

MAKING A ZONING PLAN



“Zoning” is a process through which a community identifies areas of land, or “zones,” that can be used for specific agreed purposes. Zoning helps to connect community by-laws to the physical landscape. For example, a community might decide to mark out one area on its community map as the area reserved for its community forest, another area as its grazing lands, another area for its market and commercial activities, and another where people may farm and build their homes.

Zoning supports sustainable natural resources management and helps to avoid land use conflicts by identifying which land uses should take place side by side – and which should not. It is useful to do zoning during the by-laws drafting process because zoning gets communities to think about future growth and development and include rules to help the community grow and change in an organized, thoughtful way. For example, a community might decide that if an investor wants to lease land, it would offer the investor a specific piece of land zoned for “investment,” but make sure that the rest of the community’s land is zoned for housing, farming, and a community forest. Similarly, to ensure peace with its pastoralist neighbors, a community may choose to carefully zone a right of way/access route that allows the pastoralists to move across the community in such a way that their animals will not destroy crops and cause conflict.

Facilitators should research whether the district, province, or county has an existing zoning plan for the larger region of which the community is a part. Referencing any larger regional plans may help avoid future zoning conflicts. For example, if the regional government is planning to build a road through the community, the community may want to include the future road in its zoning plan (rather than zone that area for housing). Regional government officials may also provide useful technical information about the community’s land, support the formal integration of the community’s zoning plan into the regional plan, and support its implementation.

HOW TO SUPPORT COMMUNITIES TO DRAFT AND AGREE ON A ZONING PLAN?

Communities use their community map to make a zoning plan, which is then attached to their by-laws. The community should make sure that their by-laws include clear rules for what people can and cannot do in each zone.

When a community is midway through its second draft of by-laws, facilitators should convene a special meeting to make a zoning plan. In preparation for this meeting, facilitators should ask communities to take out their most recent sketch map or satellite map and draw a few copies of their map onto large pieces of paper. If the community map has already been digitized, facilitators can print simple black & white versions of the map. Facilitators can then lead the community to follow these steps:

Step 1. Explain the activity, the purpose and benefits of zoning, and how it fits into the by-laws process.

Step 2. Support the community to brainstorm a list of categories of land use areas, based on how the community is currently using its lands and how it might want to use its lands in the future. Communities' lists might include:

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| <ul style="list-style-type: none"> • Areas where people live • Areas where people farm • Areas where people hunt • Areas where people gather traditional medicines, honey, and wild foods • Areas where people mine • Areas where people log/cut timber • Areas where people carry out livelihoods like brick-making, charcoal making, pit-sawing • Livestock grazing areas and access routes, in both wet and dry seasons | <ul style="list-style-type: none"> • Market areas • Roads, paths, bridges etc. • Buildings (churches, schools, clinics, etc.) • Community meeting/event spaces • Forests • Areas used by wildlife • Wildlife protected area/conservation area • Spiritual/cultural protected areas • Degraded land to be restored/replanted • Areas where erosion and/or flooding is a risk | <ul style="list-style-type: none"> • Water sources, wells, springs • Lakes, rivers, streams • Wetlands • Areas upstream from water sources that have water that feeds into the water sources, or “watersheds,” that need to be protected from pollution • Potential sites for investment or community businesses • Areas to reserve for the community to grow (housing, community buildings) • Areas to potentially offer to outside investors |
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It is important to emphasize that **it is possible for non-conflicting zones to overlap**. Some areas of land will be zoned exclusively for one type of land use (such as “houses”), but other areas will have overlapping zones where multiple types of non-conflicting land uses are allowed (such as an area where zones for “conservation”, “gathering medicine,” and “spiritual practices” all overlap). Zones can also overlap if the same area has different seasonal uses (such as an area that is used for “wetland” in the rainy season and “grazing” in the dry season). Finally, zones can overlap in situations where an area is zoned for a future use (such as “future school site”), but until that time the area can be used for something else (such as “farming”).

Step 3. Divide the community into groups of women, youth, and elders and supply them with two template maps, paper for a map legend and notes, and colored markers. Ask each group to:

- **Identify current land uses in the community.**¹ Facilitators and Community Land Mobilizers should support each group to discuss and identify how land is currently used in their community. The group should select an artist to draw these areas onto their first copy of the community map and make a legend using colors, symbols, and labels.
- **Identify how they would like their community to be organized in the future.** Facilitators and Community Land Mobilizers should support each group to discuss:
 - What areas should keep the same current land uses?
 - What areas there is conflict or difficulties related to current land uses, and how they might resolve these challenges with better zoning rules?

