# Zhejiang Province Land Conservation and Intensive Use Measures

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Chapter 1 General Provisions

Article 1. In order to implement the basic national policy of cherishing and rationally utilizing land and effectively protecting arable land, implement the strategy of prioritizing resource conservation, optimize the allocation of land resources, protect the legitimate rights and interests of land rights holders, and ensure the sustainable use of land resources, this regulation is formulated in accordance with the Land Administration Law of the People's Republic of China and other laws and administrative regulations, and in light of the actual conditions of this province.

Article 2 This regulation applies to the economical and intensive use of land and related activities within the administrative region of this province.

Article 3 The work of saving and intensively using land shall follow the principles of prioritizing conservation, rational utilization, planning guidance, and market allocation.

Article 4 The people's governments at or above the county level shall uniformly organize and lead the work of land conservation and intensive use within their respective administrative regions, decide on major land use matters, establish work objectives and assessment and evaluation systems for land conservation and intensive use, incorporate the level of land conservation and intensive use into the annual work target responsibility system assessment of the government, and ensure the availability of funds to support land conservation and intensive use.

Township (town) people's governments and subdistrict offices shall cooperate in carrying out relevant work on the economical and intensive use of land.

Article 5 The land and resources administrative departments at or above the county level are responsible for the specific management of the economical and intensive use of land within their respective administrative regions.

Relevant departments at the county level and above, including development and reform, economy and information technology, finance, science and technology, commerce, environmental protection, housing and urban-rural development

(planning), agriculture, forestry, and water resources, shall, in accordance with their statutory responsibilities, jointly carry out specific management work related to the economical and intensive use of land.

Article 6. Units and individuals using land must cherish and make rational use of the land, consciously abide by the relevant laws, regulations and rules on economical and intensive land use, fulfill their obligations on economical and intensive land use, and bear the responsibility for illegal or breach of contract land use.

Chapter Two: Scale Control

Article 7 People’ s governments at or above the county level shall, in accordance with the binding indicators determined by the higher-level land use master plan, formulate and implement the land use master plan in accordance with the law, and implement total control over the scale of construction land, and coordinate and manage the scale, layout, structure and timing of various types of construction land, so as to improve the level of economical and intensive land use.

Article 8 The relevant plans for **industri**al development, urban and rural construction, and infrastructure layout formulated by the people's governments of cities with districts and counties (hereinafter referred to as municipal and county people's governments) shall be consistent with the overall land use plan at the same level. For those exceeding the scale of construction land determined by the overall land use plan, the relevant plans shall be adjusted or modified in a timely manner to reduce the scale of construction land.

Article 9 The municipal and county people's governments shall organize the preparation of special plans for the redevelopment of inefficient land, the development and utilization of urban underground space, and the comprehensive consolidation of rural land, and highlight the economic and intensive benefits indicators such as the added value of secondary and tertiary **industri**es per unit of construction land, land supply rate, and utilization rate of existing land, so as to optimize the spatial use and layout of land.

Article 10. Municipal and county people's governments shall, in accordance with the overall land use plan and urban and rural planning, determine the urban development boundaries and prohibited construction boundaries, and strictly implement the spatial control system for construction land.

Strictly enforce land use requirements for projects within development zones (parks) and **industri**al clusters. Under the premise of complying with relevant plans, appropriately increase the investment intensity, plot ratio, and input-output ratio per unit of land for **industri**al construction projects, and optimize the allocation of land resources in development zones (parks) and **industri**al clusters.

Article 11 The municipal and county people's governments shall, in accordance with the overall land use plan, rationally adjust the land use structure, control the increase of new construction land, ensure living land, and increase ecological land; optimize the structure of urban and rural construction land, implement the policy of linking the increase of urban construction land with the decrease of rural construction land in accordance with national and provincial regulations, carry out the remediation of idle and inefficient rural land, and increase the proportion of existing construction land used for urban construction.

Article 12 The right to use construction land may be established separately on the ground or underground. The method of acquisition and term of use of the right to use construction land established separately on the ground or

underground shall be handled in accordance with the relevant provisions on the right to use construction land established on the surface.

Where the development and utilization of underground spaces in urban public facilities, public squares (green spaces), school playgrounds, etc., are in accordance with the overall land use plan and urban and rural planning, and meet the requirements of fire protection, urban flood control, environmental protection and building (structure) safety, it is encouraged to construct parking lots (garages) and commercial services, logistics warehousing and civil defense and disaster avoidance facilities; and promote the construction of urban underground integrated pipe corridors.

Chapter Three: Land Supply and Repossession

Article 13. Municipal and county people's governments shall gradually expand the scope of paid land use. The supply of land for all types of paid use shall fully reflect the supply and demand relationship and the degree of resource scarcity, and promote the economical and intensive use of land by using price levers.

For land designated for **industri**al, commercial, entertainment, tourism, and residential use, or for land parcels with two or more interested users, the land user and land price shall be determined through bidding, auction, or listing. No entity or individual may impose restrictions that affect fair and impartial competition.

