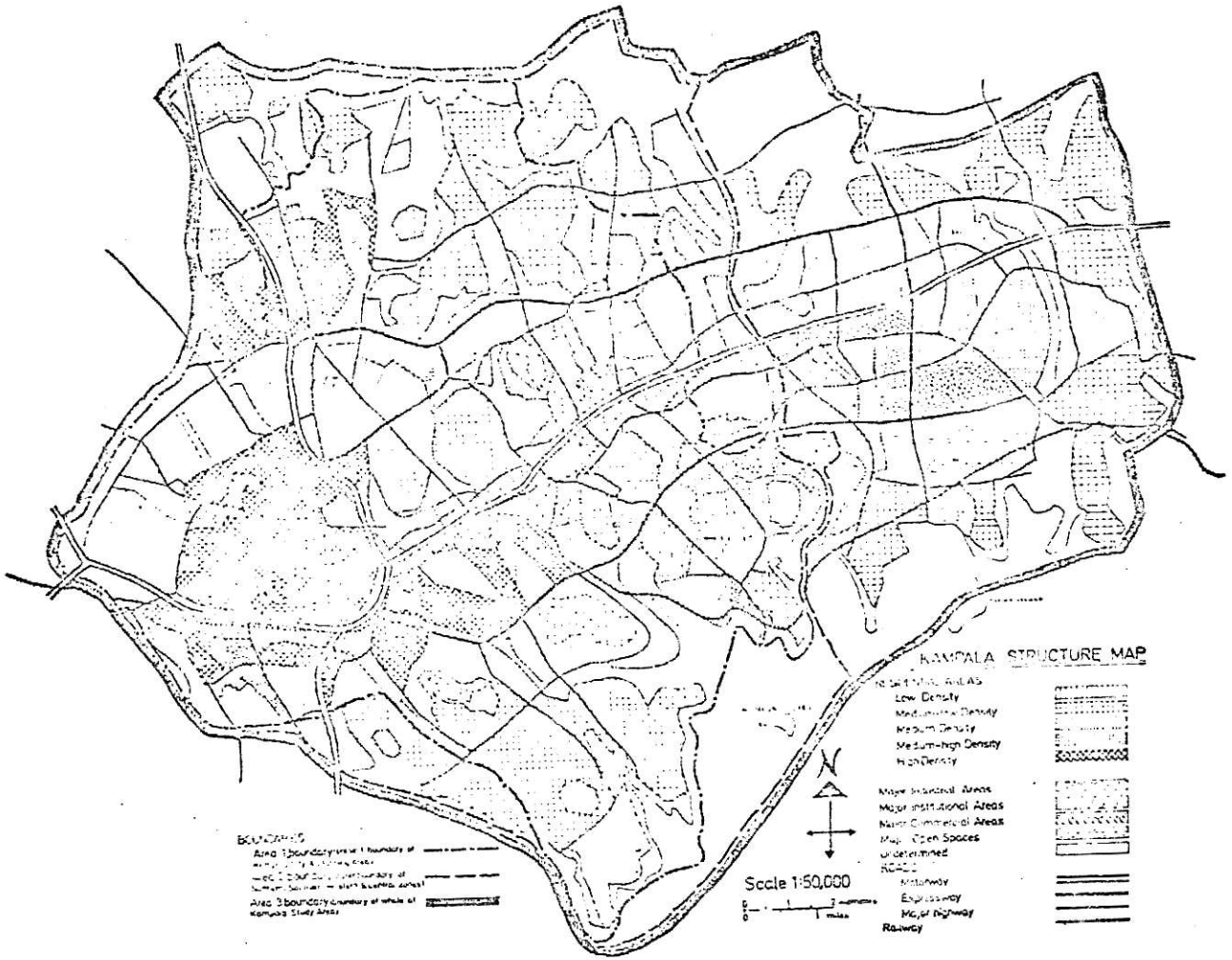


Fig. 13. The land use map of Kampala metropolitan region.

Source: "1972 Kampala Development Plan," p. 109.

narrowed-down basis must be done. The zoning map and the accompanying table are reproduced from the 1972 Kampala Development Plan.[12] Some work has already been done on some specific sections of the city, but much remains to be done.

CBD Zoning

The Kampala central business district or city center occupies the southern and western slopes of Nakasero Hill and covers approximately 250 hectares[13] (620 acres). Almost all the main government and private offices, specialized shops, and major transportation facilities are concentrated in this area. For the purposes of analyzing and implementing the zoning proposals and development in the area, the city center was divided into 22 subsections (see Fig. 14). Each subsection was analyzed in terms of the main uses both existing and proposed for the future. According to the plan most of the future uses in the city center would be for additional demand for offices and shops, i.e., commercial uses. As the table accompanying Fig. 14 indicates, this zoning tool was used in conjunction with the projected population sizes, density and plot area ratio in each subsection.

Industrial Zoning

With only a few exceptions, industrial zoning in Kampala and indeed other planning areas in Uganda aims at segregating industrial development from residential, retail, public building, and office uses. Industries in the country can be divided into five categories: special industries, heavy industry, light industry, service industry and rural industry.[14]

Special industries. These include industries which are likely to cause considerable nuisance by smell, smoke, fumes, dust, excessive noise,

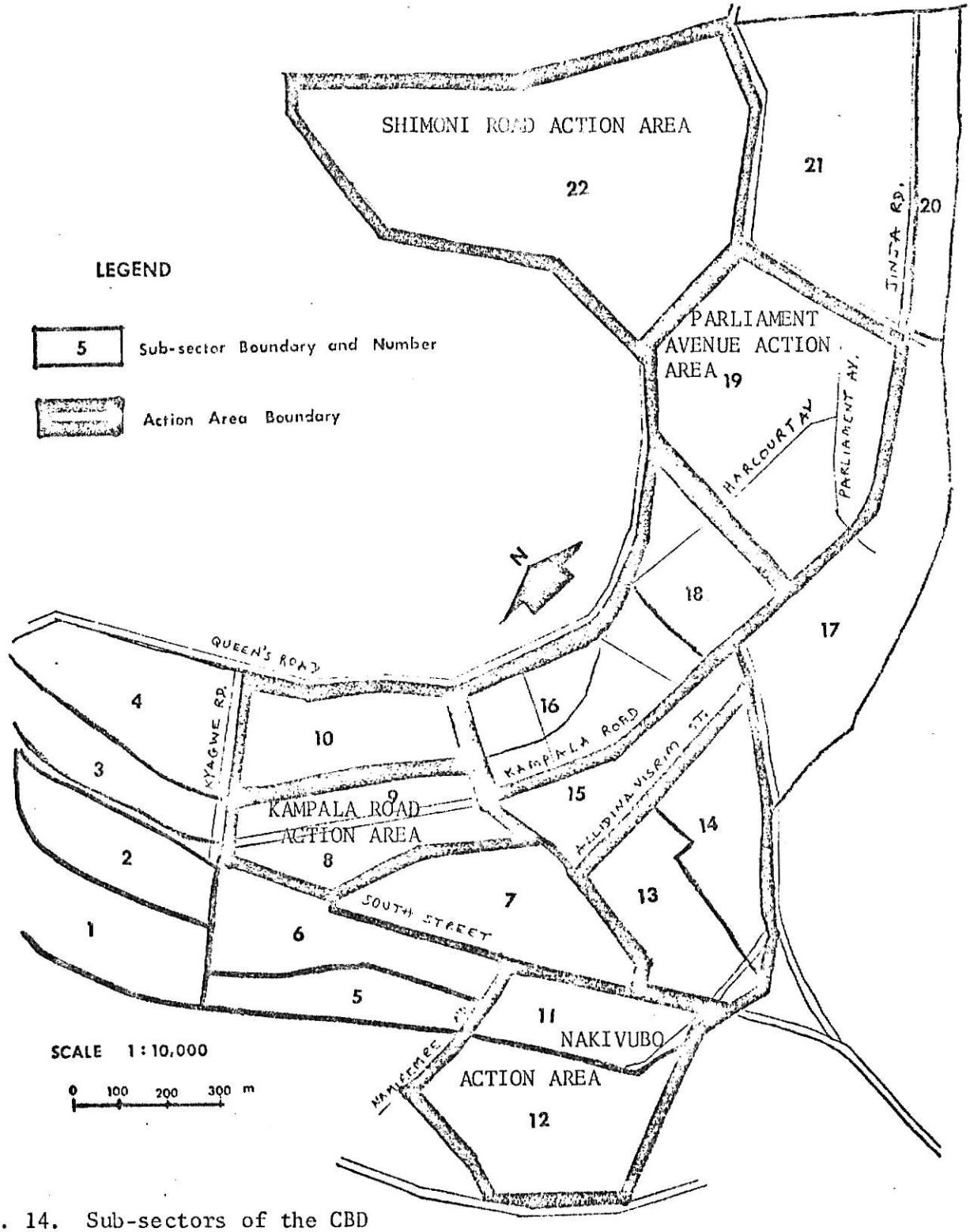


Fig. 14. Sub-sectors of the CBD

Source: "1972 Kampala Development Plan," p. 41.

TABLE 5. Development control policy for each sub-sector of the CBD.

| Sub-sector | Main Uses | | Population | | Employment | | Plot Area Ratio | | Expansion |
|---|---|---|---|---|---|---|---|---|---|
| | Existing | Proposed | Existing | Proposed | Existing | Proposed | Existing | New Development | |
| 1. | R | R | 1,730 | 2,300 | 238 | 250 | 1.18 | 2.0 (min.) | Local shops allowed |
| 2. | C,R | C | 330 | 300 | 585 | 700 | 0.41 | 0.5-1.0 | Limited housing for local workers |
| 3. | B,C | C | 489 | 200 | 241 | 736 | 0.15 | 0.5-1.0 | Limited housing for local workers |
| 4. | R | R | 522 | 1,036 | 36 | 16 | 0.15 | 1.0 (min.) | Flats encouraged |
| 5. | C,R,T | C,R,T | 396 | 300 | 625 | 515 | 0.63 | 0.75 | Loss of land to new roads |
| 6. | R,C | R,C | 1,052 | 1,400 | 841 | 700 | 0.84 | 1.0 (min.) | Local shops allowed |
| 7. | T,C,R | T,C,R | 1,133 | 760 | 1,702 | 1,025 | 0.90 | 1.0-2.0 | Increase in parking |
| 8. | C,R | C | 220 | 20 | 911 | 1,500 | 0.64 | 1.0-2.0 | Part of Kampala Road Action Area Caretakers' housing |
| 9. | R,C | C | 369 | 20 | 325 | 1,464 | 0.47 | 1.0-2.0 | ... do ... |
| 10. | R | 0 | 629 | 100 | 11 | 1,530 | 0.20 | 1.5-4.0 | Queen's Road Action Area. Caretakers' housing, some shops, hotels allowed. |
| 11. | C,R | C,R | 745 | 700 | 991 | 1,725 | 0.94 | 1.0-4.0 | Part of Nakivubo Action Area |

TABLE 5. (continued)

| Sub-sector | Main Uses | | Population | | Employment | | Plot Area Ratio | | Expansion |
|---|---|---|---|---|---|---|---|---|---|
| | Existing | Proposed | Existing | Proposed | Existing | Proposed | Existing | New Development | |
| 12. | S | C,T,R | 0 | 850 | 0 | 1,280 | - | - | ... do ... |
| 13. | C | T,C | 63 | 50 | 670 | 600 | 0.26 | 1.0-2.0 | Part of Nakasero Market Action Area. Multistory car park. No additional building. |
| 14. | C,R | C | 545 | 300 | 2,159 | 1,760 | 0.96 | 2.0 (max.) | Part of Nakasero Market Action Area. Limited housing for local workers. Pedestrianized. Removal of wholesale market. |
| 15. | C | C,E | 349 | 250 | 1,450 | 1,725 | 0.91 | 1.0-3.0 | Limited housing for local workers. No new access to Kampala Road. |
| 16. | C,R | C,R | 1,103 | 870 | 1,115 | 1,400 | 0.60 | 1.0-2.5 | Part of Speke Road Action Area. |
| 17. | C | C | 653 | 600 | 3,798 | 2,700 | 0.94 | 1.0-3.0 | Loss of land to new roads. No new housing. |
| 18. | C,O,E | C,O,E | 590 | 357 | 1,942 | 2,225 | 0.97 | 1.5-3.0 | Part of Speke Road Action Area. |

TABLE 5. (continued)

| Sub-sector | Main Uses | | Population | | Employment | | Plot Area Ratio | | Expansion |
|---|---|---|---|---|---|---|---|---|---|
| | Existing | Proposed | Existing | Proposed | Existing | Proposed | Existing | New Development | |
| 19. | 0 | 0 | 555 | 500 | 4,603 | 5,200 | 0.64 | 1.0-3.0 | Parliament Avenue Action Area. |
| 20. | O,C,R | O,C,R | 1,245 | 1,150 | 1,125 | 1,300 | 0.93 | 1.5-3.0 | No new housing. No new access to Kampala Road. Height restrictions. |
| 21. | O,C,R,E | O,C,R,E | 1,430 | 1,200 | 1,200 | 1,450 | 0.37 | 1.0-2.0 | No new housing. No new access to Kampala Road. Height restrictions. |
| 22. | R | O | 350 | 250 | 10 | 9,120 | - | 3.0 (min.) | Shimoni Road Action Area. |

C = Commercial. O = Office. R = Residential. E = Entertainment. T = Transport. S = Stadium.

Source: "1972 Kampala Development Plan," pp. 49-50.

or danger of explosions, or which have wastes, liquid or solid, which cannot be discharged into the general disposal systems.[15] They generally require other special precautions in siting. Because of their special characteristics, such industries must be separated from all other forms of urban development. Examples of these industries include tanneries, some types of distilleries, glue manufacturing, the production of certain chemicals.

Heavy industries. These include all industries using solid or liquid fuel for motive power or having electric motors exceeding ten horsepower in individual rating.[16] Most of these industries do essentially have individual rail access to the site.

Light industries. These are usually defined as being a group of industries which do not use solid or liquid fuels for motive power and do not have individual electric motors exceeding ten horsepower in rating.[17] The group includes laundries, bakeries, repair garages, plastics factories, joinery shops, and clothing factories.

Some of the industries under the categories of heavy and light industries do require large quantities of water so that it would be convenient and economic for them to be located on or near the lake shore. The development and future expansion of Port Bell (on lake shore of Lake Victoria), an industrial complex, are partly due to this requirement.

Service industries. These are small-scale industries which are considered desirable in association with commercial and residential areas and which are unlikely to cause nuisance or distractions. They are frequently found in association with local retail shopping centers and include dry-cleaners, small bakeries, shoe-repairers, and electric maintenance establishments.

Service industries also include the category of very small scale industry which provides employment for a man with little capital and allows him to make a start in business. This kind of business now plays a very important role in the economy of Kampala. Small workshops for such things as bicycle repairs or charcoal stone manufacturing need not be sited in the main industrial areas. They could be permitted in the high-density low-cost residential areas. Also some minor unobstructive activities on a small scale, such as tailoring, could be permitted as an ancillary use in a dwelling house.

In zoning for industrial uses (see Fig. 15), four locational standards were applied in conjunction with the industrial densities, namely,

1. Adequate transportation links for assembling and distributing products.

2. Closeness to high-density residential areas where many of the low-income workers live.

3. Dispersion of some of the non-noxious industries in various industrial zoned areas in the city. This would release population pressure just around an industrial zone and would assist in terms of shorter home-to-work and trips vice versa.

4. Reservation of flat land (with slope of 6% and less) for industrial uses.

After proper analysis it was decided that industrial densities should range from 50 to 100 workers per hectare (20 to 40 per acre), and the amount of industrial land zoned in the structure plan has been calculated on this basis.

The general policy for industrial zoning in Kampala area is that industrial areas should be suitably dispersed throughout the urban area, should be in large units, and should be sufficiently flexible in layout to

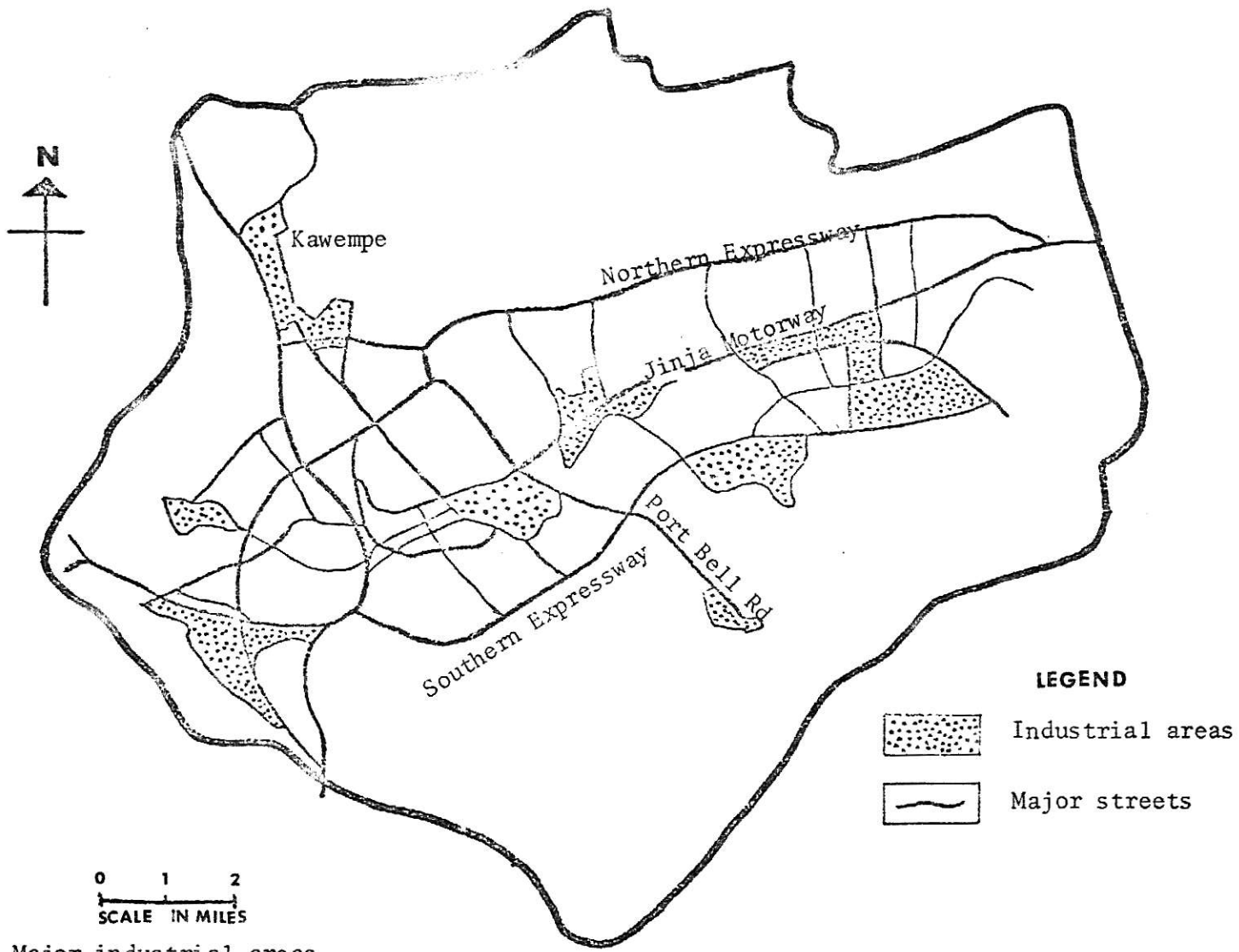


Fig. 15. Major industrial areas

Source: "1972 Kampala Development Plan,"

allow for large-, medium- and small-scale industry. Industries which are interdependent economically and technologically should be encouraged to develop in the same general area. Adequate land should be easily available at the planned location in order to stimulate industrial expansion.

