

Whose public spaces? Citizen participation in urban planning in Santiago, Chile

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Introduction

This article describes how community action stopped two planning proposals to build in public spaces in Las Condes, a commune in the metropolitan area of Santiago in Chile.¹ The first proposal was the construction of a shopping mall by a private owner and the second a municipal proposal by the city council to build an enclosure around a public park. Although I am a resident of the commune, my involvement in these projects has been as an observer, rather than an active member of the community, because for most of the time, I was not in Santiago. My observation and interest in this type of process comes mainly from an academic perspective; I am a researcher at the Faculty of Architecture and Urbanism at the University of Chile. It also comes specifically from my research on the relationship between urban planning and development and citizen participation. My conviction is that all residents should have

Box 1: Las Condes – some statistics

The municipality of Las Condes is one of 34 communes in the Santiago metropolitan area. It is economically prosperous, in a good location and with good-quality services and infrastructure.

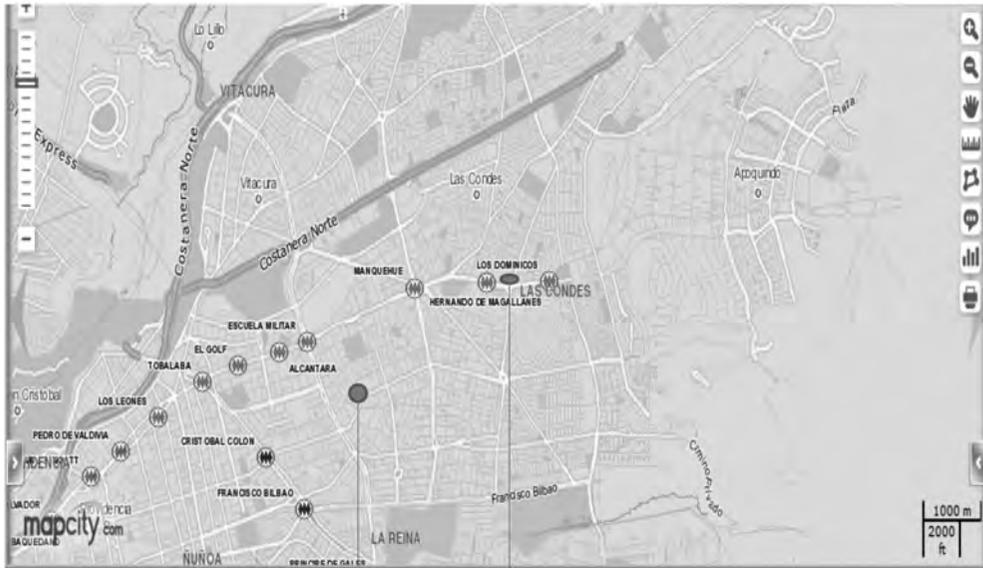
Las Condes is one of the main business and commercial centres in Santiago (see Map 1). Around 110 square kilometres in size, it has a population of about 280,000 and a density of 2,524 inhabitants per km². It is one of the five most populated municipalities in the metropolitan area, yet one of the least dense. It also has one of the lowest poverty rates, 1.1% compared with 15.1% at the national level and a municipal *per capita* income of nearly double the national average.

a say in how they live in their city and how their city is built.

The Martín de Zamora mall or 'Jardines de Colón' proposal

The first planning proposal was for a new shopping centre, to be built on a site covering three hectares, owned by CENCOSUD

¹ A commune is the smallest administrative subdivision in Chile. In highly populated areas such as Santiago, a conurbation may be broken into several communes.



Map: Viviana Fernández Prajoux

Mall Martín de Zamora

Parque Los Dominicos

Map of Las Condes, showing the two project sites.

with an investment of nearly US\$30 million.² The proposed centre would have a surface area of 100,000m² and would be built on three levels to include two large stores, cinemas, restaurants, a leisure centre, a medical centre and a large underground car park. However, according to the local planning regulations, the land can only be used for educational or cultural purposes – commercial use is not permitted. Even so, CENCOSUD obtained a permit to draw up preliminary plans for the construction of the mall from the local municipality of Las Condes.

Residents only informally found out about the proposal in 2009 – they were not formally informed by the municipality – and discussions soon began about the pros and cons of the project. As the proposal had required an amendment to the regulations so as to change the land use specifications and as the land was privately owned, the community had no say over its use. So the residents decided

to organise themselves informally and held community meetings to discuss their options and to keep everyone informed. They were active in producing flyers and sending emails informing people about what was happening. They also contacted the municipality, CENCOSUD and others to demand a meeting to explore other options for the site rather than the proposed development.

