NATIONAL AND REGIONAL PLANNING OF TOWNS AND COUNTRYSIDE
L'AMENAGEMENT SUR LE PLAN NATIONAL ET REGIONAL DES VILLES ET DE LA CAMPAGNE

SWITZERLAND
THE basic units of the Swiss State are the communes. They possess wide powers of self-government, including that of planning. In this direction their scope of activity includes chiefly building, housing, hygiene and public services.

The communes are combined to form cantons. The latter are sovereign State entities whose origin reaches back to the Middle Ages. In 1848 the cantons united to form a State Confederation. In the course of time the cantons have delegated to the Confederation the following powers: control over military matters, foreign policy, coinage and currency, construction and management of railways, post, telegraph and telephone, navigation and roads and bridges on national highways. The Confederation also has control over the regulation of hunting and fisheries.

The present-day organisation of regional and local planning must be judged on the basis of these political conditions. Because of the strong federal structure of the State and the corresponding outlook of its citizens any centralisation of planning authority by the State is out of the question. Nevertheless, to enable national planning problems to be considered, a private body, the Swiss Association for National Planning (die Schweizerische Vereinigung fur Landesplanung) was organised in 1943. The idea of national planning has gradually been developed on the basis of architectural town planning and a movement for the preservation of natural beauty and historic landmarks. The first planning publications were published in 1929 ("Town Planning in Switzerland," by Architect Camille Martin and Professor Hans Bernouilli).

At about the same time Professor Hans Bernhardt, founder of the Swiss Home Settlement Association (Schw. Vereinigung fur Innenkolonisation), started a scheme of soil improvement to secure agricultural land for cultivation by new settlers and artisan peasants.

With the co-operation of an organisation known as Industrial Allotments (Industrielles Anbauwerk) considerable success was achieved along these lines during the Second World War. Industry guaranteed the cost and the initial mechanical equipment of these undertakings. The scheme contributed materially to the success of the so-called "Wahlen Plan" for safeguarding the food supply from home resources.

In the year 1935 the League of Swiss Architects (Bund Schweizerischer Architekten) submitted a memorandum to the supreme Federal Council Executive calling attention to the advisability of initiating planning on a national basis. Two years later the League along with the Swiss Engineers and Architects' Union set up the Swiss National Planning Committee (Schweizerische Landesplanungskommission), out of which in due course developed the Swiss Association for National Planning mentioned above. Its members consist of representatives of the Confederation, cantons, communes, private organisations and individuals. The Association is divided into eight regional planning groups. The Canton of Zurich, for instance, belongs to the regional planning group for north-east Switzer-
land, along with the cantons of Thurgau, St. Gallen and Schaffhausen. These regional groups though part of the Association are independent in a legal sense. They also are subdivided into local groups according to their political, topographic and economic ties.

The main object of the Association and its regional planning groups is to further the planning idea by education of the public, advice and the provision of expert opinion. There are also Study Commissions for certain definite fields of expert activity, organised not regionally but according to the particular special field concerned. For these commissions membership is drawn from all parts of the country. One has been established on *Building and the Landscape* to deal with matters of aesthetic appearance and harmony of form and siting. Others are studying *Local Laws and the People; Water, Power and Highways; Agriculture and Forestry; Traffic; and Building and Real Estate Law*. The list indicates the range of problems just now occupying the public mind. The work is only in its early stages, as may be judged from the fact that the Central Bureau of the Association employs only two or three officials and a similar number of clerks. The policy of the Association is decided by the members' general meeting, the board of directors and an executive committee.

For the reasons given there is no Swiss planning law in existence, nor is one as yet contemplated. Likewise there is no Federal town planning office, but only a Swiss delegate for national planning.

In connection with subsidies for housing, which hitherto have been paid out of credits established for providing employment, there is a regulation that such employment schemes shall conform as far as possible to national planning directives. On the recommendation of a commune credits are advanced for the construction of dwellings by the commune, co-operative building societies or private enterprise. Such building schemes are required to adhere to accepted national, regional and local planning principles and practice, and to have regard for the preservation of features of natural beauty and historic interest. The principles of land settlement policy must also be observed. In this way a proper relationship is maintained between national, regional and local planning. The examination of all proposals and requests is carried out systematically by the regional planning office of the cantonal building boards. The directives are not binding regulations but merely advice conveyed by official circular and may vary from canton to canton.