Population Densities

The plan also relies very heavily on population densities in assigning the various residential zones in the city. Table 6 gives some of the residential densities on which the plan relies. These are the proposed allowed minimum and maximum densities.

Subdivision Regulations

As already stated in Chapter V, subdivision regulations are the locally adopted laws and procedures governing the process of converting raw land into building sites. In the city center and in the adjacent neighborhoods a developer or family must produce a plat or map stamped by the Department of Lands and Survey showing the open space, access roads and the whole layout of the development before permission to build is given. This is to assure harmonious development with the adjacent properties. However, much of the time enforcement of subdivision regulations is lacking.

Public Land Acquisition

A detailed background was given in Chapter VI on the circumstances which surrounded the nationalization of land in Uganda. The Land Reform Decree of 1975 was issued after the now existing Kampala Development Plan had already been adopted. There is no doubt that the issuance of this decree will minimize some of the major problems imposed by the existence of various land

TABLE 6. Residential Densities.

| Density | Minimum Density | | Maximum Density | |
|---|---|---|---|---|
| | Persons per Hectare | Persons per Acre | Persons per Hectare | Persons per Acre |
| Low | - | (-) | 30 | (12) |
| Medium-Low | 30 | (12) | 75 | (30) |
| Medium | 75 | (30) | 150 | (60) |
| Medium-High | 150 | (60) | 250 | 100 |
| High | 250 | (100) | - | (-) |

Source: "1972 Kampala Development Plan--Structural Report," p. 32.

tenure systems, and the freehold or Mailo land system. Problems related to improper subdivision of land, land fragmentation, inflated land prices, and urban land shortage were discussed in Chapter VI and it was indicated how these problems contributed to disorderly urban development. For example, one of the sample surveys carried out by the Department of Town and Regional Planning in a semi-rural settlement within the metropolitan ring of Kampala showed that over half of the private Mailo landowners had plots of land of less than 0.4 hectares (1.0 acres). Ninety-five percent had plots of less than 2.0 hectares (5.0 acres). The major problem arising from this kind of fragmentation, especially within the city limits, is that it takes place in a haphazard fashion and results in irregular-shaped plots that lack satisfactory access and are difficult to service.

Public ownership should be used within a growth control setting such that the land which is disposed of or leased is well subdivided to allow for proper access and orderly development. This would, for example, ensure the nonoccurrence of urban sprawl, overcrowding, density restrictions and other benefits of economic, safety and health conditions.

Another objective of public land ownership would be to minimize inflated land prices. This would increase, for example, the availability of land for low-cost housing, recreation and other public and private uses.

There are other anticipated gains of public land ownership, for example, in the agricultural area, such as increased productivity. However, that discussion is beyond the scope of this report.

Uganda is not the first country in Africa to exercise public land ownership at the national level. The Republic of Tanzania, Cameroon and several other nations in Africa have taken the same steps and it is likely

that various other countries will follow suit. It is important to emphasize that, in Uganda, only the rights to the use of land were nationalized, and not the developments on the land.

Conceptually, this represents a step forward, but there are a number of possible problems. The proper implementation and management of the strategy remain to be seen. Public land management has always been a big temptation for bribery among government officials.[18] Efficiency and productivity of development must not be allowed to slip as a result of the public land ownership. This will require commitment, fairness, and efficient organization and conduct of business on the part of the Uganda Land Commission, the City/Town Councils, the Department of Town and Country Planning and the officials of other various agencies which participate in the decision-making process in disposing of land to developers and families for various uses.

Annexation

As we noted in Chapter IV annexation is the process by which usually continuous fringe territory is added to an existing municipality. This technique has also been utilized in Kampala to arrest deteriorating physical conditions in the urban fringe areas. Prior to 1968 the size of Kampala city covered only 21 sq. km (or 8 sq. miles). Those areas within the city limits were generally well planned and laid out, while those areas outside the city limits grew up with much less control. Before annexation and expansion of the powers of the Kampala Town Council, some of the areas were being controlled by Mengo Municipality, Kawempe Town Board, and Nakawa Township. These local townships (see Fig. 3, p. 51), however, were very inefficient and most of the planning schemes were never implemented. Also urban developments were taking place in the adjacent parts of Kyadondo County,

where there was no planning control at all. Therefore, in 1968 the extent of the area controlled by the City Council was increased from 21 sq. km to 195 sq. km (see Fig. 3, p. 51). This was necessary to ensure that the growth policies were satisfactorily implemented and coordinated.

Placement of Capital Improvements

Placement of capital improvements such as sewer and water lines, roads, public buildings, schools and hospitals represents one of the most powerful tools for shaping the urban environment. Kampala is now served by an effective modern water supply system and sewage disposal system. But because of the increase in population and economic activity a plan entitled "Master Plans for Water Supply and Sewerage for the Greater Kampala and Jinja Areas" has been produced for the expansion of the water supply and sewerage within the future urban area of Kampala. In order to aid quick implementation of the proposals, the plan was divided into three phases:

Phase I--Immediate Needs (prior 1975)

Phase II--1975-1980

Phase III--1980-2000

The cost for Phase I, which was completed in 1975, was estimated to be shs. (U) 15.7/= million for water supply and shs. (U) 10.6/= million for sewerage.

In addition, a recommendation was made that a unified water and sewerage board be established to take over responsibility from the Kampala City Council and the Kampala and District Water Board. This recommendation was, however, superseded by the Third Five-Year Development Proposal to establish a National Water and Sewerage Board. The new proposal would fulfill the objectives of coordinating and integrating scarce engineering skills, and

would facilitate better financial administration. Furthermore, the National Board would be able to operate both inside and outside the city boundaries.

To meet the transportation needs of the residents and also to help share the existing city growth, the Kampala Development Plan proposed conversion of the radial road system into a grid road system. This was necessary in order to provide good accessibility to all parts of future city. The detailed proposals were made in a report entitled "Transportation Plan for the Kampala Area 1970-2000--Final Report." A proposed road network is presented in Fig. 16. It proposed various motorways, expressways and major highways within the planning area.

Another unique tool under capital improvements would be the development of industrial estates. For the purpose of industrial development in Uganda, an industrial estate is a development of groups of small industrial premises which can be rented to prospective industrialists. Each estate is provided with common services, both physical and managerial. It essentially began as a scheme for helping indigenous Ugandans to establish small industries. There are several such industrial estates in Kampala located at the Industrial Area near Nakawa and another one at Port Bell and Kawempe. Another larger industrial estate is being planned near Masaka Road.

There is also a proposed policy which is in its early stages of implementation whereby the public resources available for low-income housing needs are invested in large-scale sites and service schemes. The government and the city council make sites available for low-cost housing, and then provide a range of services on these sites. Services may include land clearance, roads and footpaths, water mains, main sewers, street lighting and subsidized building materials. The private market will then build the houses.

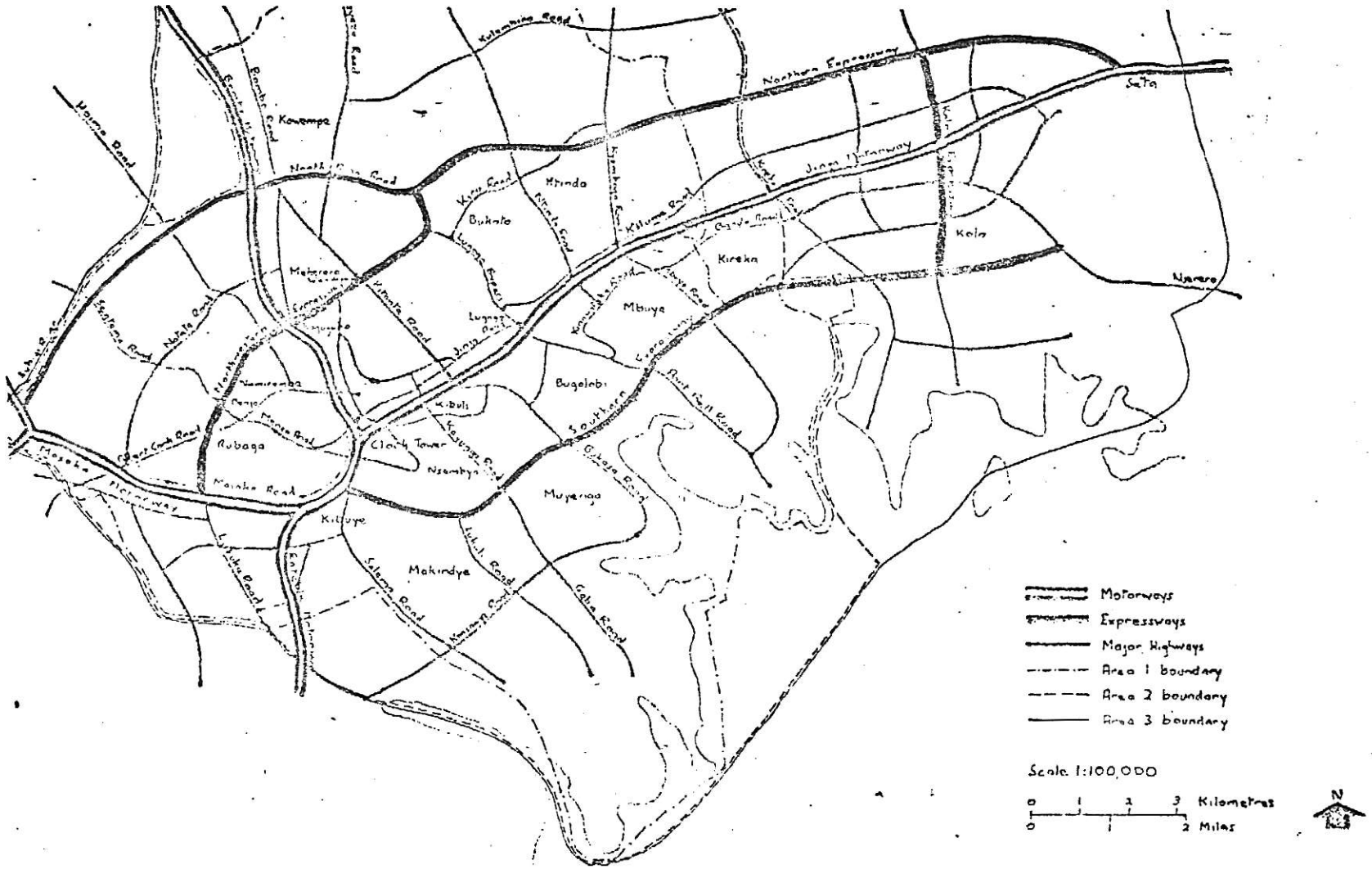


Fig. 16. Proposed grid-road system under the 1972 Kampala Development Plan

Source: "1972 Kampala Development Plan," p. 73.

Government as Financier and Developer

It was mentioned in Chapter IV that various governments in Africa directly engage in financing and development of the housing industry and commercial facilities in the urban areas. In Kampala both the national and local governments have participated in the development of such facilities at varying levels. In Kampala the National Housing Corporation (the government's main agency operating in the housing industry) completed housing units at Ntinda, Wandegeya, Bugobi and other locations in Kampala. There are also plans to develop Kireka Satellite Town and Nakasero High Density Housing Schemes in Kampala.

The Uganda Development Corporation (a national agency operating in the industrial development) has helped shape the growth of the city by a number of projects, especially at Port Bell and the Kampala Industrial Area. Projects range from meat canning and textile industries to light bulb production and assembly of refrigerators.

The National Trading Corporation, another national agency, operates in the commercial sector.

Theoretically, it is possible for such governmental land development activity to be ordered within the framework of an overall physical plan for a given community. However, in many instances public enterprises operate independently of each other and of the regulatory framework. One way of correcting this is to require, for example, the bank or a public mortgage-granting agency to assure that private housing sites and densities are in accord with city plans that do exist. This means that a city planner would have to be hired or consulted by the mortgage agency to give or deny approval for the mortgage.

Conclusion

In Kampala, metropolitan area urban planning is a new field. There is still room for improvement, and as the problems of urbanization and growth become more and more apparent to the general public more sophisticated techniques would have to be developed and enforced with probably less resistance.

New efforts ought to be made in the area of capital improvements programming. At the moment no trace can be found of this technique in Kampala. This, however, may be due to the dominance of the national government investments in the city rather than the City Council itself. At any rate, as we saw in Chapter V the investments and improvements of other governments and agencies could be accommodated in a Capital Improvement Program.

There is an urgent need to strengthen techniques which are more flexible and bonus- or incentive-oriented rather than restrictive. This would help to strengthen the economy of the city.

NOTES

[1]George Kanyeihamba, "Urban Planning Law in East Africa," in Progress in Planning, Vol. 2, Part I, p. 9.

[2]Ibid.

[3]Henry Kendall, Town Planning in Uganda (London: Crown Agents for Overseas Governments and Administrations, 1955), p. 5.

[4]Ministry of Planning and Economic Development, Uganda's Third Five-Year Development Plan 1971/2-1975/6 (Uganda: Government Printer, 1971), p. 150.

[5]Ibid.

[6]Department of Town and Regional Planning, Kampala Development Plan 1972--Structural Report (Kampala: Government Printer, 1972), p. 17.

[7]Ibid., pp. 10-11.

[8]Henry Kendall, op. cit., p. 19.

[9]Ibid.

[10]George Kanyeihamba, op. cit., p. 59.

[11]ICMA, The Principles and Practice of Urban Planning (Washington, D.C.: 1968),p. 403.

[12]Kampala Development Plan--Structural Report, p. 41.

[13]Department of Town and Regional Planning, Industrial Location, October 1966, pp. 16-30.

[14]Ibid.

[15]Ibid.

[16]Ibid.

[17]Ibid.

[18]Sylvan Kamm, Land Banking Public Policy--Alternatives and Dilemmas (Washington, D.C.: Urban Land Institute, 1970), p. 46.

# CHAPTER VIII

## CONCLUSION

This thesis has concerned itself with developing a framework for an "urban growth management program," with special emphasis on the metropolitan area of Kampala in Uganda. Materials for this deliberation have been drawn from the theory and practice of urban growth management both in Uganda and abroad.

Conclusions and guidelines to be drawn from this thesis are general in nature because of the descriptive nature of the study, and will mainly concern conditions prevailing in Uganda in general and Kampala in particular. The intention of these guidelines is to improve but not to replace the existing planning practices.

The city has been successful in establishing a planning framework that can sustain the operation of the development management system for a number of years to come. However, one weakness of the rationale is that it allows for indefinite growth of the city with less regard to timing and cost. The plan is, for example, very strong on location of the various uses, but makes only rudimentary adjustments to phased development. For example, referring to the table in Appendix IV, in the Central Zone, District I, Sector I, the plan assigns the residential density for the area to be 18 persons per acre by 1980 and also assumes that this density will be the same in 1990. In District II, Sector 1, in the same central zone the densities are 6 and 14 persons per acre, respectively. In other zones where the rate of urbanization has not yet accelerated so much, like the South Zone,

District IX, Sector 2, the plan assigns residential development to be 12 people per acre in 1980 and 80 people per acre in 1990.

There is a need to tie the development of a section or sections of the city to the adequacy of public services in those areas, which this plan overlooks. This would minimize excessive pressure on the existing facilities and consequent deterioration of quality of services.

There are various ways of trying to balance adequacy of public facilities with development. One way is to control the rate of urban development by limiting the issuance of building permits to those areas adequately served by public facilities. But before this can be done, preparation and adoption of a capital improvement program will be necessary together with a staging policy for facilities like water and sewer lines, public buildings, and roads. Without specific delineation of the range and types of improvements that should be implemented to bring about planned growth, an explicit growth policy will take a long time to emerge.

Coordination of the various programs of planned growth is very essential. This is emphasized here because, as we have already noted, a World Health Organization called "The Resources Group" prepared "Master Plans for Water Supply and Sewerage for the Greater Kampala and Jinja Areas" to the year 2000. Yet the Kampala City Council with the assistance of the Department of City and Regional Planning prepared the "1972 Kampala Development Plan," which contains, among other things, the zoning proposal, and yet no capital improvement program was prepared. Problems such as this make it difficult to bring about planned growth management. There is a need to centralize the programming of capital improvements at the city level.

Despite the fact that the emerging growth policies of Kampala stipulate in clear terms their goals and objectives, there has been a lack of

impact assessment on the various growth options. Fiscal, public service capacity, population, economic base, environmental and social impact analyses play a vital role in formulating future growth policies. They are intended to clarify the likely advantages and disadvantages of development, enabling officials and administrators to act more confidently to accept or deny a proposal.[1] They can save the public unnecessary costs. In the Kampala Development Plan an attempt has been made to focus on the impact of various growth options on population and employment levels. However, the city has not satisfactorily analyzed the "economies of scale" of various development projects, fiscal systems, environmental policies and social impact assessment, as described in Chapter III.

Talking about intergovernmental relations for policy planning, we see that Uganda is characterized by a strong centralized government structure at the national level. The growth policies for the local communities filtrate from the top levels of government instead of vice versa. Consequently, the lower levels of government at the local level are not delegated enough administrative, legal, and fiscal powers from the national government. But it is a known fact that people and leaders in a local community are more aware of and affected by the various policies in their areas than people who do not live in that area. There is a need to try to integrate the decision-making machinery as well as the implementation of local growth management techniques at the local level of government. Although most of the local urban authorities suffer from deficiencies of technical staff and fiscal incapabilities, the national government can fill in the gap by training some of the technical staff at the local level. Delegation of fiscal, legal and administrative powers could be fulfilled in various ways including delegation

of powers to tax, issue bonds, buy and sell shares, grant building permits, make special assessments, and regulate other planning functions.