Little by little, the residents' organisation grew and began to mobilise other residents, collecting signatures to oppose the plans. The community had several arguments against the project, including that there would be increased traffic in the surrounding areas – CENCOSUD estimated that the expected vehicular impact would be 5,000 cars a day. There were also concerns that a shopping mall would attract people from outside the residential area, which might increase crime and negatively impact on property values in the area. In addition, there are already other

² CENCOSUD is one of the largest retail groups in Latin America. See: www.cencosud.com. Alemparte and Barreda were the architects commissioned to come up with the project design.

Image: CENCOSUD



Plan of the Martín de Zamora or 'Jardines de Colón' mall.

facilities nearby. The leader of the residents opposing the mall, Daniel Silva, stated:

This is not an ideological war, not a battle against the business or against CENCOSUD. What we don't want is a large project in our neighbourhood, because no one deserves to have a monster in their area (El Mercurio, 2010).

Another resident, Thomas Buttazzoni, said that the process was one-sided:

It's good to consult the people, but it is an unequal competition with a company that has significant marketing power. They even come to offer merchandise to my house.

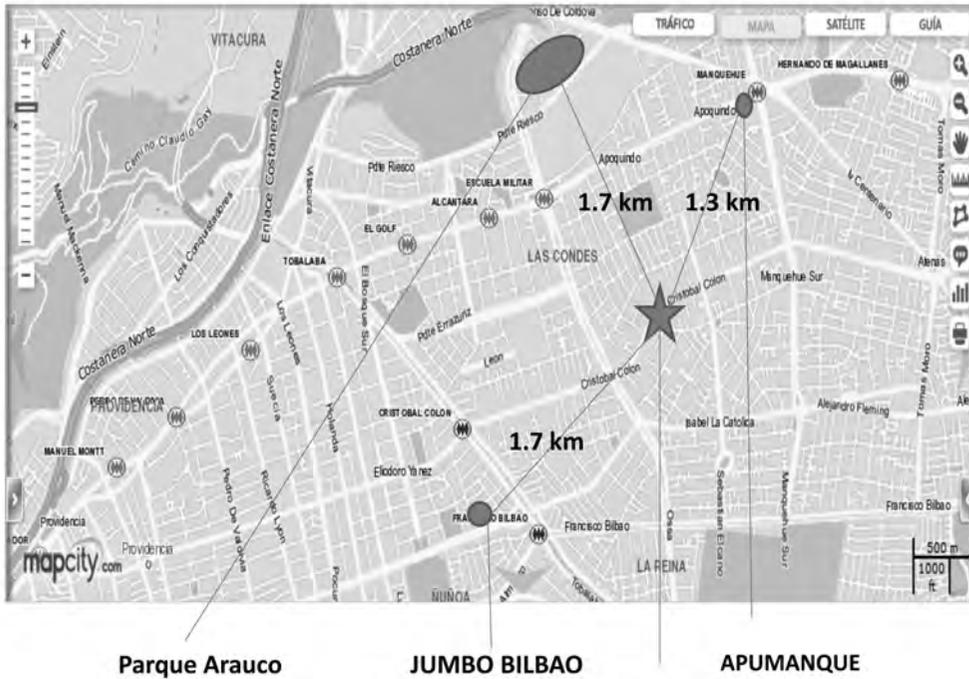
Some had a different view, believing that the mall would increase commercial activity in the area. For several years, local planning regulations had obstructed the commercial dynamism in the neighbourhood. Although some people stated this as an argument against the project, other

neighbours considered that the mall would add value to the area and help them to access goods and services in shorter timescales.

According to Minerva Sapag, another resident,

The fact that they will build a mall here, I find it good. But there are things that concern me, like possible traffic and congestion in the area, but I think that nowadays many older people are facing problems with time and can't manage, with the mall they will have everything at hand.

After the first public meeting with local representatives and neighbours, the municipality, CENCOSUD and others, the company listened to the residents' comments and made some changes to the project plans. Their amendments included reducing the height of some parts of the building and offering new services to the residents who lived closest to the site, such as free parking, improving green areas and the free use of some facilities in the mall,



Map: Viviana Fernández Prajoux

This map shows the distance from the proposed site of the Martín de Zamora mall and other existing facilities nearby. Both Parque Arauco and APUMANQUE are malls; JUMBO Bilbao is a supermarket also owned by CENCOSUD.

such as community meeting rooms. Later, they also offered to add a sports circuit around the site perimeter. None of these amendments convinced the community that they should accept the proposals, since they still felt there were more disadvantages than benefits.