Through their participation in this manner public authorities have an important position and their influence in planning is considerable. The directives laid down for judging plans submitted contain the following provisions:

The proposed building for which a subsidy is required must be situated in a residential zone. It may only be erected on land actually ripe for development or land in the preparatory stages of development. The planning scheme must be well adapted to the landscape and other buildings in the neighbourhood.

No general Federal office for national planning is to be created. On the other hand in the various special departments subject to Federal authority—railways, navigation, airways—increased importance is to be attached to planning and a better co-ordination established than heretofore. Swiss Civil
Law provides a basis for planning in so far as it is a question of restriction upon private property in the public interest. These regulations, however, are more in the nature of a programme and contain no specific limitation against freedom to build or other rights connected with land use. More extensive legal bases are contained in the cantonal laws. These are derived from the Federal Civil Code which contains the basic building law. The communes can draw up communal building orders, but these may not contain more extensive restrictions upon private landed property than is allowed under cantonal law.

It would be more in accordance with the nature of planning as related to Swiss conditions to use the term “expert opinion,” instead of the word “planning,” in the sense of guiding the execution of schemes in time and place. The German word denotes the meaning “judgment by experts” and at the same time implies a “challenge” to the citizens of a commune to develop a healthy economic and aesthetic housing policy for the commune. This fact is recognised in the public life of the communes where the citizens maintain a lively interest in planning matters. The implementation of a local or communal plan by the authorities can thus only be done in agreement with the electorate.

Out of the legal situation the following method of planning has developed.

The planning unit is the commune. In the name of local planning an attempt is made to regulate the development of all types of land use coming within the competency of the communes.

The instruments of planning are normally: an “overall plan” in the nature of a programme, and a “building order,” i.e., a collection of the building and planning “rules and regulations.” These may be accompanied by a “zoning plan.” The two latter plans have the force of law.

The approval of a planning scheme may proceed in the following ways:

(a) The exhibition for public inspection of a plan approved by the communal council. Citizens who feel their interests to be prejudiced have the right to lodge objection to the plan in whole or in part with the communal council. After the communal council has reconsidered, further appeal may be had to the cantonal court. In cases where decision is held to be arbitrary, appeal may be made to the Federal Supreme Court. After all appeals have been duly heard and settled the plans are laid for approval before the cantonal authority.

(b) The plan as approved by the communal council is submitted to a vote of the people. After acceptance by communal vote it has to be approved by the chief cantonal authority and put into force. Here too appeals may be lodged. The plan may be put into force only after all appeals have been settled.

(c) In some larger communes, for example, in the City of Zurich, there is an intermediate solution. Unless a demand has been made by referendum (i.e., the collection of a sufficient number of signatures) for the submission of the proposed regulations to a public vote, the draft rules come into force automatically after they have been open to public inspection for a specified period of time.
Regional planning comes within the competency of the cantons. It is limited in the main to partial planning of special matters, such as traffic or protection of features of scenic beauty and historical interest. Such planning may by exception be extended to take in the area of several cantons, in so far as agreement between various cantons is necessary for the planning of traffic or of power-stations.

National planning includes the development of inter-regional planning schemes and the partial planning under the specialised administrative departments of the Confederation. No inter-regional plan as yet exists. Cantonal planning schemes may be put into force by order under administrative law, Act of Parliament, or by popular vote. Appeal is always possible in individual cases. Federal planning schemes may likewise be given legal force by order of an official department or the Federal Council, or by decision of Parliament or by popular vote.

Planning practice. Before the Second World War no planning schemes other than for urban building development or in order to ensure architectural harmony had been carried out. Since then, through the public educational activities of the association, about 350 local planning schemes—one-tenth of all communes—and some ten regional plans have been initiated. A national planning scheme for highways and waterways is also under development. As a rule the work is in the hands of private consultants. Regional planning offices in Zurich, Berne, Lucerne, Waadt and Basel-land have the task of co-ordinating local planning schemes and examining them as to fitness for approval.

As a practical example of the way in which regional and local planning schemes are being carried out in Switzerland, let us cite the situation in the canton of Zurich. The canton takes its name from the city of Zurich, which with a population of about 370,000 is the largest city in Switzerland. The entire canton, comprising 170 other communes in addition to the city, has a population of 710,000 and an area of 1729-08 sq. kilometres. The legislative authority is the Cantonal Parliament, consisting of 180 members elected by the people for a term of four years under the proportional representation system. The executive organ is the Cantonal Cabinet, composed of seven members elected by the people for four years by majority vote.