Article 14. The municipal and county people's governments shall, based on land valuation results, **industri**al policies, environmental damage costs, etc., and through collective decision-making, comprehensively determine the bid price, starting price, and reserve price for land auctions or listings. The bid price, starting price, and reserve price shall not be lower than the minimum price standards stipulated by the state and province.

Article 15 The municipal and county people's governments shall adjust and publish benchmark land prices in a timely manner according to changes in the land market. Benchmark land prices shall be adjusted after five years of publication; if no adjustment is required based on market conditions, they shall be republished; those that have not been adjusted or republished shall not be used for land price assessment.

Article 16 The supply of **industri**al land shall comply with the **industri**al policies stipulated by the state and the province. The municipal and county people's governments may, based on the enterprise situation and **industri**al policies, determine the term of land use rights for different **industri**es within the statutory maximum term.

Article 17 When municipal and county land and resources administrative departments supply various types of state-owned construction land use rights for compensation, they shall stipulate planning requirements, land use conditions, land use term, conditions and methods for recovering land use rights, performance bond and liability for breach of contract, etc., in the paid use contract for the transfer or lease of state-owned construction land use rights, and clarify the relevant provisions on economical and intensive land use.

Article 18. The right to use state-owned land obtained in accordance with the law may be transferred in accordance with the law.

For land that meets the transfer conditions stipulated in the land transfer contract or laws and regulations, but is difficult to continue development or achieve the expected utilization goals in the short term due to reasons such as project, funding, or expected benefits, the land user is encouraged to transfer the land use right in accordance with the law.

Article 19 Multi-story standard factory buildings that meet the standards stipulated by the state and province may be operated through leasing or other means, or may be divided and transferred in accordance with the provisions of the land transfer contract, but their function and land use shall not be changed.

Article 20 The municipal and county people's governments shall improve the land reserve system and give priority to including vacant, idle, and inefficiently utilized state-owned existing construction land into the reserve.

Land reserve institutions may utilize the reserved land together with the buildings (structures) on it through leasing, temporary use, or other means.

Article 21 If the right to use state-owned construction land obtained through allocation is reclaimed due to the needs of public interest, or if the right to use state-owned construction land obtained through paid use is reclaimed in advance, the method of reclaiming through negotiation may be adopted, and the land user shall be reasonably compensated before the municipal or county people's government reclaims the land.

When the right to use state-owned construction land is revoked or revoked in advance, the municipal or county land and resources administrative department shall, in conjunction with relevant departments at the same level, formulate a land use right revocation plan, which shall be submitted to the people's government at the same level for approval before implementation.

When the right to use state-owned construction land is revoked or revoked in advance, the municipal or county land and resources administrative department shall post a notice for 30 days within the scope of the land use right revocation, including the reasons for the revocation, the location of the land plot, and its boundaries, and shall also publish the notice on the website of the land and resources administrative department responsible for the revocation.

Article 22. For compensation for the early recovery of the right to use state-owned construction land, if there is an agreement in the land use contract, the agreement shall be followed; if there is no agreement in the contract, the amount of land compensation shall be determined by assessment based on factors such as the land area, the remaining land use period, the original approved land use, the degree of land development and utilization, and the surrounding land market price.

Article 23. Compensation for the recovery of state-owned construction land use rights acquired through allocation shall be handled in accordance with the following principles:

(i) If the land user has paid the allocation price, compensation shall be made after the land user's cost of acquiring the land and investment in the land are assessed and the price of the allocated land use right is determined.

(ii) If the land user has not paid the allocation price, the municipal or county people's government may reclaim the allocated land use right without compensation. However, appropriate compensation shall be given for the buildings (structures) on the land.

Article 24 The handling of cases in which a land user voluntarily requests the return of the right to use state-owned construction land shall be carried out in accordance with the provisions of paragraphs 2 and 3 of Article 21, and Articles 22 and 23 of these Measures.

Article 25 When houses on state-owned land are expropriated in accordance with the law, the right to use state-owned construction land shall be recovered at the same time, and the recovery and compensation procedures shall be handled together with the houses on the expropriated state-owned land in accordance with the procedures stipulated in the "Regulations on the Expropriation and Compensation of Houses on State-owned Land" and the "Regulations on the Expropriation and Compensation of Houses on State-owned Land in Zhejiang Province".

The disposal of idle land shall be carried out in accordance with the "Land Administration Law of the People's Republic of China", the "Urban Real Estate Management Law of the People's Republic of China", and other laws and regulations, as well as the "Measures for the Disposal of Idle Land" formulated by the State Council's land and resources administrative department and the contractual agreement.

Article 26 When a rural collective economic organization reclaims the right to use collective land, it shall do so in accordance with the relevant provisions of the Land Administration Law of the People's Republic of China. Compensation for the reclamation of the right to use collective land shall be determined according to the contract if it is stipulated in the contract; otherwise, compensation shall be made after assessing and determining the value of the land use right based on the land user's acquisition costs and investment in the land.