Public consultation

In 2009, given the opposition to the plan and considering the need to amend the local planning regulations, the municipality agreed to carry out a public consultation. The council agreed that residents on the electoral roll within an area defined by the municipality could participate in the consultation.

The Participation Ordinance³ of the municipality states that any public vote is not binding, in the sense that the decision

of the municipal council is not bound by the results. The ordinance does not give any power to citizens – it only states that the municipality will inform, and in some cases, consult, on issues that concern local residents.⁴ However, the mayor said publicly that he would respect the will of the residents.

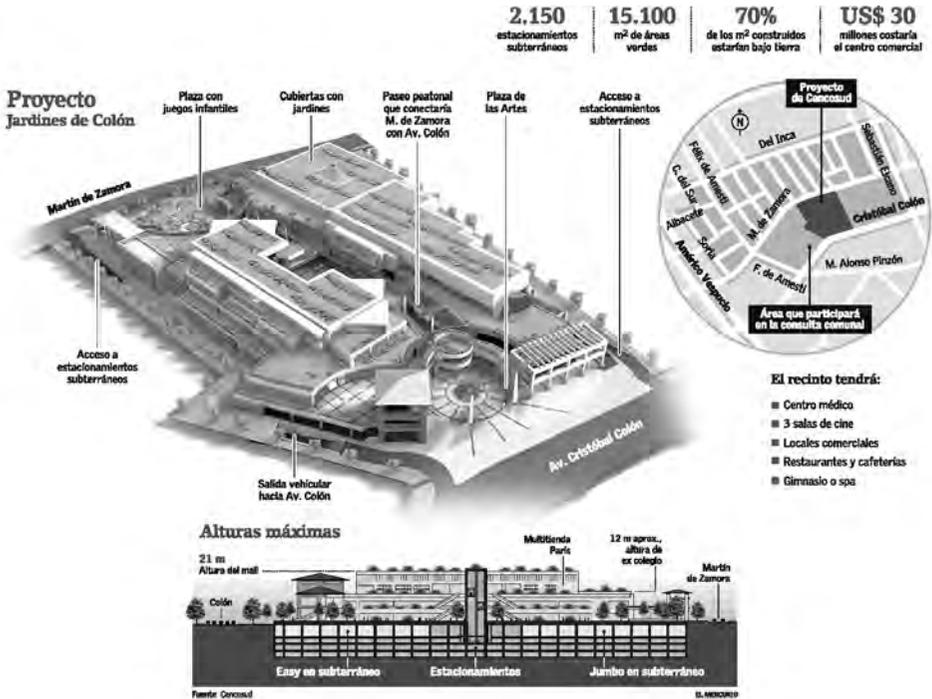
The vote was planned for 11th April 2010, but the February 2010 earthquake changed the priorities of the municipality and the electoral act was postponed until 6th June 2010. This postponement benefited each of the parties involved, as it extended the time available for the consultation. More residents became involved: they wrote to the local newspaper, they contacted local politicians and won other organisations over to their side, such as the architects and a private organisation called

³ All Chilean municipalities have a Participation Ordinance that regulates citizen participation.

The new Ordinance of Las Condes recognises and promotes the right of citizen participation in the design and formulation of municipal policies and actions and it includes several mechanisms for citizen participation.

⁴ There is an exception in the case of a neighbourhood in Providencia where the residents formed a legal residents' organisation (*junta de vecinos*) and were able to introduce changes in the planning regulations.

Image: CENCOSUD



Proposed plan of the Martín de Zamora 'Jardines de Colón' mall.

Defendamos La Ciudad (Let's Defend Our City). This extra time allowed the residents to increase the visibility of the issue, not only to those living nearby, but throughout the commune, due to the extra media coverage it received.

During the consultation, the project plans were exhibited on the proposed site for 47 days, including a model, drawings and images with the details of the project. A representative from CENCOSUD was available to answer any questions. Information was also posted on the website of the municipality of Las Condes. The mayor was quoted as saying that the public consultation would allow him to 'hear the views of residents regarding the possible change in land use of the site'. But in reality, the consultation asked only one question: do you support the plan to build a mall as exhibited here? There were only two options given for answers: 'yes' or 'no'.