The regulation of building development, which more recently has come to be designated as local and regional planning, is governed by the Building Law of April, 1893, for urban communities. On the 16th May, 1943, an amendment to this law was passed by popular vote. It made possible the adoption of more modern planning practice. This law is compulsory for both the urban communes of Zurich and Winterthur (the latter is an industrial town of 60,000 inhabitants in the northern part of the canton). A further thirty communes have voluntarily accepted the law. They are now required to establish a building development scheme and a Building Order that will then have to be approved by the Cantonal Cabinet before it becomes valid. Another thirty communes have accepted the first part of the building law. As a result, they have the right, but no obligation, to prepare building development plans and building orders. There are therefore some sixty communes, comprising about 80 per cent. of the population of the canton—including all the more important industrial areas—inter-
ested and co-operating in planning. Advising the communes and examining their building orders and building development plans has been carried out by a Regional Planning Bureau set up in 1942 as part of the Cantonal Building Board. Collaboration with all the other official departments interested in land use is effected through the Conference of Planning Officials, called whenever the need arises. Besides the Building Board with its departments for Underground Construction, Hydraulic Construction, and Building, other agencies that take part in the Conference are the Education Board, the Board of Health, the Board of Economics (with the Soil Conservation and Survey Office), the Board of Agriculture, the Board of Forestry and the Board of Industry and Trade. Representatives of the district managing boards of the Federal Railways and the Managing Board of the Zurich Cantonal Electricity Works also participate in the Conference discussions. The same bodies are invited to contribute their views and suggestions in regard to all local and communal planning schemes and to examine the plans that are submitted by the communes for expert approval.

Under Paragraph 8 of the Building Law the Cantonal Cabinet, if it deems fit, may consult with the communal authorities and draw up a master plan covering the area of the various communes. The plan may provide for the development of a through-traffic system, water supply resources, land required for public parks and open spaces, and industrial and residential areas. The building development plans of the communes are required to conform to this master plan. The first plan of this kind has been prepared for the region known as the "Zurich Lowlands," including the area of the new Kloten Airport. It is at present (March, 1948) under consideration by the communes. The master plan and the communal building development plans are only advisory and will not become legally binding upon individual landowners until after building and zoning restrictions have been enacted.

Actually, the communal planning and the cantonal regional planning are being carried out simultaneously in mutual consultation, so that subsequent approval by the chief Federal Authority is now only a matter of form. Approval by popular vote in the communes is however a matter of somewhat greater difficulty. Every voter has the right to express his views upon the scheme, which may involve lengthy discussion between private and public interests.

The existing method of compromise, so characteristic of the Swiss political outlook, is responsible for the fact that it is difficult to draw up any striking schemes of town building development. Once a decision is reached, however, it is carried out step by step because it has the sanction of popular approval. Amendments to the scheme may be made, if, in due course, they prove to be necessary.

With the exception of war-time licensing of building materials no planning in an economic sense has yet been carried out in Switzerland. All national, regional and local planning is of an advisory nature. The aim is to lay down general lines of development, to establish social relationships and to create zones for future expansion in a planning framework that is sufficiently flexible to meet all conceivable eventualities.

In the canton of Zurich the preservation of scenic and aesthetic and historical features is of special importance. Planning measures are based
upon the Regulation of the 9th May, 1942, covering the protection of scenic and historic features. It has an effect on particular local and cantonal planning schemes. Since 1942 measures have been taken for the protection of Lakes Greifen, Türl er and Hüttner, and of Regensburg. The latter is a charming mountain township, in a particularly beautiful setting. Among other similar measures in contemplation are those to protect the landscape along the Rhine, Lakes Thur and Prättiker. Special attention is being given to the old walled towns of Elgg and Bülach, Grüning en and the Kyburg, a castle in the vicinity of Winterthur. Appropriate zoning plans are being drawn at the Regional Planning Bureau of the Building Board in collaboration with the communal authorities concerned. It is characteristic that the initiative for the promotion of such protective action has come from the several private bodies in the region organised for that purpose. Along with this survey of practical planning in Switzerland it may be of interest to mention a few points in regard to the theoretical side of planning activities.

For some time a seminar on national planning has been held at the Geographical Institute of the Federal Technical High School. The Society of Former Polytechnicians has formed an "Academic Study Group for National Planning," and has carried out as a major piece of planning work an abstract directive plan for the preservation of Swiss cultural values in industrial and urban planning. The report will be published this year. The principles set forth are covered in a special paper.