Delegating more powers to the local levels of jurisdiction would also make it possible to develop programs and projects which are community-oriented rather than sectional. This would result in more attention being paid to the needs of all local jurisdictions instead of being concentrated in the center.

There is also a need to establish data bases at the citywide and other subnational levels to aid in proper planning. The Statistics Division of the Ministry of Planning and Economic Development has done a good job in providing disaggregated data from the population censuses. However, there is much to be done, especially in the area of establishing Block Statistics such as census tracts in the various urban areas and providing maps for these tracts in their publications. There is a need to widen the scope of the census to include areas like housing, income levels, and employment. For example, under housing, the census data should be able to provide information on the number of dwelling units in a tract, size of structures, level of deficient structures in a tract (e.g., number and percentage of dwelling units or structures lacking plumbing or sanitary facilities), information on whether the structure is occupied by the owner or rented and other areas. This would make it possible to establish a proper data base for planning purposes.

There is still room for incorporation of a great many specific land use and growth management techniques in the growth management programs. There is an urgent need to embark on the preparation, adoption and implementation of an integrated capital improvement program on a citywide basis. As already indicated, this would be tied up with the provision of capital improvements to bring about better-managed controlled growth in the city.

Another technique worth mentioning here is cura, which was developed in Brazil and has been adopted by some communities there. Research should be done on the applicability of the cura concept in major cities of the developing countries, Uganda included. The cura concept includes various stages. First of all, a plan is prepared for a specific section in the city or the fringe areas by the experts, the construction of which is financed through a government agency, say a bank. The money is paid back to the agency by levying a betterment tax on all the properties within the area. This can be an effective tool for orderly land development and can also serve as a demonstration project for the citizenry who directly participate in its preparation, financing, and implementation. Secondly, it can serve to put scattered resources of various individuals who otherwise would not spend their resources on productive uses. Thirdly, it would minimize taxpayer's money being spent on privately owned projects sponsored by financially well-backed developers.

The various levels of government should also assist the private sector in large projects like planned unit developments through cluster concept of zoning. This offers the developer flexibility in designing the site as long as an overall density restriction and other requirements for improvement are met.[2] The ultimate goal of a planned unit development is an entire self-contained little community with the rules of density controlling the relation of private dwellings to open space, commercial establishments, schools, churches, and other uses.[3]

Because of lack of investment in certain areas such as low-cost housing, growth techniques like bonus and incentive zoning which attract rather than prevent certain types of development ought to be considered.

For example, a developer could be allowed more density for any type of development if he could offer additional open space or construct a certain number of low-cost dwellings in a particular section of a city. Other positive techniques such as placement of capital improvements and facilities, with the government serving as the financier and developer, have been widely used in Ugandan cities to provide some of the community facilities.

As we have already noted, the conditions in most of the major cities are changing so that it is now more difficult for the government to finance developments in the cities, as a result of increased demand for facilities and services. This demand is brought about by the rapid growth of cities due to rural-urban migration and natural increase. Also, there is the desire of the indigenous people to run affairs, including the economic activities of their cities. This attitude has been greatly enhanced by the post-independence governments through, for example, Ugandanization of the civil service, economy and other fields.

The desirability of private-sector investment does not conflict with the 1975 Land Reform Decree, which made all the land in the country state-owned. In a way, this will make it easier for the private sector to operate without undue burden from the urban land shortage, inflationary land prices, and uncontrolled urban development. As already indicated, the Uganda Land Commission and other organizations that administer land disposal should be able to work efficiently, effectively and fairly with all the parties.

Standards or a set of formulas need to be established which provide for disposal of land within a growth control strategy. For example, in a certain area which is ready for development, the density requirements for the dwelling units, open spaces, commercial establishments and the like

should be established in advance so that leaseholds to land are granted on that basis. In this case, a zoning plan or scheme would assist in bringing the land disposal requirements in conformity with the growth control strategy.

Another aspect which ought to be dealt with in the process of land disposal is the development of standardized rates or fee schedules for the various uses and users, whether public bodies, parastaral bodies, charity organizations, individual families, or private companies. Rates established in advance would enable consistency in distributing the land and would minimize anxiety on the part of the users.

Another aspect which deserves special attention on the part of the government is regionalism in planning. It was noted in Chapter IV that in order to bring about proper ordering of human activities in supra-urban space, there is a need to correlate the boundaries of provinces, districts and countries as closely as possible with the planning criteria. The concept of polarization rather than homogeneity would be more applicable in the case of the Kampala metropolitan area. The idea of the 1964 U. N. Mission regarding the creation of a Kampala-Mengo region should be given more serious thought before it is abandoned. As was indicated, the Mission recommended the integration of development policies of Kampala City with those of surrounding territories including Entebbe Municipality. The same model could be applicable to other urban areas in the country.[4]

Consideration should be given to citizen participation in the planning process. Hitherto, the public has been excluded from the process. Involvement has been limited to the professional organizations, scholars, and the economic associations like the Uganda Chamber of Commerce. There is a need to devise a constructive strategy or method of bringing about more citizen

involvement in making the plans. This is necessary because the more the general public is educated about the specific land use controls and the general planning process, the easier it will be to implement and enforce them. Citizen involvement in the general planning process should benefit the whole population rather than special-interest groups. There are various examples where errors were made in the past because the general public was not consulted during the planning process. As we noted before, the adoption of the "Mailo land policy and crown land policy" was a result of misconceptions about the prevailing landholding systems. Also the 1930 and 1951 planning schemes for Kampala included no citizen involvement, the result of which was exclusionary zoning against the "majority." There are various approaches for involving citizens in the decision-making process including advertisement on the radio, TV, newspapers and pamphlets. Also participation could be sought from the councillors/councilmen and other representatives, and more effectively through public hearings. Citizen involvement should be sought right at the beginning of the preliminary formulation of goals and objectives of the various policies up through the implementation stages. And since planning is a continuous process, it is only logical that citizen participation should be sought whenever there are major adjustments to be made in the policies.

Another aspect which has to be given more serious attention is the role of an effective urban land market not only in shaping the future layout of the city but also in increasing economic investments in the city. As was explained in Chapter II, part of the reason for lack of a mature urban land market was the unmarketability of land titles arising from the various land tenure systems. The eradication of these various land tenure systems and the

creation of the national Land Commission will not by themselves either eliminate the shortage of urban developable sites or induce the public sector to invest in land development projects. The government should assist in development of credit facilities for families and companies through various financial institutions like banks for real estate development. "In addition to savings and loan associations the government (at either level) should establish first and second mortgage banks to ensure easy flow of capital into real estate development."[5]

It is hoped this thesis has uncovered some of the fundamental and broad changes which ought to be made by the various levels of government in formulating and implementing an urban growth program or policy especially for the metropolitan region of Kampala. Failure to study and adopt policies that are relevant to the local conditions would only rob our urban areas of their good qualities.

## NOTES

[1]Phillip S. Schaenman and Thomas Muller, "Land Development: Measuring the Impacts," in Management and Control of Growth, Vol. II, (Washington, D.C.: Urban Land Institute, 1975), p. 495.

[2]Steve Carter, "Local Government Techniques," in Management and Control of Growth, p. 346.

[3]Ibid.

[4]See "Kampala-Mengo Regional Planning Studies 1964-1966," by U. N. team of experts and Department of Town and Regional Planning in Kampala.

[5]United Nations, Urban Land Policies and Land-Use Control Measures, Vol. I: Africa (New York: Department of Economic and Social Affairs, 1973), p. 49.

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# APPENDICES

# APPENDIX I

## MEASURES FOR EVALUATING THE IMPACT OF LAND DEVELOPMENTS

| IMPACT AREA[1] | MEASURE |
|---|---|
| *I. Local Economy* | |
| | 1. Net change in government fiscal flow (revenues less operating expenditures and annualized capital expenditures). |
| | 2. Number of new long-term and short-term jobs provided. |
| | 3. Change in numbers and percent employed, unemployed, and underemployed. |
| | 4. Change in property values. |
| *II. Natural Environment*[2] | |
| | 5. Change in level of air pollutants and number of people at risk or bothered by air pollution. |
| | 6. Change in level of water pollutants, change in tolerable types of use, and number of persons affected—by each body of water. |
| | 7. Change in noise and vibration levels, and number of people bothered by excessive noise and vibration. |

8. Amount and percent change in greenery and open space—on the development site itself and in the community.

9. Number and types of endangered or rare species that will be threatened.

10. Change in abundance and diversity of wildlife (or the amount and percentage of habitats threatened).

11. Change in frequency, duration, and magnitude of shortages (of energy and fuel, or whatever resources happen to be in critically short supply), and the number of persons affected.

12. Change in number of people and value of property endangered by flooding, earthquakes, land slides, mud slides, and other natural disasters.

*III. Aesthetics and Cultural Values*[3]

13. Number of people whose views are blocked; degraded; or improved.

14. Visual attractiveness of the development as rated by citizens and "experts."

15. Percent of citizens who think the development improves or lessens the overall neighborhood attractiveness, pleasantness, and uniqueness.[4]

16. Rarity and perceived importance of cultural, historic, or scientific landmarks to be lost or made inaccessible.

*IV. Public and Private Services*

17. Change in rate of water shortage incidents.

18. Change in indexes of drinking water quality and safety.

19. Change in number and percent of citizens who are beyond x minutes travel time from a hospital emergency room (using such time as the community considers reasonable).

20. Change in average number of days of waiting time for hospital admittance for elective surgery.

21. Change in rate of crimes in existing community and in the development area.

22. Change in percent of people feeling a lack of security from crime.

23. Change in fire incidence rates.

24. Change in rating of fire spread and rescue hazards.

25. Change in the number of people within—or beyond—a reasonable distance (x miles or y minutes) from recreational facilities—by type of facility.

26. Change in usage as a percent of capacity; waiting times, number of people turned away; facility space per resident; and citizen perceptions of crowdedness at recreational facilities.

27. Change in perceived pleasantness of recreational experience.[5]

28. Change in number of students within x minutes walk or y minutes ride from school, by type of school.

29. Number of pupils having to change busing status (from walking to busing or vice versa).

30. Change in crowdedness "breakpoints" (such as change in number of shifts) or indicators (such as change in student-teacher ratios); student, teacher, and parent perceptions of crowdedness and pleasantness of school.[8]

31. Change in vehicular travel times between key origins and destinations.

32. Change in duration and severity of delays during peak-hour congestion.

33. Change in likelihood of finding a parking space within x distance from destination.

34. For *residential development*: Percent of residents who can get to work within x minutes by public transportation that comes within y distance of their residence. For *commerical-industrial development*: Percent of employees or shoppers who can get within y distance of the development by an x-minute ride on public transportation.

35. Change in the rate of traffic accidents (or change in expert rating of hazard presented).

36. Number and percent of citizens perceiving a change in neighborhood traffic hazard, and change in pedestrian usage of streets; sidewalks, and other outdoor space.[6]

37. Change in number of stores and services (by type) available within x distance of y people.

38. Change in the percent of people generally satisfied with local shopping conditions (access, variety, crowdedness).[4]

*V. Housing and Social Conditions*

39. Change in number and percent of housing units that are substandard, and change in number and percent of people living in such units.

40. Change in number and percent of housing units by type (price or rent range, zoning category, owner-occupied and rental, etc.) relative to demand or to number of families in related income classes in the community.

41. Number of residents, or workers, displaced by development—and by whether they are satisfied with having to move.

42. Change in the population distribution by age, income, religion, racial or ethnic group, occupational class, and household type.

43. Change in percent of people who perceive their neighborhood as too crowded.[8]

44. Change in frequency of visits to friends among people in the existing neighborhood after the new development occurs, and frequency of visits between people in the existing neighborhood and the new development (primarily for retrospective evaluations).

45. Change in percent of people perceiving the neighborhood as friendly.[8]

46. Number and percent of people with change in "visual" or "auditory" privacy.

47. Number and percent of people perceiving a loss of privacy.[8]

48. Change in percent of people who perceive their community as a good place to live.[8]

Most of the above measures are applicable when the changes are reported by the specific clientele groups or population segments that are affected.

**THE FOLLOWING PAGES ARE BADLY SPECKLED DUE TO BEING POOR QUALITY PHOTOCOPIES.**

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# APPENDIX II



## THE LAND REFORM DECREE, 1975

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ARRANGEMENT OF SECTIONS

Section


1. All land to be public land.
2. Abolition of tenures greater than leasehold.
3. Customary tenure on public land.
4. Sales, transfers of customary tenures.
5. Fresh acquisition of customary tenures.
6. Unlawful occupation of land.
7. Termination of customary tenures on conversion.
8. Rents and other conditions to be covenants.
9. Definition of unused land.
10. Lessee may transfer interest.
11. Protection of parties to transactions affected by Decree.
12. Administrative jurisdiction of Commission.
13. Lands Tribunal.
14. Lands Appeal Tribunal.
15. Regulations.
16. Interpretation.
17. Commencement.

THE LAND REFORM DECREE, 1975.

A Decree To Provide For The Vesting Of Title To All Land In Uganda In Trust For The People Of Uganda, To Facilitate The Use Of Land For Economic And Social Development And For Other Matters Connected Therewith.

1. (1) With effect from the commencement of this Decree, all land in Uganda shall be public land to be administered by the Commission in accordance with the Public Lands Act, 1969, subject to such modifications as may be necessary to bring that Act into conformity with this Decree.

(2) Without prejudice to the generality of subsection (1) of this section, the following provisions of this Decree shall have effect with respect to the tenure and use of land in Uganda.

2. (1) There shall be no interest in land other than land held by the commission which is greater than a leasehold, and accordingly, all freeholds in land and any absolute ownership, including mailo ownership, existing immediately before the commencement of this Decree are hereby converted into leaseholds.

(2) Any interest converted by subsection (1) of this section shall be deemed, with effect from the said commencement, to be a leasehold granted by the Commission without the payment of a premium and accordingly, any other interests purchased, derived or otherwise held by grant under the interest so converted, are hereby also converted into sub-leases, subject to such terms and conditions which the Commission impose in relation thereto under the Public Lands Act, 1969:

Provided that the following shall not convert into subleases, that is to say,

(a) any holding on mailo land under the Busulu and Envujo Law; and

(b) any holding under the freehold system created by the Ankole Landlord and Tenant Law and the Toro Landlord and Tenant Law.

(3) The freeholds and ownerships, including the mailo ownership, as hereby converted shall, notwithstanding anything to the contrary, be for leaseholds for a period,

(a) in the case of public bodies, religious organisations and other charitable organisations, of one hundred and ninety-nine years; and

(b) in the case of individuals, of ninety-nine years, and

any other holdings thereunder shall be one day or more than one day less than such leasehold.

(4) For the avoidance of doubt, the period of any leasehold granted by the Commission, and in existence before the commencement of this Decree, shall not be affected by anything contained in this Decree.

(5) The Public Lands Act, 1969, shall, with effect from the commencement of this Decree, be construed as if the references in section 19 to the power to sell public land and to make grants in freehold together with all related provisions, have been deleted therefrom.

3. (1) The system of occupying public land under customary tenure may continue and no holder of a customary tenure shall be terminated in his holding except under terms and condition imposed by the Commission, including the payment of compensation, and approved by the Minister having regard to the zoning scheme, if any, affecting the land so occupied, and accordingly, the Public Lands Act, 1969, shall be construed as if subsection (2) of section 24 thereof has been deleted therefrom.

(2) For the avoidance of doubt, a customary occupation of public land shall, notwithstanding anything contained in any other written law, be only at suffrance and a lease of any such land may be granted by the Commission to any person, including the holder of the tenure, in accordance with this Decree.

(3) Without prejudice to the generality of subsections (1) and (2) of this section, tenancies on land held immediately before the commencement of this Decree,

(a) as mailo land subject to the Busulu and Envujo Law; or

(b) by the freehold system under the Ankole Landlord and Tenant Law and the Toro Landlord and Tenant Law, respectively, may continue after such commencement subject to the following,

(i) the conversion of any such tenancy into a customary tenure on public land, but without the payment of busulu envujo or the customary rent required by the laws referred to under paragraph (b) of this subsection;

(ii) the development needs of the lessee on conversion with respect to the land, as approved by the Commission under section 8 of this Decree, based upon the most economic use of the land within the requirements of the zoning scheme affecting the land if any;

(iii) such conditions as the Commission may, having regard to the zoning scheme affecting the land, impose; and

(iv) the payment of compensation, where the tenancy is terminating at the instance of, or to satisfy the said development needs of the lessee on conversion, by such lessee, and in the case of a resumption, by the Commission, subject to the Public Land (Compensation for Resumption) Act; 1965.

(4) The following laws shall cease to have effect in any part of Uganda, namely,

(a) the Busulu and Envujo Law;

(b) the Ankole Landlord and Tenant Law; and

(c) the Toro Landlord and Tenant Law.

4. (1) A holder of any customary tenure on any public land may, after notice of not less than three months to the prescribed authority or of any lesser period as the said authority may approve, transfer such tenure by sale or gift inter vivos or otherwise, subject to the condition that such transfer shall not vest any title in the land to the transferee except the improvements or developments carried out on the land:

Provided that in the case of a transfer by succession, whether testate or intestate, the notice to the said authority shall not be required.

(2) Any agreement or transfer by the holder of a customary tenure purporting to transfer a customary tenure as if it were actual title to land shall be void and of no effect and, in addition, the person purporting to effect such transfer shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

5. (1) With effect from the commencement of this Decree, no person may occupy public land by customary tenure except with the permission in writing of the prescribed authority which permission shall not be unreasonably withheld:

Provided that the Commission may, by statutory order, specify areas which may be occupied by free temporary licence which shall be valid from year to year until revoked.

(2) Any agreement or transfer purporting to create a customary tenure of land contrary to subsection(1) of this section shall be void and of no effect and, in addition, the person purporting to effect such transfer shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(3) Upon the conviction of any person under subsectuib (2) of section 4 or subsection (2) of this section, the court shall, in addition to the penalty prescribed in each subsection, order the refund of anything paid as purchase price to the person by whom such payment was made.

6. (1) It shall be an offence under this Decree to occupy land unlawfully.