In total, more than 1,600 people participated in the consultation – around 40% of those eligible to vote. Of those, 65%

rejected the project. The mayor honoured his word. He declared that the municipality would abide by the community's decision, and the plans for the redevelopment were stopped.

Los Dominicos Park, 2011

The second proposal was to enclose the Los Dominicos Park and privatise it. The park is adjacent to the Church of Los Dominicos – both the park and church were awarded conservation status by the National Monuments Council in 1983. As well as the church, the park has various facilities such as a craft centre, a skating rink, playgrounds, public toilets, an exhibition area, and municipal services, kiosks, water fountains, a subway station and a car park. The park is an important recreation area for local residents and visitors.

The proposal was to remove the existing car park, which would free up an area of 7,700m², and to plant 150 trees, and required a municipal investment of nearly US\$1,000 million. A sculpture walk would



Photo: Viviana Fernández Prajoux

A banner saying 'No master plan' at the church at Los Dominicos Park.

be created, with a pedestrian pathway connecting the park from north to south alongside the church, and extending the church grounds to provide space for religious and cultural activities. Also, the open market would be moved, loading and unloading services and sanitation services would be added, and access for those with disabilities would be incorporated. A bicycle storage area, a skate park, a children's playground and a gourmet market site would also be built. Additionally, a perimeter fence was planned to improve security in the park (although the proposal stated that the park would continue to be free access). However, the park would effectively be privatised through the construction of 500 underground paid parking spaces (the existing car park was cheaper than the proposed one).

Arguments against the proposal

The community opposed the proposal, mainly because it was not involved in any prior consultation. They objected to the increased pedestrian paved surface, even

with the new trees, but their main concern was the privatisation of the park because of the underground parking, the addition of the commercial buildings, and the proposal to gate the park. As a public space, they felt that it should not be privatised.

The community also argued that the plan would reduce the green areas of the park by a third, which had an area of six hectares, as there would be more cemented areas.

The community of Dominican Fathers also opposed the project because the church, which is part of a conservation area, 'would be reduced to a museum piece' and that if they gated the park 'it would hinder the participation of people in training courses that are held there, because they would need to pay more to park in the underground car park.'

The process

Since the residents knew that the municipality was planning to redevelop the park, they were able to arrange a meeting with the municipal authority to discuss the

Photo: Viviana Fernández Prajoux



Inside Los Dominicos Park.

proposals. But despite being informed about the project, they were not invited to participate in its design.

Neighbourhood meetings were held with three members of the municipality, Felipe de Pujadas, Gabriel Flández and María de la Luz Herrera, who filed the community's objections and sought support for suspending the inquiry. Two neighbouring organisations built alliances and sought support from other institutions such as the National Monuments Council, the College of Architects and the *Fundación Defendamos la Ciudad* (Defend the City Foundation). Forums were organised, primarily around the issue of privatisation of public space and the impact on the heritage of the park and the church.

When the municipality announced the project plans, a group of more than 300 people sent letters to the mayor of the commune to express their discontent, saying that the 'neighbourhood organisations require that the mayor of Las Condes and the council suspend the consultation and promote a participatory process'.

Letters were also sent to the media. The National Monuments Council stated in a letter to the mayor that even 'if this project is approved by the community, it would then need to be evaluated and approved by the National Monuments Council'. The College of Architects and the *Fundación Defendamos la Ciudad* supported the residents and also sent letters to the mayor trying to stop the consultation.

Public consultation

In early 2011, considering the strong opposition from residents, and with the support of other institutions, the municipality decided to convene a public consultation on the park improvement works. This consultation was open to all residents on the commune's electoral roll.

Prior to voting, the project plans were exhibited – as a finished project – near to the park for about 45 days. As with the Martín de Zamora mall proposal, the consultation only included two questions: do you agree with the master plan? Do you agree to the building of a gate around the



Posters advertising the forthcoming vote.

perimeter of the park? And once again, voters only had two options for answers: 'yes' or 'no'.

On 7th August 2011, more than 5,000 residents of Las Condes came to vote in the special polling booth set up by the municipality. Many brought placards with them, saying: 'NO to cement, NO to trade, NO to gates'. These slogans clearly expressed their opposition to a proposal in which the community had no involvement.