The curriculum of the University of Lausanne includes a Diploma Course in Planning. A series of seven practice courses of one week each for elementary and advanced technical students has been conducted by the Association for National Planning. This idea is to be developed further by providing courses for communal officials. Interest in national planning is also being roused by lectures, articles in the Press, publications and especially by the official periodical "Plan." Since the development of national planning in Switzerland depends entirely upon the will of the people, these educational activities are highly important for the future of the country.

FRENCH TRANSLATION OF SUMMARY

L'AMENAGEMENT SUR LE PLAN NATIONAL ET REGIONAL DES VILLES ET DE LA CAMPAGNE

On ne peut parler d' "aménagement national," en Suisse, qu'à propos de certaines domaines particuliers qui ressortissent à la compétence du gouvernement fédéral (la plus haute autorité du pays). Ces domaines sont fort peu nombreux et se limitent pour l'essentiel à l'administration du réseau ferroviaire, au contrôle de la navigation, à la législation de la navigation aérienne et au contrôle des ponts et chaussées—tous domaines intéressants la Confédération dans son ensemble. Il n'y a pas d'autorité nationale, aucun département ni aucune législation fédérale pour l'aménagement.

L'association suisse pour l'aménagement du territoire national est une société privée, fondée en 1943. Le fait que le bureau central de l'association, Kirchgasse 3, Zurich, n'occupe que 2 à 3 fonctionnaires et autant
d’auxiliaires donne une idée juste du cadre limité de l’aménagement sur le plan national. La tâche de ce bureau est principalement éducative. L’association se subdivise en groupes techniques régionaux juridiquement indépendants. Le groupe régional pour la Suisse nord-orientale, dont Zurich fait partie, entretient un bureau d’information qui fonctionne un jour par semaine. Il existe en outre, dans certains cantons, des bureaux officiels d’aménagement régional, dont la tâche est non seulement éducative et informatoire, mais qui se chargent encore d’examiner les plans des communes pour l’aménagement des cultures ainsi que des zones de construction. Selon la législation des cantons, les communes seules ont le droit d’édicter des prescriptions sur le bâtiment et l’aménagement.

Les communes ne sont toutefois pas en droit de modifier des lois cantonales ou fédérales ; elles ne peuvent pas, par exemple, aller plus loin que la législation cantonale dans les restrictions sur la propriété foncière privée. Seul le canton de Vaud, à vrai dire, possède une législation de la construction réellement moderne. Les aménagements communaux sont mis en vigueur après enquête publique ou par le moyen de votations populaires. L’opposition et le recours privé sont possibles dans les deux cas. Les ordonnances ne peuvent entrer en vigueur qu’après liquidation des recours. Les termes qui, en Suisse, sont les plus proches de l’ “aménagement,” sont ceux d’ “expertise” et d’ “avis” ; des experts sont chargés par les autorités de rédiger un rapport donnant leur avis sur la meilleure manière d’aménager la construction sur le territoire de la commune ou de la région.

Bien que l’aménagement national, régional et local soit encore à ses premiers débuts en Suisse, il faut noter cependant que 350 communes indépendantes sur 3000 environ—en particulier les agglomérations industrielles d’une certaine étendue, ont commencé maintenant des aménagements locaux selon des vues modernes. De plus, dix groupes de communes se sont formés en vue d’aménagements régionaux. Les plans d’aménagement sont en général confiés à des experts privés, raison pour laquelle on ajoute une grande importance à la formation de tels experts. L’Institut géographique de l’École Polytechnique Fédérale donne un colloque hebdomadaire avec exercices pratiques et l’Université de Lausanne inscrit à son programme d’études un cours d’aménagement avec diplôme. L’Association suisse organise en outre, dans diverses régions du pays, 1 à 2 cours pratiques annuels d’une semaine. Enfin la Société des anciens polytechniciens comprend un “groupe académique d’étude pour l’aménagement national,” qui publiera prochainement un travail sur les considérations individuelles et sociales entrant en ligne de compte pour l’aménagement du territoire suisse conformément à son caractère particulier à la fois industriel et agricole. Une importance particulière doit être accordée en Suisse à l’aménagement des régions touristiques dont il est nécessaire de sauvegarder et de soigner l’aspect. Née des efforts du “Heimatschutz,” l’idée d’une protection généralisée des sites et des paysages dans certaines régions délimitées par zones, s’est réalisée sous forme d’ordonnances protectionnistes diverses. L’exemple le plus connu est l’ordonnance de 1942 du conseil d’État du canton de Zurich pour la protection du Greifensee.

Il faut encore mentionner pour finir le périodique officiel “Plan,” qui paraît tous les deux mois aux éditions Vogt et Schild à Soleure.

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