(2) A person shall be guilty of occupying land unlawfully if, having no grant of title to that land, he occupies that land after the commencement of this Decree, otherwise than as provided in section 5 of this Decree.

(3) An offence under this section shall be punishable by a fine not exceeding two thousand shillings or by term of imprisonment not exceeding one year or by both such fine and improvement carried out by the offender shall be forfeited to the owner of the interest adversely affected thereby.

7. (1) A lessee on conversion may not terminate any customary tenure on his leasehold without sufficient notice in writing, being not less than six months addressed to the holder of the tenure or his representative, with a copy to the Commission.

(2) Any dispute over the sufficiency of any notice required by subsection (1) of this section may be referred to the Commission by either party for decision.

(3) In deciding whether any notice is sufficient or not, the Commission shall take into account the extent of any developments carried out on the land in question by the holder of the customary tenure and whether such developments are consistent with the zoning scheme, if any, affecting the land.

(4) Where any customary tenure is terminated either by a lessee on conversion or by resumption, the Commission shall, as far as possible, resettle the holder of such tenure.

(8) (1) Any terms and conditions, including the payment of rent and royalties, which the Commission may, pursuant to section 2 of this Decree impose, shall be deemed to be covenants to be observed by the lessee on conversion upon the breach of which the Commission may, as the case may be apply the re-entry procedure laid down in section 32 of the Public Lands Act, 1969, or the provisions of sections 34 to 36 inclusive, and section 38 of that Act, in each case with such modifications as the circumstances of each case may require and a sub-lease shall be construed accordingly:

Provided that the period of unuse in respect of land for which re-entry or, as the case may be, forfeiture may apply under this section shall, in the case of individuals, be eight years, unless sufficient cause is shown and in the case of public bodies, religious organisations and other charitable organisations, for the whole period of the lease unless the land is required earlier for another public purpose.

(2) Rents and royalties for leases on conversion shall, as far as possible, be the same as for those on other public land of comparable value except that in the case of public bodies, religious bodies and other charitable organisations, the rents or royalties shall be nominal only.

(3) For the purposes of subsection (1) of this section, a lessee on conversion may submit to the Commission a plan for the use of his land, and the Commission may at any time require a lessee on conversion to provide the Commission with any information in writing, concerning the use or proposed use of any land held by him and the Commission may make an order prohibiting the use or proposed use of any land contrary to the zoning scheme affecting the land, if any, or such similar orders as the Commission may deem necessary, and any period during which land is used contrary to any order made under this section, shall be deemed to be a period of unuse in respect of that land.

(4) A plan for the use of land and the information which the Commission may require under this section shall include the following,

(a) The area of land to be covered by the plan or proposed use and the period of time involved;

(b) the number of sub-lessees, holders of customary tenures and other encumbrances attaching to the land.

9. (1) Without prejudice to subsection (3) of section 8 of this Decree, a piece of land shall be deemed to be an unused land if it is not occupied by customary tenure or developed substantially in fulfilment of the objects or purposed for which any lease or sub-lease has been granted.

(2) For the purposes of this section, the lessee on conversion shall be deemed to have applied for, and been granted, the lease for the purposes for which the zoning scheme affecting the land, if any, require, except that any use of the land by the holder of a customary tenure not objected to by the lessee shall, notwithstanding that such use is contrary to the zoning scheme be deemed to be a proper use of the land until such lessee decides to apply the land whether personally or otherwise to the actual requirements of the zoning scheme affecting the area.

(3) For the purposes of this section, where there is any doubt as to whether any land is unused or not, the procedure for entry and inspection provided for in section 34 and 35 of the Public Lands Act shall mutatis mutandis apply to the resolution of that doubt.

10. A lessee on conversion may, with the consent in writing of the Commission, transfer the whole of his lease for value.

11. (1) Where the Commission intends to re-enter a demised land or forfeit any lease, it shall first give notice in writing, of not less than three months, by way of a General Notice in the Gazette, or in any newspaper circulating in Uganda, to all encumbrancers of such land including any banks or financial institutions specified by the lessee in the information required under subsection (3) of section 8 of this Decree, and at the address of any such encumbrancer shown in the register of titles and such encumbrancers may take such lawful steps as provided for in the agreement creating the encumbrance and subject to any written law regarding such encumbrance to enforce their interests in the land.

(2) An encumbrancer who wishes to enforce his interests in any land pursuant to subsection (1) of this section shall give notice to the Commission indicating the steps he intends to take in such enforcement, and the Commission shall permit such enforcement if it is not inconsistent with any terms and conditions imposed by the Commission or with the zoning scheme affecting the land, if any.

(3) For the avoidance of doubt, notwithstanding the conversions effected by or in consequence of this Decree, nothing therein shall be taken as reducing the value of any land affected thereby for the purpose of any transactions for which such land serves as security.

12. (1) The Commission shall decide any disputes under this Decree between parties, other than the Commission, concerning the payment of compensation and the sufficiency of notice in accordance with the rules of natural justice.

(2) Any party dissatisfied with any decision of the Commission under subsection (1) of this section may within thirty days appeal to the Lands Tribunal.

13. (1) There is hereby established a Lands Tribunal which shall consist of a Magistrate or other advocate of not less than two years' standing as chairman and two other persons all of whom shall be appointed by the Attorney-General in consultation with the Chief Justice.

(2) An appointment under subsection (1) of this section may be general or for any particular province.

(3) The Tribunal shall, in addition to the appellate jurisdiction conferred on it by section 12 of this Decree, have such original jurisdiction, including the settlement of disputes to which the Commission is a party, as may be prescribed.

(4) The Minister may, by statutory instrument, and in consultation with the Attorney-General, regulate the procedure of the Tribunal.

14. (1) An appeal shall lie from the decision of the Lands Tribunal to a Lands Appeal Tribunal which shall consist of three Judges of the High Court one of whom shall be chairman.

(2) The decision of the Lands Appeal Tribunal on any appeal shall be final notwithstanding anything contained in any other written law to the contrary.

(3) The chairman and other members of the Lands Appeal Tribunal shall be appointed by the Chief Justice.

(4) The Chief Justice may, by statutory instrument, regulate the procedure of the Lands Appeal Tribunal.

15. The Minister may, by statutory instrument, make regulations,

(a) providing for the original jurisdiction of the Lands Tribunal;

(b) prescribing anything required to be prescribed under this Decree; and

(c) generally for the better carrying into effect the provisions and principles of this Decree.

16. In this Decree, unless the context otherwise requires,

"Commission" means,

(a) the Uganda Lands Commission, in relation to grants of leases and the payment of compensation for resumption of public land; and

(b) includes any prescribed authority in relation to subleases, temporary occupation licences and customary tenures;

"lessee on conversion" means the holder of any lease resulting from the conversion of a freehold or absolute ownership by virtue of section 2 of this Decree;

"Minister" means the Minister responsible for land;

"premium" means the consideration for the grant of a lease by the Commission;

"prescribed" means prescribed by regulations made under this Decree;

"public body" has the same meaning assigned to that expression in Schedule 4 to the Public Lands Act, 1969.

17. Section 6 of this Decree shall be deemed to have come into force on the 7th day of May, 1975.

THE PUBLIC LANDS ACT, 1969. (Act 13/1969)

An act to make provision for the vesting, control and management of public lands, for other matters relating to the date Land Commission and Land Committees, and for matters incidental to and connected with the matters aforesaid.

DATE OF ASSENT: 20th March, 1969.

Date of Commencement : 28th March, 1969.

Be IT ENACTED by the President and the National Assembly, in this present Parliament assembled, as follows:—

PART I—THE LAND COMMISSION, AND LAND COMMITTEES.

1. It is hereby declared that, subject to the provisions of this Act, all rights, titles, estates and interests in land and all other rights, claims, obligations and liabilities vested in the Commission immediately before the commencement of this Act, shall upon such commencement continue to be so vested for the same estate or interest and to the same extent as they were previously vested.

2. (1) The Land Commission shall be a body corporate with perpetual succession and common seal, and may sue and be sued under the name of the Uganda Land Commission.

(2) The commission shall perform its functions subject to the Constitution and in a manner consistent with the provisions of this Act.

3. A person shall not qualify for appointment as a member of the Commission if he is a member of the National Assembly or a member of a District Council or Urban Authority Council.

4. (1) The Chairman of the Commission shall be appointed by th e President from among the members thereof.

(2) The President may appoint a public officer to be the secretary of the Commission, an officer but not a member thereof, and shall conduct its correspondence, keep its records and perform such other functions as it may direct.

5. (1) The president may at any time terminate the appointment of the Commission for inability to perform the functions of his office or for any other sufficient cause.

(2)

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THIS IS THE BEST IMAGE AVAILABLE.

(2) The office of a member shall, if such member's appointment has not been earlier terminated, become vacant at the expiration of a period of five years from the date of his appointment.

6. (1) The chairman of the Commission shall preside at all meetings of the Commission at which he is present and shall have a casting as well as a deliberative vote.

(2) In the absence of the Chairman from any meeting of the Commission, the members present shall elect one of their number to preside at that meeting, and the member so elected shall have the powers and perform the duties of the Chairman, save that he shall not have a casting vote.

(3) At any meeting of the Commission three members shall constitute a quorum and decision of the majority of the members present and voting at any meeting of the Comission, shall be deemed to be the decision of the Commission.

(4) Subject to the provisions of this Act, the Commission may regulate its own procedure.

7. (1) The common seal of the Commission shall be authenticated by the signature of the Chairman, or of some other member authorised in that behalf by the Commission, and of the secretary.

(2) Any order or decision of the Commission may be signified on its behalf under the hand of,

(a) the Chairman; or

(b) any other member thereof authorised by it to act in that behalf; or

(c) the secretary.

(3) Any instrument or contract, other than an instrument or contract relating to land, which, if executed or entered into by a person not being a body corporate, would not require to be under seal may be executed or entered into on behalf of the Commission by any member, officer or agent thereof generally or specially authorised by the Commission in that behalf.

(4) Every document,

(a) purporting to be an instrument executed or issued by the Commission and to be sealed with the common seal thereof autenticated in the manner provided in subsection (1) of this section; or

(b) purporting to be an order or decision of the Commission and to be signified in the manner provided in subsection (2) of this section

(c) purporting to be an instrument or contract of the of the kind mentioned in subsection (3) of this section and to be executed or entered into on behalf of the Commission in the manner provided in that subsection,

Shall receive in evidence and shall be presumed to be so executed and entered into on behalf of theCommission without further proof, until the contrary is shown.

8. For the purpose of performing its functions under the Constitution and this Act, the Commission may, subject to the provisions of subsection (1) of section 19 of this Act,

(a) acquire by purchase or otherwise or hold land and rights easements or interests therein;

(b) erect, alter, enlarge, improve or demolish any building or other erection on any land held by it;

(c) sell, lease or otherwise deal with the land held by it;

(d) cause surveys, plans maps, drawings and estimates to be made by or through its officers or agents; and

(e) do and perform all such other acts, matters and things as may be necessary for or incidental to the exercise of those powers and the performance of those duties.

9. All expenses incurred by or on behalf of the Commissio n in connection with or incidental to the performance of its functions under this Act shall be defrayed from moneys provided by Parliament.

10. (1) It shall be the duty of the Commission in the performance of its functions under the Constitution and this Act to conform with the policy of the Government in relation to land matters.

(2) The Minister may, without prejudice to any other powers he may have under this Act, give to the Commission generally or in particular cases such directions as appear to him requisite to ensure compliance with the provisions of subsection (1) of this section, and the commission shall give effect to any such directions.

11. (1) There shall be for each District a Land Committee consisting of not more than eight or less than four members appointed by the Minister.

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(2) The chairman of every Land Committee shall be appointed by t the Minister from among the members thereof.

12. (1) A member of a Land Committee shall,

(a) hold office for such period and subject to such conditions, including conditions as to payment of allowance and other remuneration, as the Minister may, by statutory instrument direct; and

(b) at the expiration of the period of appointment, be eligible for reappointment.

(2) If any member of land Committee,

(a) dies;

(b) resigns;

(c) ceases to be a member by effluxion of time;

(d) is absent without the Minister's permission for a continuous period exeeding three months from the District of which Land Committee he is a member;

(e) is declared a bankrupt or enters into any composition with his creditors;

(f) is convicted of any crime involving moral turpitude; or

(g) is in the opinion of the Minister unable, by reason of any mental or physical infirmity, to perform the duties of a member of the Committee;

there shall be deemed to be a vacancy in the membership of that land committee and the Minister shall appoint another person to be a member thereof in place of such member.

13. (1) The secretary of a Land Committee shall be the District Commissioner or his representative.

(2) The secretary of Land Committee shall be an officer but not a member thereof and shall conduct its correspondence, keep its records and perform such other duties as it may direct.

14. (1) The chairman of a Land Committee shall preside at all meetings of the Committee at which he is present and shall have a casting as well as deliberative vote.

(2) In the absence of the chairman from any meeting of Land Committee the members present shall elect one of their number of preside at that meeting, and the member so elected shall have the powers and perform the duties of the chairman, save that he shall not have a casting vote.

(3) At any meeting of a Land Committee four members shall constitute a quorum.

(4) A decision of the majority of the members present and voting at any meeting of a Land Committee shall be deemed to be the decision of that Committee.

15. All expenses incurred b or on behalf of a Land Committee in connection with or incidental to the performance of its functions under this Act shall be defrayed from moneys provided by Parliament.

16. The functions os a Land Committee shall be to assist the Commission in an advisory capacity on any matters relating to land which may be referred to it and to perform such other functions as may be delegated to it by the Minister.

17. Subject to the provisions of this Act, a controlling authority shall have full power to grant estates and create rights or interests in and to manage, dispose of and otherwise deal with the estate or interest in public land vested in it.

18. The purpose for which public land in rular areas may be alienated shall include,

(a) (a) the construction of residential houses and the carrying on a subsistence farming, where the land required does not exceed fifteen acres;

(b) The carrying on of small-scale commercial farming or other small-sdale commercial undertaking, where the land required is more than fifteen acres but does not exceed one hundred acres; and

(c) the carrying on of large-scale farming or other large -scale commercial undertaking, where ther land required exceeds one hundred acres.

19. (1) A controlling authority shall not without the prior consent in writing of the Minister,

(a) sell any land heldoby it; or

(b) demolish any buildings or other erections on any land held by it; or

(c) make a grant of public land in freehold; or

(d) grant a lease of public land outside an urban area to a person who is not an African citizen of Uganda; or

(e) grant a lease of public land outside an urban area where such land or any part thereof is occupied by a person or persons holding by customary tenure; or

(f) grant more than five hundred acres of public lnd in lease- to any one person, either b a single grant or by a series of grabts;

(g) grant a lease or otherwise dispose of any public land declared to be a National Park under the provisions of the National Parks Act.

(2) A consent required to be given by the Minister for the purposes of this section may be given either generally for any class of cases or for any class of cases or for any particular case.

(3) Where,

(a) a grant to which the provisions of paragraph (c) or (d) of subsection (1) of this section apply is made to a body corporate the members of which are all African citizens of Uganda; and

(b) the membership of that body subsequently ceases to be entirely of African citizens of Uganda, the rights of the body corporates under the grant shall forth with revert to the controlling authority, unless the Minister otherwise directs in writing.

(4) Where the rights fo a body corporate revert to a controlling authority under the provisions of subsection (3) of this section, the Attorney?General, the body corporate, the controlling authority or any person claiming to have suffered damage as a result of the reversion may refer the matter to the High Court; and on any such reference a judge matter to the High Court may make such order as he considers the justice of the case requires for the payment of compensation by any person or authority to any other person, but,

(a) no such order shall affect the reversion of the body corporate's rights to the controlling authority; and

(b) no person or authority shall be ordered to pay compensation unless he or it has been given an opportunity to be heard.

(5) In this section the expression "African" means a person who is a member of an indigenous African tribe or community of Uganda or a body corporate entirely composed of such persons.

20. (1) Where the Commission makes a grant of public land in freehold, it may impose conditions restricting the sub-sequent user and subsequent dispositions of the land.

(2) Where public land has been granted in freehold under the former laws subject to conditions restricting the subsequent user and subsequent dispositions of the land, the conditions shall be deemed always to have been valid and shall have effect as if they had been imposed under the provisions of subsection (1) of this section; and where any such condition requires a consent to be given or any other function to be exercised by the Governor, the consent may be given or the functions exercised by the Minister.

(3) Where public land which has been granted in freehold subject to a condition of the kind mentioned in subsection (1) or (2) of this section is used or disposed of in breach of the condition, the attorney-General may apply to the High Court for the grant to be foreited; and the High Court may, on any such application, make such order for the forfeiture of the grant or otherwise as it thinks proper.

(4) Where a grant of public land in freehold is forfeited under the provisions of subsection (3) of this section, the land shall forth be vested in the Commission in freehold.

21. Subject to the provisions of this Act, all rights, titles, estates and interests in land and all other rights, claims, obligations and liabilities vested in a public body under any law immediately before the commencement of this Act shall upon such commencement continue to be so vested for the same estate or interest and to the same extent as they were previously vested.

22. (1) Without prejudice to the right of the Commission to grant a lease of public land in a designated urban area to the designated authority shall not grant a lease of public land in an urban area for a term exceeding ninety-nine years.

(2) In the absence of any special provision to the contrary contained in a lease of public land, the rent reserved in any such lease granted after the commencement of this Act shall, at the option of the controlling authority, be subject to reassessment at intervals of not less than ten years.

(3) Where the controlling authority on a reassessment under the provisions of the immediately preceding subsection fixes a rent in excess of the rent to reserved, the increased rent shall not exceed one-twentieth part of rhe unimproved value of the land at the time of the reassessment.

(4) The controlling authority may at any time reduce or remit for a specified period or for the unexpired term of the lease any rent reserved in a lease of public land, and any such reduction or remission,

(a) may be varied or revoked; and

(b) shall not otherwise affect the lease or its validity.