An overwhelming 81% voted against the master plan. The mayor of the commune once again stressed that citizen opinion would be respected:

The residents have spoken with active participation, and the result will be respected absolutely, which means that the city will only make improvements to the park without any structural change and we will keep the community involved in shaping any plans.

Limitations and success

There were three main limitations with the consultation process used in both cases.

A lack of recognition of the contribution of different actors

The development of a city cannot be measured only from an economic perspective. The municipal council assumed that there was no need for citizen participation in either urban development proposal. But whether it is the development of a neighbourhood, changing land use or improving public space, decision-making is not just for technical experts: it is a right that we all have as citizens.

In both cases, it was the residents, their neighbours and other concerned institutions who came together to initiate a participatory process. This was precisely because they had not been invited to participate in the first place, nor consulted on issues to which their contribution was important.

Lack of dialogue between the municipality and community

In the end, the mayor of the municipality had no choice but to turn to the participation ordinance to settle the dispute, and institute a public consultation. But why did this only occur after the conflict had broken out? The lack of any permanent dialogue mechanism on urban issues between council members and community organisations was clearly a significant limitation.

In the case of the Martín de Zamora mall, Councillor Felipe de Pujadas strongly supported the residents to oppose any authorised change in land use and the building of the mall. In the case of the Los Domínicos Park, more dialogue and at an earlier stage could have meant that the project was developed with the community's participation, involving a truly participatory process rather than just a citizen consultation.

Photo: Viviana Fernández Prajoux



Residents turn up to vote on the Los Dominicos Park proposals.

Limitations in how the consultation was presented

In both cases, the consultation questions only offered limited ‘Yes, I agree’ or ‘No, I disagree’ options, effectively cutting off any possibility for more creative involvement. In both cases, the communities’ rejection of the projects was mainly due to the lack of dialogue and engagement. They did not have any ownership of the projects. Especially in the Los Dominicos Park, residents did not indicate in any way that they were opposed to the **improvement** of the park. Instead it was their lack of involvement in agreeing on the park upgrading and who would benefit from those improvements.

There were also several successful aspects to the process.

Increased community awareness of their role as citizens

In recent years, active citizenship has grown increasingly. The community has become more interested in what is happening locally. They are sharing their views,

demanding more and are better organised. A key element in this increase in active citizenship is the existence and extent of social networks such as Facebook, Twitter and YouTube, among others. In addition, the public participation process for both projects was followed by the mainstream media, including *El Mercurio*, *La Tercera*, *La Nación*, *La Segunda* and others.

Strengthening existing organisations

Now that the consultation has finished, not all of the local organisations involved are still as active and some have consolidated more than others. But the process certainly transcended the boundaries of the respective projects, helping to strengthen local organisations and inspire future participatory processes.

Validation of the consultation results by the mayor

It was important that the municipal authority officially recognised the validity of the process and abided by the residents’ wishes, even though the process was part

of a framework that was not legally binding. In future, the existing legislation could be modified, so that the results of participatory processes legally have an influence on planning proposals.

Impact of the participatory processes on the community and commune

Following the consultation, the community continued to ask for more participation. The president of the San Carlos de Apoquindo Residents' Association (*Junta de Vecinos San Carlos de Apoquindo*) stated that 'we as neighbours are not closing the possibility of improving the park,' and that hopefully 'the mayor will make new terms of reference and open it to public competition'. According to Rodolfo Palacios, an architect and president of the Los Domínicos Residents' Association (*Junta de Vecinos Portal Los Domínicos*) at the time of the consultation,

The ideal is now that the municipality believes technical boards should include local experts and neighbourhood representatives as well, to decide together what to do with a community space. No one doubts that the park needs improvements. We do not want to suspend the works, we want to do something better.

One year after the completion of the consultation, little progress has been made in reaching an agreement. The municipal authority is reluctant to form working groups involving the various stakeholders – residents, community organisations, artisans, peddlers, the National Monuments Council and the Church – to define guidelines for typical zone interventions that seek to protect or preserve the unique identity of each zone.

The municipality invited some representatives of the commune, one

neighbourhood organisation, the Dominican Church and artisans to a meeting to reconcile positions on the urban future and landscape of the park. At the request of the representatives, the meeting concluded with the municipality promising to develop guidelines for a regulatory framework to guide any future intervention in the park. The next step would be to have an open tendering process for the redevelopment of the park, but since then little has happened.⁵

In the case of the shopping centre in Martín de Zamora, as the community participation was led by residents rather than any formal organisation, it has been difficult to continue working on the issue. Nothing has happened since then; the land is still vacant, and it is not known what CENCOSUD plans to do next.