1. If the community has already mapped out current land uses in detail during the community mapping activity, it may be appropriate to skip the step focused on current land uses.

- Thinking about the future, how should land be zoned to make sure that the community grows in an organized way over time and so that natural resources are preserved for future generations?

Once there is agreement, the artist can then sketch these proposed zones onto the second copy of the map. Any new uses should be added to the legend.

- **Describe each zone type:** Facilitators and Community Land Mobilizers can then help each group describe what activities should be allowed and not allowed in each proposed zone. A group member (or a Community Land Mobilizer) should take notes during this discussion.

Step 4. Reconvene the groups to present their maps of current land uses and proposed zoning. Each group should choose a presenter who will present both maps to the larger group meeting.

Zoning decisions can cause conflict because they must balance the interests of the community against the interests of individuals. Encourage communities to see that zoning has many positive impacts such as reserving areas for future growth, protecting livelihoods, and reducing land conflicts.

Step 5. Discuss the proposed zoning maps as a group and address conflicts. After each group has presented their maps, the Community Land Mobilizers and facilitators can lead the community to discuss the various proposed zoning plans until there is agreement about how the community should be zoned. During this discussion, facilitators can help communities to think about:

- **Suitability:** Is the land well-suited for the proposed use(s)? Are there reasons why the land is sensitive or why certain activities should be restricted? For example, is the land sacred, a wetland, or important wildlife habitat?²

- **Potential conflicts between proposed zones:** Can the use(s) in each zone co-exist in the same area, or next to each other, without conflict? It may be necessary to think about separating certain uses. For example: can an area zoned for investment be next to the community's lake, stream or spring? Should a very noisy activity be allowed to take place next to housing areas? Will polluting activities be allowed upstream from the community's water source?

- **Fairness:** Would the proposed zones unfairly harm or benefit certain groups? Would certain families or individuals be negatively affected by the zoning plan and related by-laws? The community may need to agree on appropriate exceptions or compensations to remedy any harms caused by the zoning plan.

- **Community priorities:** Do the proposed zones support the community's future vision? What uses of the land will best help the community to prosper, thrive, grow, and ensure that community natural resources are abundantly available for future generations?

If the community cannot come to agreement about what zoning restrictions should apply to a particular area, it may be helpful for the Interim Coordinating Committee and key leaders to **visit the area** – seeing and walking around the land may help them to understand conflicting perspectives and may inspire new solutions.

2. It may be necessary to have some technical information when making a zoning plan. For information like soil fertility, facilitators should remind community members that they are the experts about what areas of their community are most fertile or least fertile. Local knowledge may often be deeper than that of outside experts. But for other issues that involve new technology or new kinds of investments unfamiliar to community members, facilitators may need to connect the community to technical experts or government extension officers who can provide necessary information the community may not be able to access on its own.

Step 6. Support communities to agree on a final zoning plan, then add by-laws for what can and cannot happen in each zoned area. Ask community members to make rules in their by-laws to explain the zoning plan and ensure that it is enforced. The community by-laws can set out:

- Rules that the community must post posters or signs near to or inside the zones that explain the community’s land use zones and the rules for the zones;
- Rules to discourage violations and/or provide incentives for respecting the zoning rules;
- Clear systems for monitoring compliance with the zoning plan, reporting violations, and determining fines or remedies for violations;
- A process for evaluating and deciding on requests to use the land and resources in a different way from what is set out in the zoning plan;
- A process for making changes to the zoning plan over time; and

- Other rules the community thinks are necessary to support the zoning plan.

Once complete, the community may choose to share its zoning plan with district and regional state officials or higher-level traditional authorities so they can refer to it when helping to resolve community land use disputes and other matters related to land and natural resources.

“GO” / “NO-GO” ZONING

A slightly different, more basic approach to zoning is to use only two categories (such as “go” and “no-go” or “develop” and “conserve”) instead of many categories of land use. In this approach, communities choose which areas they generally want to protect and which areas they would consider using for potential developments (such as new construction, community projects, investments, etc.). This simple approach is less effective for connecting the by-laws to the landscape, but it is an option to consider if a community is opposed to detailed zoning.