(5) In every lease of public land,

(a) there shall be implied as covenants in the lease enforceble by the leasee against the controlling authority that,

the controlling authority has full power to grant the lease; and

(ii) the leassee, fulfilling all covenants express or implied, shall quietly hold and enjoy the premises without interruption by the controlling authority or any person lawfully claiming under it except so far as any written law otherwise permits;

(b) there shall be implied as covenants in the lease enforceable by the controlling authority against the lessee t that the lessee shall pay,

(i) the rent and rohalties thereby reserved at the time and in the manner therein provided; and

(ii) all taxes, rates or outgoings that may be imposed or charged upon the land or the buildings thereon;

(c) there shall be implied, except where expressly varied or excepted, as covenants in the lease enforceable by the controlling authority against the lessee, that the lessee shall,

(i) not assign, except by will, or sublet the land leased or any part thereof without the prior consent of the controlling authority in writing, which consent shall not be unreasonably withheld; and

(ii) keep in reasonable repair all buildings erected before the commencement of and included in the lease and all buildings erected by the lessee and deliver up all such buildings, subject to the provisions of subsection (8) of this section relating to the removal of buildings of a temporary nature, in such repair at the determination of the lease; and

(d) there shall be implied, if the lease is a building lease, as covenants in the lease enforceable by the controlling authority against the lessee, except where expressly varied or excepted that the lessee shall,

(i) erect the buildings specified in the lease in the manner and within the period therein provided;

(ii) erect such buildings of good and substantial materials;

(iii) keep the buildings so erected in good and substantial repair and

(iv) deliver up the buildings so erected in good and substantial repair on the determination of the lease; and

(e) there shall be implied; if the lease is an agricultural lease as covenants in the lease enforceable by the controlling authority against the lessee except where expressly varied or excepted, that the lessee shall keep the land in accordance with the rules of good husbandry and shall not allow any part thereof to becomeimproverished, injured or deteriorated.

(6) Every covenant, whether express or implied in a lease of public land which is binding upon a lessee shall, unless it is otherwise provided in the lease, be binding upon all persons claiming an interest in the land leased whose title is derived through or under the lease.

(7) In the absence of any specific covenant to the contrary in a lease of public land, all buildings on such land, whether erected by the lease or not, shall, on the determination of the lease,, pass to the controlling authority without payment of compensation.

(8) Notwithstanding the provisions of subsection (7) of this section where a lessee of public land has erected any building of a temporary nature on such land not being a building erected in pursuance of some obligation on his part in that behalf contained in the lease; or has affixed any engine, machinery or other fixture upon or to such land such building, engine, machinery or fixture shall, in the absence of any specific covenant to the contrary in the lease, be the property of and be removable by the lessee before or within one month after the determination of the lease but,

(a) before so removing any such building, engine, machinery or fixture the lessee shall pay all rent owing from him and shall perform or satisfy all other his obligations in respect of the land leased to him;

(b) In removing any such building, engine, machinery of fixture the lessee shall not cause any avoidable damage to any other part of such land; and immediately after the removal shall make good all damage occasioned thereby; or

(c) the lesson shall not remove any such building, engine, machinery or fixture without giving one month's previous notice in writing to the controlling authority of his intention to do so;

(d) at any time before the expiration of the notice under paragraph (c) of this subsection, the controlling authority may, by a declaration in writing to the lessee, elect to purchase any building, engine, machinere or fixture to which the notice relates, and that building engine, machinery or fixture shall thereupon become the property of the controlling authority which shall pay to the lessee the fair value thereof to an incoming lessee of such land; and

(e) any dispute arising as to such value between the controlling authority and the lessee shall be referred to arbitration in the prescribed manner.

(9) On the determination of any lease of public land the lessee shall not, in the absence of any specific covenant to the contrary in the lease be entitled to make any claim against the controlling authority in respect of any improvements made to the land.

(10) In this section,
"improvements" means all work actually done or material used on, in or under" land by the expenditure of capital or labour; "unimproved value of the land" means the sum which the owner's estate or interest thereon, if unencumbered by any mortgage or other char thereon, might be expected to realise at the time of valuation if offered for sale on such reasonable terms and conditions as a bona fide seller might be expected to impose if the improvements, if any, thereo or appertaining thereto had not been made, and

(a) includes any value due to any licence, wayle ve; easement, royalty, privilage or concession attached re the land for the time being; and

(b) takes into account the present user of the land and any restriction imposed on the land by any authority under any written law which either increases or decreases the value of the land.

23. (1) Any lease granted or deemed to have been granted in accordance with the provisions of section 15 of the repealed Act to an urban authority of a designated urban area shall contine in full force but subject to the provisions of this Act.

(2) The commission shall grant to the urban authority of a designated urban area such lease and on such terms and conditions as the Minister may direct; and any lease so granted shall be deemed to be a staturory lease.

24. (1) Subject to the provisions of subsection (5) of this section it shall be lawful for persons holding by outomary tenure to occupy without grant, lease or licence from the controlling authority any prälienated public land vested in the Commission, if,

(a) the land is not in an urban area; and

(b) no tenancy or other right of occupancy has been created in respect of it.

(2) A controlling authority shall not make a grant in freehold of leasehold of public land which or part of which is occupied by persons holding by customary tenure without the concent of such persons.

(3) Without prejudice to anything provided under section 49 of this Act an applicant for an estate in freehold or leasehold of public land which is occupied by customary tenure at the time of application shall,

(a) state the application that the land is so occupied; and

(b) furnish to the controlling authority evidence of the consent of the occupier required under the immediately preceding subsection,

and failure to comply with paragraph (a) of this subsection shall be a ground for the withdrawal by the controlling authority of any grant made in respect of such application.

(4) Where, in accordance with the provisions of this section, a controlling authority makes a grant in freehold or leasehold of public land, any person occupying such land by customary tenure shall be entitled to be paid such compensation as the Minister may, in writing, approve.

(5) The Minister may, by statutory order, specify any area of Uganda to be an area in which public land which is not occupied by customary tenure at the commencement of such order shall not thereafter, be occupied otherwise than by virtue of an estate, interest, or other right of occupancy granted by the controlling authority or upon such conditions as the Minister may specify in such order.

25. Any person holding by customary tenure may, at any time, apply to the controlling authority to grant him a leasehold estate in the public land occupied by him at the time of such application; and the controlling authority shall, in accordance with the provisions of this Act, make such a grant.

26. (1) Subject to the provisions of subsection (2) of this section, all trees on public land granted in freehold or leasehold by a controlling authority shall become the property of the person to whom the grant is made.

(2) The person to whom public land is granted in freehold or leasehold shall, not later than the date of the registration of such grant under the Registration of Titles Act, pay to the controlling authority such price as may be fixed by the controlling authority for any reserved trees within the meaning of the Forests Act.

27. (1) All rights in the water of any spring, river, stream, watercourse, pond or lake on or under public land, whether alienated or or unalienated shall be reserved to the Government and no such water shall be absracted with directly or indirectly except in pursuance of permission in writing granted by the Minuster in accordance with such procedure as may be prescribed.

(2) Nothing contained in this section shall prevent the reasonable use by an occupier of public land of any such waters for domestic or small-scale agricultural or pastoral purposes only.

28. (1) All public land, whether alienated or unalienated, shall be subject to all existing public rights of way which shall be reversed to and vested in the Government on behalf of the public; and all such rights of way shall be maintained by the occupier or the land free and uninterrupted unless the same be closed or altered by the direction in writing of the Minister.

(2) No right of way shall be presumed or allowed to be asserted against a controlling authority by reason of user only whether such user began before or after the commencement of this Act.

29. (1) Any officer of the Government in the course of his duty may encamp with his servants, vehicles and baggage, for such period as his duty may require, on any uncultivated or undeveloped public land which is not within a quarter of a mile of a dwelling-house, and shall be allowed access with his servants and vehicles to any spring, river, stream or lake upon such land.

(2) A person who exercises the right conferred upon him by subsection (1) of this section shall, if so required by the occupier of the land in respect of which the right is exercised establish his encampment in such suitable place thereon as the occupier may select.

(3) Any person who being the occupier of public land, refuses to allow any person to exercise a right conferred upon him by subsection (1) of this section or wilfully interferes with or obstructs the exercise of any such right commits an offence and shall be liable on conviction to a fine not exceeding one thousand shillings or to a term of imprisonment not exceeding six months or to both such fine and imprisonment.

30. (1) Any rent premium, royalty or other payment in respect of a lease of public land under the provisions of this Act or the former laws which remains unpaid at the end of a period of three months after the same has become due and payable, whether payment thereof has been demanded or not, the amount so remaining unpaid shall be increased by a penalty equal to one-tenth of such amount or by a penalty of ten shillings, whichever is the greater.

(2) Where a penalty becomes payable under the provisions of subsection (1) of this section, the controlling authority shall serve in the prescribed manner upon the person liable therefore a notice demanding payment of such penalty and of the rent, premium, royalty or other payment then due.

(3) A penalty under the provisions of subsection (1) of this section may be recovered in the same manner as rent in arrear.

31. (1) Where in respect of a lease of public land under the provisions of this Act or the former laws, any rent or penalty which has become due from and payable by a lessee is in arrear or unpaid, the controlling authority may serve in the prescribed manner upon any sub-lessee of the premises demised by such lease or of any part of such premises, a notice specifying the amount of such rent in arrear or of such penalty, or both, and requiring all future payments of rent due from and payable by such sub-lessee, whether already accrued due or not, to be paid to the controlling authority until the amount specified in such notice has been duly paid.

(2) A notice served under the provisions of subsection (1) of this section shall operate to transfer to the controlling authority the right to recover, receive and give a discharge for the rent payable by the sub-lessee.

(3) For the purpose of recovering any sums payable in respect of rent by a sub-lessee in pursuance of a notice served under the provisions of subsection (1) of this section, the sublessee shall be deemed to be the lessee and the sum payable shall be deemed to be rent.

(4) Where any person has, in pursuance of a notice under the provisions of subsection (1) of this section, paid any moneys to the controlling authority, such person may deduct an amount equivalent to the moneys so paid from any rent due or which may subsequently become due and payable by him in respect of his occupation of the premises in relation to which the notice was given.

(5) The recovery, receipt and discharge pf rent under the provisions of this section shall not be deemed to operate as a waiver of any forfeiture or any other right or remedy occring by reason of the bread or non-observance of any condition or covenant, express or implied in the lease.

32. (1) Subject to the provisions of this section, where,

(a) the rent or royalties or any part thereof reserved to the controlling authority in a lease of public land are, at any time, unpaid for a period of six months after the same have become due, whether payment thereof has been demanded or not; or

(b) there is any breach or non-observance by the lessee of any of the conditions or covenants, express or implied, contained in such a lease,

the controlling authority may at any time thereafter re-enter upon the land leased or a part thereof in the name of the whole and the same shall thereupon revert to the controlling authority.

(2) The power of re-entry authorised by the provisions of sub-section (1) of this section shall not be exercisable in respect of the breach or non-observance of any condition, express or implied, which is capable of immediate remedy other than a covenant for payment of rent or a covenant against assigning or sub-letting, unless,

(a) a notice has been served on the lessee specifying the particular breach or non-observance complained of and requiring the lessee to remedy such breach or non-observance and, if the controlling authority sees fit, to pay to it a reasonable compensation in money therefor; and

(b) the lessee has failed to remedy such breach or non-observance and to pay such compensation, if required, within eight weeks of the service of the notice.

(3) A controlling authority's right of action or other remedy in respect of any breach or non-observance on the part of the lessee of any of the conditions or covenants, express or implied, contained in a lease of public land shall not be prejudiced by the exercise of the power of re-entry conferred by this section.

(4) The acceptance by or on behalf of the controlling authority of any forfeiture accruing by reason of the breach or non-observance of any covenant, express or implied, in a lease of public land.

(5) A lessee whose land has been re-entered under the provisions of this section may, within three months of the re-entry, apply to the High Court for relief; and the High Court upon any such application may grant to the applicant such relief upon such terms as it sees fit.

33. (1) The Minister may, by writtten requisition, call upon the occupier of any public land to permit an authorised undertaker to enter upon the land and there execute major or minor public works; and an occupier so called upon shall comply with the terms of the requisition.

(2) An authorised undertaker may, with the written consent of the Minister, enter upon any public land and take therefrom stone, murram or similar material for the construction, maintenance and repair of major public works.

(3) Where in pursuance of the provusions of subsection (1) or (2) of this section, an authorised undertaker executes public works upon or takes stone, murram or similar material from public land, the authorised undertaker shall have over the land such rights of access and other rights as may be reasonably necessary for the execution, construction and maintenance of the work or, as the case may be, the taking of the material, and the land shall to deemed to be subject to these rights whether or not they have been registered or noted under the provisions of the Registration of Titles Act.

(4) An authorised undertaker executing major public works on public land in pursuance of the provisions of this section shall pay compensation to any person having an interest in the land for any damage caused to crops or buildings and for the land so taken or used for the works.

(5) An authorised undertaker executing minor public works or taking material from public land in pursuance of the provisions of this section shall not be liable to pay compensation in respect of the execution or taking, but shall make good any damage caused thereby.

(6) Any dispute as to compensation payable under the provisions of subsection (4) of this section or as to the making good of damge under the provisions of subsection (5) of this section shall be referred to arbitration in the prescribed manner.

34. (1) The controlling authority by its duly authorised employees or agents may at all reasonable times enter upon and view the state of any alienated public land.

(2) A duly authorised officer or agent of the Government may at all reasonable times.

(a) enter upon any public land for the purpose of conducting a geological survey; and

(b) dig and bore into the sub-soil and remove samples thereof, and generally perform such other operations as may be necessary or incidenatl to the purpose for which he has entered.

35. Where the power conferred by subsection (2) of section 34 of this Act is exercised in respect of alienated public land, the Government shall pay compensation to the occupier in respect of any damage caused by the exercise thereof; and any dispute arising between the Government and such occupier as to the amount such compensation shall be referred to arbitration in the prescribed manner.

36. (1) Where, in the opinion of the Commission, any alienated public land or part thereof, not being land held in statutory freehold has not,

(a) in the case of rural land, been occupied for a period exceeding three years; or

(b) in the case of land in an urban area, been properly developpws in accordance with modern building standards or is not being used in accordance with town planning zoning for the area. the commission shall give notice of forfeoture in respect of that land or that part thereof.

(2) Notice of forfeiture under subsection (1) of this section shall be given to every person registered under the Registration of Titles Act as proprietor of the land to which the notice relates and if within six months of the notice being given at least one such person satisfies the Commission that he intends to use and develop the land to a reasonable extent the Commission may,

(a) in the case of rural land, extend the period specified in paragraph (a) of subsection (1) of this section by a period not exceeding two years or, or with the consent of the Minister, three years; or

(b) in the case of land in an urban area specify a period within which such land shall be properly developed or used.

(2) Subject to the provisions of subsection (2) of this section the estate or interest of every person registered under the Registration of Titles Act as proprietor of the land to which a notice under this section relates shall, upon the publication in the Gazette of a declaration of forfeiture made by the Commission, forthwith be extinguished.

(4) Any person whose estate or interest in land is extinguished by a declaration of forfeiture under the provisions of subsection (3) of this section may, within three months of the publication of the declaration apply to the High Court for relief; and the High Court upon any such application may grant to the applicatant relief upon such terms as it sees fit.

37. Where public land is resumed by the controlling authority, the occupier of the land shall be entitled to be paid compensation by the controlling authority in accordance with the provisions of an Act of Parliament providing for the payment of compensation on the resumption of public land

38. (1) Where a public body holding land in statutory freehold ceases,

(a) to occupy the land; or

(b) to use the land for the purposes of the public body, the Commission may serve notice of forfeiture in respect of the land upon the public body.

(2) If a public body served with anotice of forfeiture under the provisions of subsection (1) of this section does not, within six months of the date of service of the notice satisfy the Commission that it intends to occupy or use the land for the purposes of the public body within a reasonable period, the estate of the public body in the land shall, upon the public body in the land shall, upon the publication in the Gazette of a declaration of forfeiture made by the Commission, forthwith be extinguished; and the land shall thereupon be vested in the Commission in freehold with out any encumbrances whatsoever.

(3) The estate of a public body in land shall not be extinguisher under the provisions of this section by reason only that the public body,

(a) has, before the first day of March, 1962, granted a lease or licence over part of the land or over part of any building on the land; or

(b) has, with the consent of the Commission, granted a lease over the land;

(c) has set aside the land for future development within a period of two years and is not using it for the time being.

(4) Where by the operation of subsection (2) of this section the estate of a public body in any land is extinguished, no compenation shall be payable to such public body in respect of any building or other arection on the land.

(5) Where land is forfeited by the operation of this section the public body in which the land was vested may, within three months of the forfeiture, apply to the High Court for relief; and the High Court upon any such application may grant to the applicant relief upon such terms as t sees fit.

PART III—MISCELLANEOUS AND SUPPLEMENTAL.

39. Any former official estate in mailo tenure which vested under any law in a land board and any official estate in mailo tenure which is vested in the Commission under paragraph (a) of clause (5) of article 108 of the Constitution shall be deemed to have been so vested in freehold tenure.

40. All assets and any property, other than land, and all obligations or liabilities not being obligations or liabilities in respect of land which were vested in or to which a land board was subject immediately before the commencement of the Constitution shall be deemed from such commencement to be assets, property, obligations and liabilities of the administration of the District for which the land board had been established.

41. All rents, fees and other moneys received by a controlling authority in respect of public lands under the provisions of this Act shall be paid into and form part of the revenues of,

(a) in the case of the Land Commission, the Government; and

(b) in the case of a designated authority, that authority

42. The Minister may give to a controlling authority such directions consistent with the provisions of this Act, as to the exercise of its functions under this Act, as appear to him to directions as to the grant of an estate or interest in land and the terms and conditions of such grant by the controlling authority to any person and an authority to which any such directions are given shall give effect thereto.

43. Notwithstanding any provisions of the Registration of thereunder, the Registrar of Titles shall have all such powers and shall of his own motion take all such steps as may be necessary to give effect to this Act, whether by the alteration or cancellation of certificates of title the issue of fresh certificates of title or otherwise.

44. For the purposes of any legal proceedings, all land in Uganda of which no person is registered as the proprietor under the propietor under the provisions of the Registration of Titles Act shall be p presumed to be public land until the contrary is proved.

45. (1) This Act shall apply to dispositions of public land under ther former laws as it applies to dispositions of public land under this Act, and where any right, title, interest, obligation or liability of any person was, immediately before the commencement of this Act, subject to or regulated by any provision of the former laws, the corresponding provision of this Act shall be deemed to be substituted therefor.

(2) If the Minister certifies on the application of any person that is impracticable to give effect to the provisions of subsection (1) of this section or that such person has been prejudiced in respect of any matter by the operation of that subsection, any right title interest, obligation or liability of that person in respect of that matter shall be determined and regulated by the relevent provisions of the former laws.

(3) Where on an application being made under the provisions of subsection (2) of this section,

(a) the Minister considers that the opinion of the High Court should be obtained; or

(b) the applicant is aggrived by the refusal of the Minister to certify in the manner provided by that subsection,

the Attorney-General or the applicant, as the case may be, may refer the matter to the High Court; and on any such reference the High Court may make such order as it deems in equity, with regard to the matter referred to it which if finds to have been vested in the applicant, or in any person through whom the applicant claims, immediately before the comencement of this Act.