One might say that both experiences have inspired participation in other initiatives. Residents living around the Araucano Park, another landmark community park, have reacted against the municipality's plans to redevelop it. They too have developed a Facebook group, to discuss urban issues and how to best improve the park.⁶

But in general, communities tend to organise themselves when there is a real problem, when they realise that they must react to show themselves and others that they can stand up and fight for those spaces and principles they believe in. At the same time, much more work is needed to promote a real participatory culture, to develop stronger organisations who can continue to monitor what is – or what could be – happening in their neighbourhood.

Lessons learnt

What lessons can we draw from these examples that can be applied by other organisations in similar contexts and with similar problems?

⁵ See Facebook group *Amigos del Parque Los Domínicos* (Friends of Los Domínicos Park): www.facebook.com/groups/204818332887145

⁶ See Facebook group *Amigos del Parque Araucano* (Friends of Araucano Park): www.facebook.com/groups/260366694016019

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Nacional

Vecinos de Martín de Zamora rechazan construcción de mall

El resultado de la consulta -donde participó el 65% de los vecinos que se habían inscrito para votar- dejó claro el hecho de que termino la implementación del proyecto de un mall en la zona de Martín de Zamora, tras haberse rechazado por el 65% de los votantes que se inscribieron para votar.

Los vecinos de la comuna de Martín de Zamora rechazaron la construcción de un mall en la zona de Martín de Zamora, tras haberse rechazado por el 65% de los votantes que se inscribieron para votar.



Los detalles de la iniciativa

La comuna de Martín de Zamora rechazó la construcción de un mall en la zona de Martín de Zamora, tras haberse rechazado por el 65% de los votantes que se inscribieron para votar.

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Consulta ciudadana

65%

contra el proyecto

'Neighbouring residents reject the construction of the Martín Zamora mall.' Article in *La Nación*, a national Chilean newspaper.

Reaction rather than planning

In both cases, the participatory process was rather a reactive breakthrough process, and not planned and agreed between the different actors involved. The two projects were examples of a spontaneous neighbourhood mobilisation, one organised by two neighbourhood organisations in Los Domínicos Park, and in the case of the Martín de Zamora mall, by local residents who were prepared to commit their time and use effective leadership to rally the community to defend the identity of their neighbourhood.

Would it not be better for citizen participation to begin at the very start of a project? The process should begin with a shared diagnosis and an acknowledgment of the problem, identifying the objectives and benefits of the project. If the municipality deems it necessary to make improvements to an urban area, then why not **begin** the process with a public consultation to provide that initial diagnosis? Who lives, work or visits the area, and why? What do **they** think the problems are? What are the possible options?

The mechanism of participation: citizen consultation

While consultation is an instance of citizen participation, the main objections the community had were that participation was restricted to a limited number of people within a given area. As this was probably the first time the municipality had done a consultation of this kind, it is likely that they decided to define a limited number of voters, without taking into account that the project would affect more people than just those living within a few blocks of the proposed site. But as the community involved in the Martín de Zamora mall consultation pointed out - who gets to decide who will participate in the voting? In the Los Domínicos Park plan, the vote was extended to all the commune residents, but it would also have been very important to include those who worked in the open market or the craft market beside the church.

In addition, communities objected to the fact that only 'yes' or 'no' responses were accepted as part of the consultation, effectively cutting off all meaningful discussion without creating a space for negotiation. It would have been better to use participatory processes to involve the community, such as workshops, surveys and interviews, and promoting these via social networks.

The municipality decided who was eligible to vote. With the mall, participation was restricted to those living in the immediate area, however later on, in the case of Los Domínicos, anyone who lived within the municipality was able to vote. This change was probably due to the experience of the first consultation.

Final thoughts

In both cases, the ability of the communities involved to organise themselves and to engage other actors made it possible for them to stop the projects from going ahead. I hope that the municipality will learn from these two experiences, recognising the rights the community have in relation to

their own places – and understanding that urban development is not only a technical or economic matter. It is also about the feelings and perceptions that we each have about our lives.

Instead of working in opposition, municipalities and communities should be working together. The community needs to learn that being a real citizen implies that

we each have both rights and duties. One duty is the need to keep informed about what is happening in our neighbourhood, how we can make it better, how we can use what local government has to offer us to our benefit. And finally, we should all remember that urban improvements should always be developed for collective and inclusive use.

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