(4) The provisions of this section shall be without prejudice to the provisions of subsection (2) of section 20 of this Act.

46. (1) The Chief Justice may, by statutory instrument, make Rules of Court for the purposes of applications and references to the High Court under this Act.

(2) Until rules are made under this section the provisions of the Civil Procedure Rules regulating applications to the High Court by motion shall apply for regulating applications and references to the High Court under this Act.

47. (1) Any person who unlawfully occupies any public land commits an offence and shall be liable on conviction to a fine not exceeding one thousand shillings or to a term of imprisonment not exceeding six months or to both such fine and imprisonment.

(2) A court convicting any person of an offence under this section may, in addition, issue a warrant addressed to any police officer requiring that officer forthwith or subject to such conditions as

the court may impose,

)a) to enter upon the land which was the subject of the conviction

(b) to dispossess and remove from such land the person convicted together with the family, dependants and servants of such person; and

(c) to take possession of the land on behalf of the controlling authority together with all crops growing thereon and all buildings and other immovable property thereupon or affixed thereto.

(3) No order shall be made pursuant to the provisions of paragraph (c) of the immddiately prededing subsection if the court is satisfied that some person other than the person convicted ro his family, dependants of servants in lawful possession of the land.

48. Subject to the provisions of section 26 of this Act, nothing in this Act shall affect the operation in relation to public land of the law relating to forests, minerals, or National Parks.

49. The Minister may, by staturory instrument, make Regulations,

(a) prescribing the procedure to be followed in the grant of estates of freehold and leasehold in public land and the terms and conditions of any sych grant;

(b) delegating, generally or in any particular case, the performance of any functions, other than the granting of any estate of freehold or leasehold, which a controlling authority is authorised or empowered to perform under this Act;

(c) fixing fees to be charged by a controlling authority for the preparation by it of leases and other documents for or in connection with any disposition by it of public land

(d) fixing a charges to be made by a controlling authority in respect of agreements or other documents for the occupation of public land;

(e) prescribing anything to be prescribed under this Act;

(f) generally for giving full effect to the provisions and purposes of this Act.

50. The provisions of the Land Transfer Act shall not apply to grants in freehold or leasehold made by a controlling authority.

51. (1) The Municipality of Mbale Act is hereby amended by deleting section 4 thereof and the Schedule thereto.

(2) For the avoidance of doubts it is hereby declared that the land vested in the President under the provisions of the Schedule repealed under this section is vested in the Commission.

52. (1) The Public Lands Act is hereby repealed.

(2) The repealed Act shall be deemed to have had effect while it was in force as if ti had been subject to the modifications contained in Schedule 1 to this Act.

53. The transitional and saving provisions in Schedule to this Act shall have effect notwithstanding any other provisions of this Act.

54. In this Act unless the context otherwise requires, "alienated" in relation to public land means alienated by the grant of an eastate in freehold or leasehold which has been registered under the Registration of Titles Act;

"authorised undertaker" means any person or authority authorised or required by law to execute major or minor public works;

"Chairman" means the Chairman of the Commission;

"Commission" means the Land Commission established by article 103 of the Constitution;

"Controlling authority" means,

(a) in relation to land held in a statutory lease, the designated authority by which the land is so held;

(b) in relation to land vested in freehold in the Commission and not let on a statutory lease the Commission;

(c) in relation to land held in statutory freehold or freehold the Commission;

"customary tenure" means a system of land tenure regulated by laws or customs which are limited in their operation to a particular description or class of persons;

"designated authority" means a city council, municipal council town council or town board, established in a designated urban area;

"disgnated urban area" means an urban area mentioned in Shedule 3 to this Act or any area declared by the Minister responsible for urban administration by statutory instrument to be a town;

"former laws" means the repealed Act and the Ordinances repealed by the repealed Act;

"functions" includes powers and duties;

"land board" means land board established by the Constitution in force immediately before the commencement of the Constitution;

"Land Committee" means a District Land Committee established under section 11 of this Act;

"lessee" includes sub-lessee and any person whose title is derived from the lessee;

"major public works" means the construction of railways roads, canals or airfields, any other work declared by the Minister by statutory instrument to be a major public work for the purposes of section 33 of this Act and any works ancillary or incidental to the works referred to in this definition;

"Minister" means the Minister to whom functions under this Act are assigned,

"Minor public works" means the placing of telegraph lines and electric lines, the erection of supports for such lines, the laying of sewer and water-pipes, the construction of drains, any other works declared by the Minister by statutory instrument to be minor public works for the purposes of section 33 of this Act, and any works ancillary or incidental to the works referred to in this definition;

"Public Body" means a public body mentioned in Schedule 4 to this Act;

"public land" means any land vested in the Commission or a public body, or granted in freehold under the former laws;

"railways" means the two hundred feet railway reserve outside the boundary of gazetted towns, stations and halts;

"repealed Act" means the Public Lands Act repealed by this Act;

"resumed" has the same meaning as is assigned to it under the Public Land (Compensation for Resumption) Act;

"secretary" means Secretary of the Commission;

"statutory freehold" means public land vested in a public body in freehold by the repealed Act;

"statutory lease" means a lease granted or deemed to have been granted in pursuance of section 15 of the repealed Act;

"sub-lessee" includes a mortgage in possession and lodger;

"urban area" means a city, municipality, or a town.

# APPENDIX III

Monroe County
SIX-YEAR CAPITAL IMPROVEMENT BUDGET

| | | | Type Financing [30] | Source of Financing: Monroe County | School District | State of Illinois | Federal Government |
|---|---|---|---|---|---|---|---|
| **Major Highways, County Roads and Scenic Routes** | | | | | | | |
| State Highways: | | | | | | | |
| Illinois Route 3 | | | | - | - | $6,000,000.00 | - |
| Illinois Route 158 | | | | - | - | 450,000.00 | - |
| Illinois Great River Road | | | | - | - | 5,000,000.00 | - |
| Sub-total, State Highways | | | | - | - | 11,450,000.00 | - |
| Primary County Roads: | | | | | | | |
| Renault-Red Bud Road | | | GF | 1,300,000.00 | - | - | - |
| Sub-total, Primary County Roads | | | | 1,300,000.00 | - | - | - |
| Secondary County Roads: | | | | | | | |
| Waterloo Circumferential | | | GF | 390,000.00 | - | - | - |
| Sub-total, Secondary County Roads | | | | 390,000.00 | - | - | - |
| Scenic Routes: | | | | | | | |
| Levee Road | | | GF | 200,000.00 | - | - | - |
| Total, Other Scenic Routes | | | GF | 1,000,000.00 | - | - | - |
| Sub-total, All Scenic Routes | | | | 1,200,000.00 | - | - | - |
| TOTAL, MAJOR HIGHWAYS, COUNTY ROADS, AND SCENIC ROUTES | | | | 2,890,000.00 [31] | - | 11,450,000.00 [31] | - |
| **County Airport** | | | | | | | |
| Airport Feasibility Study | | | GF | 5,000.00 | - | - | - |
| TOTAL, COUNTY AIRPORT | | | | 5,000.00 | - | - | - |
| **Parks and Recreation Sites** [32] | | | | | | | |
| Maeystown State Park | | | | - | - | 2,500,000.00 | - |
| Cedar Creek County Park | | | | 75,000.00 | - | - | 75,000.00 |
| Horse Creek County Park | | | | 142,500.00 | - | - | 142,500.00 |
| Kapp Creek County Park | | | | 120,000.00 | - | - | 120,000.00 |
| County Recreation Site (NE of Fults) | | | | 10,000.00 | - | - | 10,000.00 |
| County Recreation Site (SE of Valmeyer) | | | | 7,500.00 | - | - | 7,500.00 |
| Greenbelt System, Hiking Trails | | | | 25,000.00 | - | - | 25,000.00 |
| TOTAL, PARKS AND RECREATION SITES | | | | 380,000.00 | - | 2,500,000.00 | 380,000.00 |
| **Public Schools** | Number of Classrooms | Number of Acres in School Sites | | | | | |
| Total, Elementary Schools | 28 | 40 | GOB | - | 840,000.00 [33] | - | - |
| Columbia High School | 40 | 25 | GOB | - | 1,500,000.00 | - | - |
| Waterloo High School | 36 | 20 | GOB | - | 15,000.00 | - | - |
| TOTAL, PUBLIC SCHOOLS | 104 | 85 | | - | 2,355,000.00 | - | - |
| **Public Utilities** | | | | | | | |
| Refuse Disposal Study | | | GF | 500.00 [34] | - | - | - |
| Water-Sewer Needs Study | | | GF | 5,000.00 [34] | - | - | - |
| TOTAL, PUBLIC UTILITIES | | | | 5,500.00 | - | - | - |
| **Public Health** | Number of Beds | | | | | | |
| County Nursing Home Addition | 84 | | RB | 813,200.00 | - | - | - |
| TOTAL, PUBLIC HEALTH | | | | 813,200.00 | - | - | - |
| **Continuing Planning Services** | | | | | | | |
| Continuing Planning Services Program | | | GF | 6,000.00 | - | - | - |
| East-West Gateway Coordinating Council Program [35] | | | GF | - | - | - | - |
| TOTAL, CONTINUING PLANNING SERVICES | | | | 6,000.00 | - | - | - |
| TOTAL, SIX-YEAR CAPITAL IMPROVEMENT BUDGET | | | | $4,099,700.00 | $2,355,000.00 | $13,950,000.00 | $ 380,000.00 |

30 GF = General fund of Monroe County; GOB = General obligation bond; RB = Revenue bond.
31 Excludes right-of-way acquisition costs.
32 Estimated costs include the cost of the park site acquisition and development but not the cost of the dam and flooded lands.
33 Excludes site acquisition costs.
34 These dollar amounts represent the projected contribution of Monroe County to the Southwestern Illinois Metropolitan Area Planning Commission studies for the eastern half of the St. Louis metropolitan area.
35 The East-West Gateway Coordinating Council planning projects have not yet been programmed and budgeted in sufficient detail to enable these costs to be incorporated into the CIP. Monroe County will be expected to contribute its share toward the funding of this metropolitan-wide planning agency.

# APPENDIX IV

## LAND USE, POPULATION DISTRIBUTION AND PHASING OF DEVELOPMENT BY ZONES, DISTRICTS AND SECTORS

NOTES: 1. The following abbreviations are used for the major land uses:

RES. - Residential

IND. - Industrial

INST. - Institutional

COM. - Commerce

O.S. - Open Spaces

2. The following abbreviations refer to the various residential densities as discussed in paragraphs 119-121:

L. - Low density 0-30 p.p. ha. (0-12 p.p. acre)

M.L. - Medium low density 30-75 p.p. ha. (12-30 p.p. acre)

M. - Medium density 75-150 p.p. ha. (30-60 p.p. acre)

M.H. - Medium-high density 150-250 p.p. ha. (60-100 p.p. acre)

H. - High density 250 + p.p. ha. (100 + p.p. acre)

p.p. ha. - Persons per hectare

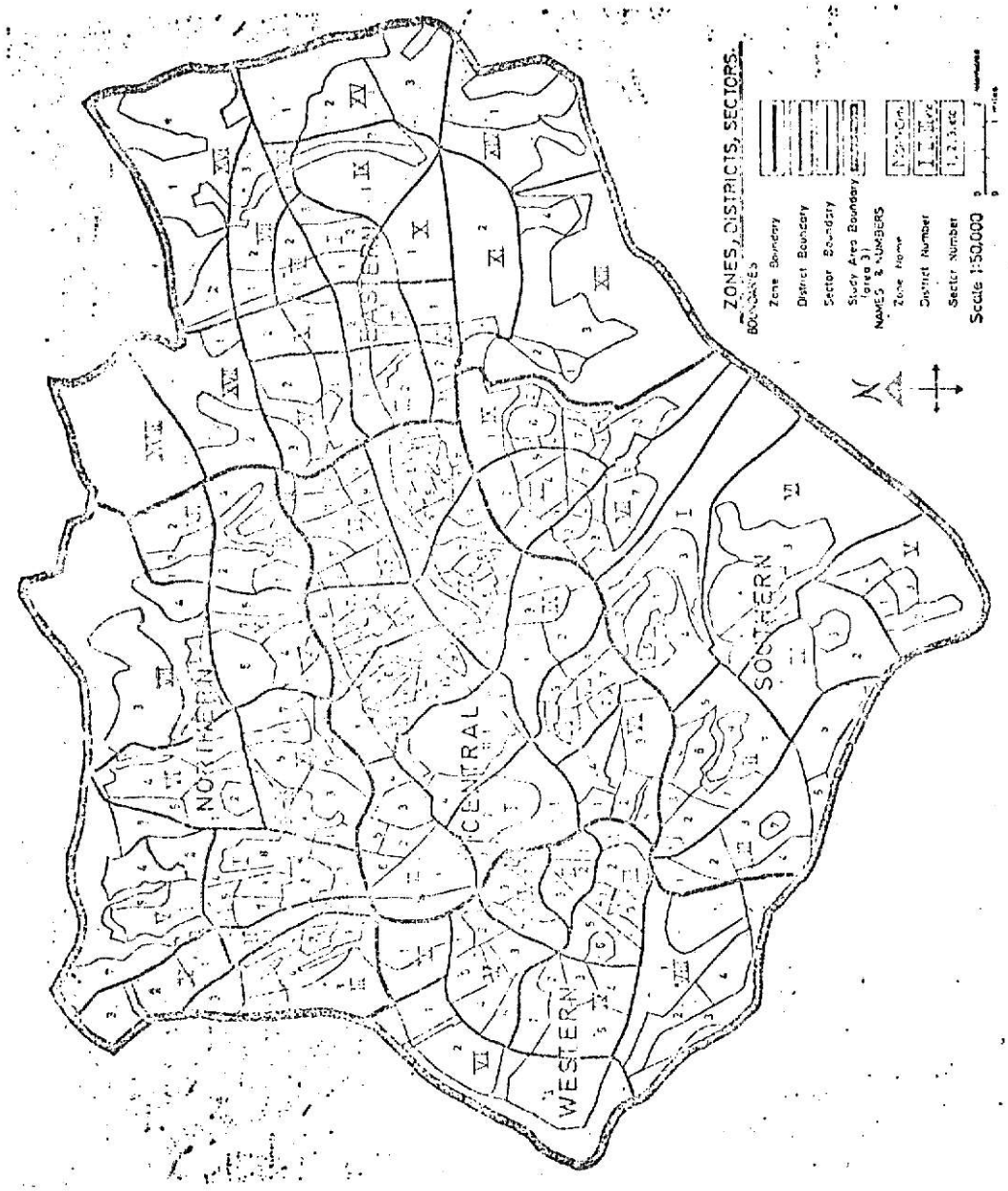
p.p. acre - Persons per acre

3. The locations of the Zones, Districts and Sectors are shown on Map 2.

4. Other abbreviations used in this appendix are:

Pop. - Population

Res. - Residential


ZONES, DISTRICTS, SECTORS
BOUNDARIES
Zone Boundary
District Boundary
Sector Boundary
Study Area Boundary (area 3)
NAMES & NUMBERS
Zone Name
District Number
Sector Number
Scale 1:50,000
NORTHERN
CENTRAL
SOUTHERN
WESTERN
EASTERN

| ZONE | DIS-TRICT | SEC-TOR | AREA Ha. | AREA Acre | MAJOR USE | When Area 2 Population reaches 540,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District | When Area 3 Population reaches 1,600,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| CENTRAL | I | 1 | 268 | 652 | COM. | ML | 45 | 18 | 12,000 | | ML | 45 | 18 | 12,000 | |
| | | 2 | 175 | 432 | RES. | L | 29 | 12 | 5,000 | | ML | 51 | 21 | 9,000 | |
| | | 3 | 36 | 89 | RES. | M | 111 | 45 | 4,000 | 21,000 | H | 250 | 100 | 9,000 | 30,000 |
| CENTRAL | II | 1 | 438 | 1082 | RES. | L | 16 | 6 | 7,000 | | ML | 34 | 14 | 15,000 | |
| | | 2 | 25 | 62 | RES. | MH | 200 | 80 | 5,000 | | MH | 240 | 97 | 6,000 | |
| | | 3 | | | IND. | | | | | | | | | | |
| | | 4 | | | O.S. | | | | | 12,000 | | | | | 21,000 |
| CENTRAL | III | 1 | | | INST. | | | | | | | | | | |
| | | 2 | | | INST. | | | | | | | | | | |
| | | 3 | | | INST. | | | | | | | | | | |
| | | 4 | | | RES. | | | | | | | | | | |
| | | 5 | | | RES. | | | | | | | | | | |
| | | 6 | | | INST. | | | | | 24,000 | | | | | 45,000 |
| CENTRAL | IV | 1 | 154 | 380 | RES. | L | 20 | 8 | 3,080 | | M | 75 | 30 | 11,550 | |
| | | 2 | 12 | 30 | RES. | MH | 200 | 80 | 2,400 | | MH | 200 | 80 | 2,400 | |
| | | 3 | 13 | 32 | RES. | MH | 200 | 80 | 2,600 | | MH | 200 | 80 | 2,600 | |
| | | 4 | 7 | 17 | RES. | L | 30 | 12 | 210 | | M | 75 | 30 | 525 | |
| | | 5 | 35 | 86 | RES. | ML | 50 | 20 | 1,750 | | MH | 150 | 60 | 5,250 | |
| | | 6 | 24 | 59 | RES. | L | 20 | 8 | 480 | | ML | 30 | 12 | 720 | |
| | | 7 | 51 | 126 | RES. | L | 20 | 8 | 1,020 | | MH | 150 | 60 | 7,650 | |
| | | 8 | 36 | 89 | RES. | M | 75 | 30 | 2,700 | | M | 75 | 30 | 2,700 | |
| | | 9 | 34 | 84 | RES. | M | 100 | 40 | 3,400 | | MH | 150 | 60 | 5,100 | |
| | | 10 | 65 | 161 | RES. | ML | 30 | 12 | 1,950 | 19,590 | ML | 40 | 16 | 2,650 | 41,145 |

| ZONE | DISTRICT | SECTOR | AREA Ha. | AREA Acre | MAJOR USE | When Area 2 Population reaches 540,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District | When Area 3 Population reaches 1,600,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| CENTRAL | V | 1 | 53 | 131 | IND. | | | | | | | | | | |
| | | 2 | 23 | 57 | RES. | ML | 60 | 24 | 1,380 | | M | 75 | 30 | 1,725 | |
| | | 3 | 17 | 42 | RES. | MH | 160 | 64 | 2,720 | | MH | 200 | 80 | 3,400 | |
| | | 4 | 48 | 119 | RES. | L | 20 | 8 | 960 | | MH | 200 | 80 | 9,600 | |
| | | 5 | 13 | 32 | RES. | ML | 40 | 16 | 520 | | MH | 200 | 80 | 2,600 | |
| | | 6 | 35 | 86 | RES. | ML | 50 | 20 | 1,650 | | M | 75 | 30 | 2,625 | |
| | | 7 | 18 | 44 | RES. | L | 10 | 4 | 180 | | ML | 30 | 12 | 540 | |
| | | 7A | 7 | 17 | RES. | L | 20 | 8 | 140 | | M | 75 | 30 | 525 | |
| | | 8 | 22 | 54 | RES. | ML | 30 | 12 | 660 | | M | 75 | 30 | 1,650 | |
| | | 9 | 23 | 57 | RES. | ML | 30 | 12 | 690 | 8,900 | M | 75 | 30 | 1,725 | 24,390 |
| CENTRAL | VI | 1 | 25 | 62 | RES. | L | 20 | 8 | 500 | | ML | 30 | 12 | 750 | |
| | | 2 | 34 | 84 | RES. | L | 20 | 8 | 680 | | M | 75 | 30 | 2,550 | |
| | | 3 | 32 | 79 | INST. | L | 18 | 7 | 600 | | M | 75 | 30 | 2,400 | |
| | | 4 | 16 | 40 | RES. | L | 15 | 6 | 240 | | ML | 30 | 12 | 480 | |
| | | 5 | 42 | 104 | RES. | L | 20 | 8 | 840 | | MH | 150 | 60 | 6,300 | |
| | | 6 | 52 | 128 | RES. | ML | 40 | 16 | 2,080 | | MH | 200 | 80 | 10,400 | |
| | | 7 | 9 | 22 | RES. | L | 20 | 8 | 180 | | M | 75 | 30 | 675 | |
| | | 8 | 30 | 74 | RES. | L | 20 | 8 | 600 | | MH | 200 | 80 | 6,000 | |
| | | 9 | 61 | 151 | RES. | L | 10 | 4 | 610 | | M | 75 | 30 | 4,575 | |
| | | 10 | 53 | 131 | RES. | L | 10 | 4 | 530 | | M | 75 | 30 | 3,975 | |
| | | 11 | 18 | 44 | RES. | L | 20 | 8 | 360 | | | | | | |
| | | 12 | 40 | 99 | RES. | L | 10 | 4 | 400 | 7,620 | ML | 30 | 12 | 1,200 | 42,905 |
| CENTRAL | VII | 1 | 26 | 64 | RES. | M | 120 | 48 | 3,120 | | H | 250 | 100 | 6,500 | |
| | | 2 | 46 | 114 | RES. | ML | 50 | 20 | 2,300 | | H | 250 | 100 | 11,500 | |
| | | 3 | 96 | 237 | RES. | ML | 50 | 20 | 4,800 | | H | 250 | 100 | 24,000 | |
| | | 4 | | | INST. | | | | 6,000 | | | | | 18,500 | |
| | | 5 | 32 | 79 | RES. | ML | 50 | 20 | 1,600 | 17,820 | H | 250 | 100 | 8,000 | 68,500 |

| ZONE | DIS-TRICT | SEC-TOR | AREA Ha. | AREA Acre | MAJOR USE | When Area 2 Population reaches 540,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District | When Area 3 Population reaches 1,600,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| CENTRAL | VIII | 1 | 22 | 54 | RES. | ML | 50 | 20 | 1,100 | | H | 250 | 100 | 5,500 | |
| | | 2 | 36 | 89 | RES. | ML | 50 | 20 | 1,800 | | H | 250 | 100 | 9,000 | |
| | | 3 | 76 | 188 | RES. | MH | 200 | 80 | 15,200 | | H | 250 | 100 | 19,000 | |
| | | 4 | | | INST. | | | | | | | | | | |
| | | 5 | 40 | 99 | RES. | M | 100 | 40 | 4,000 | | H | 250 | 100 | 10,000 | |
| | | 6 | 78 | 193 | RES. | ML | 50 | 20 | 3,900 | | H | 250 | 100 | 19,500 | |
| | | 7 | 98 | 242 | RES. | ML | 50 | 20 | 4,600 | 30,600 | M | 75 | 30 | 5,900 | 69,900 |
| CENTRAL | IX | 1 | | | IND. | | | | | | | | | | |
| | | 2 | 18 | 44 | RES. | MH | 150 | 60 | 2,700 | | MH | 150 | 60 | 2,700 | |
| | | 3 | 62 | 153 | RES. | ML | 40 | 16 | 2,480 | | ML | 40 | 16 | 2,480 | |
| | | 4 | 40 | 99 | RES. | MH | 150 | 60 | 6,000 | 11,180 | 150 | 60 | 6,000 | | 11,180 |
| CENTRAL | X | 1 | 55 | 136 | IND. | | | | | | | | | | |
| | | 2 | 44 | 109 | RES. | M | 120 | 48 | 5,280 | | MH | 150 | 60 | 6,450 | |
| | | 3 | 20 | 49 | RES. | M | 75 | 30 | 1,500 | | M | 75 | 30 | 1,500 | |
| | | 3A | 4 | 10 | RES. | MH | 200 | 80 | 800 | | H | 350 | 140 | 1,400 | |
| | | 4 | 73 | 180 | RES. | L | 20 | 8 | 1,460 | | ML | 30 | 12 | 2,190 | |
| | | 5 | 52 | 128 | RES. | L | 20 | 8 | 1,040 | | ML | 50 | 20 | 2,600 | |
| | | 6 | 25 | 62 | RES. | L | 10 | 4 | 500 | | ML | 30 | 12 | 750 | |
| | | 7 | 44 | 109 | RES. | L | 20 | 8 | 880 | | MH | 200 | 80 | 8,800 | |
| | | 8 | 17 | 42 | RES. | L | 20 | 8 | 340 | | MH | 200 | 80 | 3,400 | |
| | | 9 | 17 | 42 | IND. | | | | | 11,800 | | | | | 27,090 |

| ZONE | DIS-TRICT | SEC-TOR | AREA Ha. | AREA Acre | MAJOR USE | When Area 2 Population reaches 540,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District | When Area 3 Population reaches 1,600,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| CENTRAL | XI | 1 | 39 | 96 | IND. | | | | | | | | | | |
| | | 2 | 27 | 67 | RES. | ML | 50 | 20 | 1,350 | | MH | 200 | 80 | 5,400 | |
| | | 3 | 29 | 72 | RES. | M | 75 | 30 | 2,175 | | M | 75 | 30 | 2,175 | |
| | | 4 | 19 | 47 | RES. | L | 20 | 8 | 380 | | M | 75 | 30 | 1,425 | |
| | | 5 | 40 | 99 | RES. | L | 20 | 8 | 800 | | M | 75 | 30 | 3,000 | |
| | | 6 | 15 | 37 | RES. | L | 20 | 8 | 300 | | ML | 30 | 12 | 450 | |
| | | 7 | 17 | 42 | RES. | L | 20 | 8 | 340 | | MH | 200 | 80 | 3,400 | |
| | | 8 | 18 | 44 | RES. | L | 20 | 8 | 360 | | MH | 200 | 80 | 3,600 | |
| | | 9 | 64 | 158 | RES. | L | 20 | 8 | 1,280 | | M | 75 | 30 | 4,800 | |
| | | 10 | 15 | 37 | RES. | L | 20 | 8 | 300 | | M | 75 | 30 | 1,125 | |
| | | 11 | 18 | 44 | RES. | L | 20 | 8 | 360 | | MH | 200 | 80 | 3,600 | |
| | | 12 | 30 | 74 | RES. | L | 20 | 8 | 600 | 8,245 | MH | 200 | 80 | 6,000 | 34,975 |
| WEST | I | 1 | 25 | 52 | RES. | MH | 200 | 80 | 5,000 | | H | 260 | 104 | 6,500 | |
| | | 2 | | | INST. | | | | | | | | | | |
| | | 3 | 68 | 168 | RES. | M | 140 | 56 | 9,520 | | H | 250 | 100 | 17,000 | |
| | | 4 | 104 | 257 | RES. | M | 140 | 56 | 14,560 | | H | 250 | 100 | 26,000 | |
| | | 5 | | | INST. | | | | | 29,080 | | | | | 48,500 |
| WEST | II | 1 | 46 | 114 | RES. | M | 140 | 56 | 6,440 | | H | 250 | 100 | 11,500 | |
| | | 2 | 58 | 143 | RES. | M | 140 | 56 | 8,120 | | H | 250 | 100 | 14,500 | |
| | | 3 | 38 | 94 | RES. | M | 140 | 56 | 5,320 | 19,880 | H | 250 | 100 | 9,500 | 35,500 |

| ZONE | DIS-TRICT | SEC-TOR | AREA Ha. | AREA Acre | MAJOR USE | When Area 2 Population reaches 540,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District | When Area 3 Population reaches 1,600,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| WEST | III | 1 | 40 | 99 | RES. | MH | 160 | 64 | 6,400 | | H | 250 | 100 | 10,000 | |
| | | 2 | 26 | 64 | RES. | MH | 160 | 64 | 4,160 | | H | 250 | 100 | 6,500 | |
| | | 3 | | | O.S. | | | | | | | | | | |
| | | 4 | 54 | 133 | RES. | MH | 160 | 64 | 8,640 | | H | 250 | 100 | 13,500 | |
| | | 5 | 90 | 222 | RES. | MH | 160 | 64 | 14,400 | | H | 250 | 100 | 22,500 | |
| | | 6 | | | INST. | | | | | 33,600 | | | | | 52,500 |
| WEST | IV | 1 | 70 | 173 | IND. | | | | | | | | | | |
| | | 2 | 66 | 163 | RES. | MH | 160 | 64 | 10,560 | | H | 250 | 100 | 16,500 | |
| | | 3 | 66 | 163 | RES. | MH | 160 | 64 | 10,560 | | H | 250 | 100 | 16,500 | |
| | | 4 | 60 | 148 | RES. | MH | 160 | 64 | 9,600 | | H | 250 | 100 | 15,000 | |
| | | 5 | 130 | 321 | RES. | MH | 160 | 64 | 20,800 | 51,520 | H | 250 | 100 | 32,500 | 80,500 |
| WEST | V | 1 | 58 | 143 | RES. | M | 140 | 56 | 8,120 | | H | 250 | 100 | 14,500 | |
| | | 2 | | | O.S. | | | | | | | | | | |
| | | 3 | 68 | 168 | RES. | M | 140 | 56 | 9,520 | | H | 250 | 100 | 17,000 | |
| | | 4 | 55 | 136 | RES. | M | 140 | 56 | 7,700 | | H | 250 | 100 | 13,750 | |
| | | 5 | | | O.S. | | | | | | | | | | |
| | | 6 | 70 | 173 | RES. | M | 140 | 56 | 9,000 | 35,140 | H | 250 | 100 | 17,500 | 62,750 |
| WEST | VI | 1 | 128 | 316 | RES. | ML | 40 | 16 | 5,120 | | M | 75 | 30 | 9,600 | 9,600 |
| WEST | VII | 1 | 131 | 324 | RES. | ML | 40 | 16 | 5,240 | | M | 75 | 30 | 9,825 | |
| | | 2 | 142 | 351 | RES. | ML | 40 | 16 | 5,680 | | M | 75 | 30 | 10,550 | |
| | | 3 | 262 | 647 | RES. | ML | 40 | 16 | 10,480 | 21,400 | M | 75 | 30 | 19,650 | 40,025 |

| ZONE | DIS-TRICT | SEC-TOR | AREA Ha. | AREA Acre | MAJOR USE | When Area 2 Population reaches 540,000 Res. Density Range | Res. Density Persons per Ha. | Res. Density Persons per Acre | Res. Pop. | Total for District | When Area 3 Population reaches 1,600,000 Res. Density Range | Res. Density Persons per Ha. | Res. Density Persons per Acre | Res. Pop. | Total for District |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| WEST | VIII | 1 | 251 | 620 | IND. | | | | | | | | | | |
| | | 2 | 90 | 222 | RES. | MH | 160 | 64 | 14,400 | | H | 250 | 100 | 22,500 | |
| | | 3 | 145 | 358 | RES. | ML | 50 | 20 | 7,250 | | M | 75 | 30 | 10,900 | |
| | | 4 | 90 | 222 | RES. | ML | 40 | 16 | 3,600 | | M | 75 | 30 | 6,750 | |
| | | 5 | 100 | 247 | RES. | ML | 40 | 16 | 4,000 | | M | 75 | 30 | 7,500 | |
| | | 6 | 50 | 124 | RES. | MH | 168 | 64 | 8,800 | 38,050 | H | 250 | 100 | 12,500 | |
| SOUTH | I | 1 | 86 | 213 | RES. | L | 15 | 6 | 1,290 | | ML | 30 | 12 | 2,500 | |
| | | 2 | 64 | 158 | RES. | ML | 30 | 12 | 1,920 | | M | 75 | 30 | 4,800 | |
| | | 3 | 80 | 198 | RES. | L | 20 | 8 | 1,600 | | M | 75 | 30 | 6,000 | |
| | | 4 | 186 | 460 | RES. | L | 20 | 8 | 3,720 | | M | 75 | 30 | 13,950 | |
| | | 5 | 46 | 114 | RES. | L | 5 | 2 | 230 | 8,760 | L | 10 | 4 | 460 | 27,790 |
| SOUTH | II | 1 | 36 | 89 | RES. | M | 100 | 40 | 3,600 | | H | 250 | 100 | 9,000 | |
| | | 2 | 66 | 163 | RES. | M | 75 | 30 | 4,950 | | H | 250 | 100 | 16,500 | |
| | | 3 | 25 | 62 | RES. | M | 75 | 30 | 1,875 | | H | 250 | 100 | 6,250 | |
| | | 4 | 73 | 180 | RES. | L | 20 | 8 | 1,460 | | M | 75 | 30 | 5,475 | |
| | | 5 | 102 | 252 | RES. | L | 20 | 8 | 2,040 | | M | 75 | 30 | 7,650 | |
| | | 6 | 60 | 148 | RES. | L | 20 | 8 | 1,200 | | M | 75 | 30 | 4,500 | |
| | | 7 | 74 | 183 | RES. | L | 20 | 8 | 1,480 | | M | 30 | 12 | 5,500 | |
| | | 8 | 80 | 198 | RES. | L | 10 | 4 | 800 | | ML | 10 | 4 | 2,400 | |
| | | 9 | 62 | 153 | RES. | L | 10 | 4 | 620 | 18,025 | L | | | 620 | 57,895 |

| ZONE | DIS-TRICT | SEC-TOR | AREA Ha. | AREA Acre | MAJOR USE | When Area 2 Population reaches 540,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District | When Area 3 Population reaches 1,600,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| SOUTH | III | 1 | 34 | 84 | RES. | M | 75 | 30 | 2,550 | | H | 250 | 100 | 8,500 | |
| | | 2 | 94 | 232 | RES. | ML | 30 | 12 | 2,820 | | M | 75 | 30 | 7,050 | |
| | | 3 | 254 | 627 | RES. | L | 10 | 4 | 2,540 | | ML | 30 | 12 | 7,620 | |
| | | 4 | 56 | 138 | RES. | L | 20 | 8 | 1,120 | | M | 75 | 30 | 4,200 | |
| | | 5 | 105 | 259 | RES. | L | 10 | 4 | 1,050 | | ML | 30 | 12 | 3,150 | |
| | | 6 | 164 | 405 | RES. | L | 5 | 2 | 820 | | L | 10 | 4 | 1,640 | |
| | | 7 | 30 | 74 | RES. | L | 5 | 2 | 150 | 11,050 | L | 10 | 4 | 300 | 32,460 |
| SOUTH | IV | 1 | 270 | 667 | RES. | L | 10 | 4 | 2,700 | | ML | 30 | 12 | 8,100 | |
| | | 2 | 234 | 578 | RES. | L | 10 | 4 | 2,340 | | ML | 30 | 12 | 7,020 | |
| | | 3 | 43 | 106 | RES. | L | 5 | 2 | 215 | 5,255 | L | 10 | 4 | 430 | 15,550 |
| SOUTH | V | 1 | 58 | 143 | RES. | L | 10 | 4 | 580 | | M | 75 | 30 | 4,020 | |
| | | 2 | 34 | 84 | RES. | L | 10 | 4 | 340 | | M | 75 | 30 | 2,550 | |
| | | 3 | 42 | 104 | RES. | L | 10 | 4 | 420 | | M | 75 | 30 | 3,140 | |
| | | 4 | 58 | 143 | RES. | L | 10 | 4 | 580 | 1,920 | M | 75 | 30 | 4,350 | 14,060 |
| SOUTH | VI | 1 | 114 | 282 | RES. | L | 10 | 4 | 1,140 | | ML | 30 | 12 | 3,420 | |
| | | 2 | 174 | 430 | RES. | L | 10 | 4 | 1,740 | | ML | 30 | 12 | 5,220 | |
| | | 3 | 260 | 642 | RES. | L | 10 | 4 | 2,600 | 5,400 | ML | 30 | 12 | 7,800 | 16,440 |

| ZONE | DIS-TRICT | SEC-TOR | AREA Ha. | AREA Acre | MAJOR USE | When Area 2 Population reaches 540,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District | When Area 3 Population reaches 1,600,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| SOUTH | VII | 1 | 34 | 84 | RES. | ML | 30 | 12 | 1,020 | | M | 75 | 30 | 2,550 | |
| | | 2 | 34 | 84 | RES. | ML | 30 | 12 | 1,020 | | M | 75 | 30 | 2,550 | |
| | | 3 | 35 | 86 | RES. | ML | 30 | 12 | 1,050 | | M | 75 | 30 | 2,625 | |
| | | 4 | 14 | 35 | RES. | ML | 30 | 12 | 420 | | MH | 150 | 60 | 2,100 | |
| | | 5 | 20 | 49 | RES | ML | 30 | 12 | 600 | | MH | 150 | 60 | 3,000 | |
| | | 6 | 32 | 79 | IND. | | | | | | | | | | |
| | | 7 | | | INST. | | | | 3,000 | 7,110 | | | | 3,000 | 15,825 |
| SOUTH | VIII | 1 | 47 | 116 | RES. | L | 20 | 8 | 940 | | M | 75 | 30 | 3,525 | |
| | | 2 | 56 | 138 | RES. | L | 20 | 8 | 1.120 | | MH | 200 | 80 | 11,200 | |
| | | 3 | 18 | 44 | RES. | L | 20 | 8 | 360 | | M | 75 | 30 | 1,350 | |
| | | 4 | 76 | 188 | RES. | L | 10 | 4 | 760 | | ML | 30 | 12 | 2,280 | |
| | | 5 | 33 | 82 | RES. | L | 20 | 8 | 660 | | M | 75 | 30 | 2,475 | |
| | | 6 | 17 | 42 | RES. | L | 20 | 8 | 170 | | ML | 30 | 12 | 510 | |
| | | 7 | 56 | 138 | RES. | L | 20 | 8 | 1,120 | 5,130 | M | 75 | 30 | 4,200 | 25,540 |
| SOUTH | IX | 1 | 170 | 420 | IND. | | | | | | | | | | |
| | | 2 | 50 | 124 | RES. | ML | 30 | 12 | 1,500 | | MH | 200 | 80 | 10,000 | |
| | | 3 | 17 | 42 | RES. | ML | 30 | 12 | 510 | | MH | 200 | 80 | 3,400 | |
| | | 4 | 15 | 37 | RES. | ML | 30 | 12 | 450 | | MH | 150 | 60 | 2,250 | |
| | | 5 | 19 | 47 | RES. | ML | 30 | 12 | 570 | | MH | 150 | 60 | 2,850 | |
| | | 6 | 52 | 128 | INST. | | | | 900 | | | | | 900 | |
| | | 7 | 19 | 47 | RES. | L | 20 | 8 | 380 | | M | 75 | 30 | 1,425 | |
| | | 8 | 19 | 47 | RES. | L | 20 | 8 | 380 | | M | 75 | 30 | 1,425 | |
| | | 9 | 13 | 32 | RES. | L | 20 | 8 | 260 | | M | 75 | 30 | 975 | |
| | | 10 | 105 | 259 | RES. | L | 20 | 8 | 1,050 | 6,000 | ML | 30 | 12 | 3,150 | 26,375 |

| ZONE | DIS-TRICT | SEC-TOR | AREA Ha. | AREA Acre | MAJOR USE | When Area 2 Population reaches 540,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District | When Area 3 Population reaches 1,600,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| NORTH | I | 1 | 71 | 175 | IND. | | | | | | | | | | |
| | | 2 | 76 | 188 | RES. | ML | 50 | 20 | 3,800 | | MH | 150 | 60 | 11,400 | |
| | | 3 | 57 | 141 | RES. | ML | 50 | 20 | 2,850 | | MH | 150 | 60 | 8,550 | |
| | | 4 | 120 | 296 | RES. | ML | 40 | 16 | 4,800 | | MH | 150 | 60 | 18,000 | |
| | | 5 | 66 | 163 | RES. | ML | 40 | 16 | 2,640 | | M | 75 | 30 | 4,950 | |
| | | 6 | 26 | 64 | IND. | | | | | | | | | | |
| | | 7 | 35 | 86 | RES. | L | 20 | 8 | 700 | | ML | 30 | 12 | 1,050 | |
| | | 8 | | | | | | | | 14,790 | | | | | 43,950 |
| NORTH | II | 1 | 99 | 245 | IND, | | | | | | | | | | |
| | | 2 | | | COM. | | | | | | | | | | |
| | | 3 | 13 | 32 | RES. | ML | 50 | 20 | 650 | 650 | MH | 200 | 80 | 2,600 | 2,600 |
| NORTH | III | 1 | 45 | 111 | RES. | ML | 40 | 16 | 1,800 | | MH | 200 | 80 | 9,000 | |
| | | 2 | 30 | 74 | RES. | ML | 40 | 16 | 1,200 | | MH | 200 | 80 | 6,000 | |
| | | 3 | 147 | 363 | RES. | L | 15 | 6 | 2,205 | | MH | 150 | 60 | 22,050 | |
| | | 4 | 76 | 188 | RES. | L | 20 | 8 | 1,520 | | M | 75 | 30 | 5,700 | |
| | | 5 | 24 | 59 | RES. | L | 20 | 8 | 480 | | M | 75 | 30 | 1,800 | |
| | | 6 | 23 | 57 | RES. | L | 20 | 8 | 460 | | M | 75 | 30 | 1,725 | |
| | | 7 | 74 | 183 | RES. | L | 10 | 4 | 740 | | ML | 30 | 12 | 2,220 | |
| | | 8 | 70 | 173 | RES. | L | 10 | 4 | 700 | | ML | 35 | 14 | 5,250 | |
| | | 9 | 68 | 168 | RES. | L | 10 | 4 | 680 | 9,785 | M | 75 | 30 | 5,100 | 58,845 |
| NORTH | IV | 1 | 85 | 210 | RES. | L | 20 | 8 | 1,700 | | M | 75 | 30 | 6,375 | |
| | | 2 | 121 | 299 | RES. | L | 10 | 4 | 1,210 | | M | 75 | 30 | 9,075 | |
| | | 3 | 67 | 166 | RES. | L | 10 | 4 | 670 | 3,580 | ML | 30 | 12 | 2,010 | 17,460 |

| ZONE | DIS-TRICT | SEC-TOR | AREA Ha. | AREA Acre | MAJOR USE | When Area 2 Population reaches 540,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District | When Area 3 Population reaches 1,600,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| NORTH | V | 1 | 121 | 299 | RES. | L | 10 | 4 | 1,210 | | M | 75 | 30 | 9,075 | |
| | | 2 | 59 | 146 | RES. | L | 10 | 4 | 590 | | M | 75 | 30 | 4,425 | |
| | | 3 | 75 | 185 | RES. | L | 10 | 4 | 750 | | M | 75 | 30 | 5,625 | |
| | | 4 | 126 | 311 | RES. | L | 10 | 4 | 1,260 | | ML | 30 | 12 | 3,780 | |
| | | 5 | 97 | 240 | RES. | L | 10 | 4 | 970 | | ML | 30 | 12 | 2,910 | |
| | | 6 | 60 | 148 | RES. | L | 10 | 4 | 600 | | M | 75 | 30 | 4,500 | |
| | | 7 | 88 | 217 | RES. | L | 10 | 4 | 880 | 6,260 | ML | 30 | 12 | 2,640 | 32,955 |
| NORTH | VI | 1 | 180 | 445 | RES. | L | 10 | 4 | 1,800 | | M | 75 | 30 | 13,500 | |
| | | 2 | 42 | 104 | RES. | L | 10 | 4 | 420 | | ML | 30 | 12 | 1,260 | |
| | | 3 | 152 | 375 | RES. | L | 10 | 4 | 1,520 | | ML | 30 | 12 | 4,560 | |
| | | 4 | 138 | 341 | RES. | L | 10 | 4 | 1,380 | | M | 75 | 30 | 10,350 | |
| | | 5 | | | | | | | | 5,120 | | | | | 29,670 |
| NORTH | VII | 1 | 91 | 225 | RES. | L | 10 | 4 | 910 | | ML | 30 | 12 | 2,730 | |
| | | 2 | 53 | 131 | RES. | L | 10 | 4 | 530 | | ML | 30 | 12 | 1,590 | |
| | | 3 | 510 | 1260 | RES. | L | 10 | 4 | 5,100 | | L | 20 | 8 | 10,200 | |
| | | 4 | 118 | 291 | RES. | L | 10 | 4 | 1,180 | 7,720 | L | 20 | 8 | 2,360 | 16,880 |
| NORTH | VIII | 1 | 91 | 225 | RES. | L | 10 | 4 | 910 | | L | 20 | 8 | 1,820 | |
| | | 2 | 108 | 267 | RES. | L | 10 | 4 | 1,080 | 1,990 | M | 75 | 30 | 8,100 | 9,920 |
| NORTH | IX | 1 | 60 | 148 | RES. | L | 20 | 8 | 1,200 | | M | 75 | 30 | 4,500 | |
| | | 2 | 134 | 331 | RES. | L | 10 | 4 | 1,340 | | ML | 30 | 12 | 4,020 | |
| | | 3 | 38 | 84 | RES. | L | 20 | 8 | 760 | | M | 75 | 30 | 2,850 | |
| | | 4 | 51 | 126 | RES. | L | 20 | 8 | 1,020 | 4,320 | M | 75 | 30 | 3,825 | 15,195 |

| ZONE | DIS-TRICT | SEC-TOR | AREA Ha. | AREA Acre | MAJOR USE | When Area 2 Population reaches 540,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District | When Area 3 Population reaches 1,600,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| NORTH | X | 1 | 58 | 143 | RES. | L | 20 | 8 | 1,160 | | M | 75 | 30 | 4,200 | |
| | | 2 | 28 | 69 | RES. | L | 20 | 8 | 560 | | M | 75 | 30 | 2,100 | |
| | | 3 | 10 | 25 | RES. | L | 20 | 8 | 200 | | M | 75 | 30 | 750 | |
| | | 4 | 104 | 257 | RES. | L | 10 | 4 | 1,040 | | ML | 30 | 12 | 3,120 | |
| | | 5 | 51 | 126 | RES. | L | 10 | 4 | 510 | | ML | 30 | 12 | 1,530 | |
| | | 6 | 167 | 413 | RES. | L | 10 | 4 | 1,670 | | ML | 30 | 12 | 5,010 | |
| | | 7 | | | | | | | | 5,140 | | | | | 16,710 |
| NORTH | XI | 1 | 36 | 89 | RES. | L | 20 | 8 | 720 | | MH | 150 | 60 | 5,400 | |
| | | 2 | 70 | 173 | RES. | L | 20 | 8 | 1,400 | | M | 75 | 30 | 5,250 | |
| | | 3 | 113 | 279 | RES. | L | 20 | 8 | 1,130 | | ML | 30 | 12 | 3,390 | |
| | | 4 | 36 | 89 | RES. | L | 10 | 4 | 360 | | ML | 30 | 12 | 1,080 | |
| | | 5 | 88 | 217 | RES. | L | 10 | 4 | 880 | | ML | 30 | 12 | 2,640 | |
| | | 6 | 75 | 185 | RES. | L | 10 | 4 | 750 | | ML | 30 | 12 | 2,250 | |
| | | 7 | 70 | 173 | RES. | L | 15 | 6 | 1,050 | | M | 75 | 30 | 5,250 | |
| | | 8 | 20 | 49 | RES. | L | 15 | 6 | 300 | 6,590 | M | 75 | 30 | 1,500 | 26,760 |
| EAST | I | 1 | 60 | 148 | COM. | | | | | | ML | 60 | 24 | 3,600 | |
| | | 2 | 90 | 222 | COM. | | | | | | MH | 60 | 24 | 5,400 | |
| | | 3 | 40 | 99 | RES. | | | | | | M | [illegible] | 24 | 3,000 | 17,000 |
| EAST | II | 1 | 70 | 173 | IND. | | | | | | | | | | |
| | | 2 | 70 | 173 | IND. | | | | | | | | | | |
| | | 3 | 15 | 37 | RES. | | | | | | MH | 200 | 80 | 3,000 | 3,000 |

| ZONE | DIS-TRICT | SEC-TOR | AREA Ha. | AREA Acre | MAJOR USE | When Area 2 Population reaches 540,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District | When Area 3 Population reaches 1,600,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| EAST | III | 1 | 90 | 222 | IND. | | | | | | | | | | |
| | | 2 | 140 | 346 | RES. | | | | | | MH | 200 | 80 | 28,000 | 28,000 |
| EAST | IV | 1 | 120 | 296 | RES. | | | | | | MH | 200 | 80 | 24,000 | |
| | | 2 | 180 | 445 | RES. | | | | | | M | 75 | 30 | 13,500 | |
| | | 3 | 60 | 148 | RES. | | | | | | M | 75 | 30 | 4,500 | |
| | | 4 | 20 | 49 | RES. | | | | | | M | 75 | 30 | 1,500 | 43,500 |
| EAST | V | 1 | 80 | 198 | RES. | | | | | | MH | 200 | 80 | 16,000 | |
| | | 2 | 120 | 296 | RES. | | | | | | M | 75 | 30 | 9,000 | 25,000 |
| EAST | VI | 1 | 70 | 173 | RES. | | | | | | MH | 200 | 80 | 14,000 | |
| | | 2 | 45 | 111 | RES. | | | | | | MH | 200 | 80 | 9,000 | 23,000 |
| EAST | VII | 1 | 70 | 173 | RES. | | | | | | M | 75 | 30 | 5,250 | |
| | | 2 | 200 | 494 | RES. | | | | | | M | 75 | 30 | 15,000 | |
| | | 3 | 85 | 210 | RES. | | | | | | L | 20 | 8 | 1,700 | 21,950 |
| EAST | VIII | 1 | 35 | 86 | RES. | | | | | | M | 75 | 30 | 3,750 | |
| | | 2 | 15 | 37 | RES. | | | | | | M | 75 | 30 | 1,125 | 4,875 |
| EAST | IX | 1 | 280 | 692 | RES. | | | | | | MH | 200 | 80 | 56,000 | |
| | | 2 | 100 | 247 | RES. | | | | | | M | 75 | 30 | 7,500 | 61,500 |

| ZONE | DIS-TRICT | SEC-TOR | AREA Ha. | AREA Acre | MAJOR USE | When Area 2 Population reaches 540,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District | When Area 3 Population reaches 1,600,000 Res. Density Range | Persons per Ha. | Persons per Acre | Res. Pop. | Total for District |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| EAST | X | 1 | 280 | 692 | IND. | | | | | | | | | | |
| | | 2 | 40 | 99 | RES. | | | | | | MH | 200 | 80 | 8,000 | 8,000 |
| EAST | XI | 1 | 20 | 49 | RES. | | | | | | MH | 200 | 80 | 4,000 | |
| | | 2 | | | O.S. | | | | | | | | | | 4,000 |
| EAST | XII | 1 | 140 | 346 | IND. | | | | | | ML | 50 | 20 | 7,000 | |
| | | 2 | 95 | 235 | RES. | | | | | | MH | 200 | 80 | 19,000 | |
| | | 3 | 55 | 136 | RES. | | | | | | MH | 200 | 80 | 11,000 | 37,000 |
| EAST | XIII | 1 | 50 | 124 | RES. | | | | | | L | 20 | 8 | 1,000 | |
| | | 2 | 70 | 173 | RES. | | | | | | MH | 200 | 80 | 14,000 | |
| | | 3 | 130 | 321 | RES. | | | | | | L | 20 | 8 | 2,600 | |
| | | 4 | 70 | 173 | RES. | | | | | | L | 20 | 8 | 1,400 | 19,000 |
| EAST | XIV | 1 | 210 | 519 | RES. | | | | | | L | 20 | 8 | 4,200 | 4,200 |
| EAST | XV | 1 | 260 | 642 | RES. | | | | | | L | 20 | 8 | 5,200 | |
| | | 2 | 200 | 494 | RES. | | | | | | M | 75 | 30 | 15,000 | |
| | | 3 | 290 | 716 | RES. | | | | | | L | 20 | 8 | 5,800 | 26,000 |
| EAST | XVI | 1 | 520 | 1284 | RES. | | | | | | L | 20 | 8 | 10,400 | |
| | | 2 | 110 | 272 | RES. | | | | | | L | 20 | 8 | 3,300 | 12,600 |
| EAST | XVII | 1 | 60 | 148 | RES. | | | | | | L | 20 | 8 | 1,200 | |
| | | 2 | 210 | 519 | RES. | | | | | | L | 20 | 8 | 4,200 | 5,400 |

# URBAN GROWTH MANAGEMENT PRACTICES IN UGANDA WITH A CASE STUDY ON KAMPALA

by

SAMUEL K. M. KIGGWE

B.A., Makerere University, Kampala, Uganda, 1974

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AN ABSTRACT OF A MASTER'S THESIS

submitted in partial fulfillment of the

requirements for the degree

MASTER OF REGIONAL AND COMMUNITY PLANNING

Department of Regional and Community Planning

KANSAS STATE UNIVERSITY
Manhattan, Kansas

1977

This is a descriptive study concerned with developing a framework for an urban growth management system. The growth management program deals with problems of blight, inadequacy of community facilities, housing shortage, and traffic congestion posed by the increase in population and economic activities in the city. Special emphasis is placed on the metropolitan region of Kampala in Uganda. Materials for this deliberation are drawn from the theories and practices of urban growth management both at home and abroad.

A growth management program is generally envisioned as mobilizing a variable set of policy instruments (growth control policies and techniques) in a fashion which attempts to bring growth into conformity with local goals of harmonious urban development and improved living conditions.

The literature review on the development of a growth program, the study on the intergovernmental relations for policy planning in Uganda, the analysis of the 1975 Land Reform Decree and the case study on growth practices of Kampala revealed that through a number of decades the city has been successful in establishing a rationale that can sustain the operation of a development management system. However, there is still a need for improving on the existing system, especially in the following areas.

There is a need to incorporate in the package of growth policies a development timing concept which the 1972 Kampala Development Plan overlooked. Techniques like the issuance of building permits, procedures and fees regarding extension of sewer and water lines, and a point-system like that of the city of Ramapo could be utilized to ensure phased development so that the established population densities are not exceeded in certain sections.

The preparation and adoption of a capital improvements program are also necessary to ensure adequacy of public facilities and coordination of the various development projects in the city.

The emerging growth policies are very clear on the goals and objectives. However, there is a lack of growth impact analysis on fiscal, economic, social and environmental features which should be geared toward clarifying the costs and benefits of the various growth options. This would enable officials and administrators more confidently to deny or accept development proposals.

There is a need to devise incentive and bonus growth techniques to attract desired uses. Techniques like incentive zoning, placement of capital imrpovements, industrial estates, tax exemptions and deferrals, special assessment and cura could assist not only in broadening the desired economic base but also in dealing with other community needs, for example, providing more low-cost housing. Establishment of first and second mortgage banks and other credit facilities should ensure easy flow of capital into real estate development and thus optimum utilization of parcels of urban land.

More citizen involvement in the planning process would greatly assist in arriving at more rational decisions to benefit the general public instead of a few special interest groups. Techniques like radio, TV, newspapers, public hearings and others could be utilized for this purpose. This would prevent segregative plans like those of the 1950's from recurring.

Disposal of land through leasehold created by the 1975 Land Reform Decree should be made within the growth control strategy and according to the zoning plans.

With respect to intergovernmental relations, there is a need for the national government to delegate more administrative, legal and fiscal powers to the local levels of government. Assistance is also necessary in manpower training and establishment of data bases at the local level so as to develop and administer growth policies which are more suitable to the local conditions.