When the collective land use right is revoked, the rural collective economic organization shall notify the land user in writing of the reasons for revoking the collective land use right, the location of the plot, the boundaries, and other matters, and post a notice in the village affairs disclosure column for 30 days.

The reform of the transfer of rural collective construction land use rights shall be carried out in accordance with relevant national and provincial regulations.

Chapter Four Land Revitalization and Utilization

Article 27 Priority shall be given to developing and utilizing vacant, abandoned, idle, and inefficiently used land for construction and use. The scope of inefficiently used land shall be determined in accordance with the relevant regulations of the provincial people's government.

Municipal and county people's governments shall, in accordance with the overall land use plan and urban and rural planning, promote the integration and agglomeration of industrial space, intensify the renovation of old residential areas, old factory areas and urban villages, and guide the rational replacement of industrial land.

Article 28 If an industrial enterprise uses existing factory buildings and existing industrial land for technological transformation to promote the transformation and upgrading of traditional industries, and with the approval of the urban and rural planning and land and resources administrative departments in accordance with the law, and without changing the land use, it implements demolition and reconstruction, factory building additions, renovation and expansion, underground space development and other means to improve the land investment intensity, utilization efficiency and plot ratio, no additional land price shall be charged.

Article 29. Land users who, without changing the land use entity, without redevelopment, and while meeting fire safety requirements, utilize existing industrial plants, warehouses, or other buildings and land resources to establish modern service industries such as information services, research and development, and creative industries, or engage in tourism, goods storage and transportation, or agricultural product sales, shall apply for temporary change of building use procedures in accordance with the relevant provisions of the "Zhejiang Provincial Urban and Rural Planning Regulations."

Their land use may be retained temporarily without change. However, they shall pay land revenue fees in accordance with the regulations of the municipal or county people's government.

Article 30. For industrial projects that need to be relocated due to urban or town planning and reconstruction of old urban areas under the leadership of the government and that comply with national and provincial industrial policies, if the state-owned land use rights are reclaimed with the approval of the municipal or county people's government in accordance with the law, industrial land may be reassigned to the original land user in accordance with the principle of equivalent value through negotiated transfer or lease, based on urban or town planning.

Article 31 The municipal and county people's governments shall establish an incentive mechanism for the redevelopment of inefficient land and the reuse of abandoned land, and shall redevelop inefficient land with scattered layout, extensive use, and unreasonable use in accordance with the law; and shall reuse abandoned land caused by mining damage, traffic rerouting, relocation of settlements, and industrial restructuring.

Original land users are encouraged to redevelop inefficient land or reuse abandoned land, either independently or jointly, in accordance with the law. For redevelopment projects undertaken by the original land users that involve changing land use, if they comply with relevant national and provincial regulations, land use procedures can be handled through negotiated transfer, except for those used for commercial real estate development.

Encourage private capital to participate in the redevelopment of inefficient land and the reuse of abandoned land.

Article 32. Municipal and county people's governments may, in accordance with the overall land use plan and urban and rural planning, and based on the needs of protecting high-quality arable land, optimizing urban development, and optimizing the spatial layout of industrial construction land, develop and utilize unused land such as low hills, gentle slopes, and wastelands where appropriate, whether for construction, afforestation, or agriculture. However, such land shall not be used for non-agricultural construction without legal approval.

Article 33 Urban village renovation should be carried out in a relatively concentrated manner. Multi-story apartments should be built in a concentrated manner within the urban construction land area, and the construction of high-rise apartments should be encouraged. Single-family houses should not be built. Outside the urban construction land area, the construction of central towns and central villages should be promoted, and the construction of single-family houses should be controlled.

Village development should make full use of existing homesteads, vacant land, and non-arable land on low hills and gentle slopes. Construction should be encouraged in conjunction with projects such as poverty alleviation through relocation from mountainous areas and resettlement for geological disasters.

Article 34 encourages rural villagers to voluntarily vacate their homesteads. Rural collective economic organizations may reclaim vacant or surplus homesteads through rewards, subsidies (compensation), or other means.

The homesteads that are withdrawn shall be redistributed by the local rural collective economic organization, or renovated, reclaimed and utilized in accordance with relevant national and provincial regulations.

Chapter Five Supervision and Management

Article 35. People's governments at or above the county level shall regularly organize surveys on the use of construction land and evaluations on economical and intensive land use, so as to comprehensively understand the status of urban and rural construction land use, input and output, degree of economical and intensive use, potential scale and spatial distribution. Specific survey and evaluation methods shall be implemented in accordance with relevant national regulations.

Article 36 The land and resources administrative departments at or above the county level shall, in conjunction with relevant departments at the same level, establish a land development and utilization monitoring and supervision mechanism, implement full-process supervision of land use, and urge land users to use the land in accordance with the provisions of the land paid use contract or the allocation decision.

The land and resources administrative departments at or above the county level are responsible for supervising the performance of the project, including the land area, use, and collection of land transfer fees (rents); the development and reform administrative departments at or above the county level are responsible for supervising the project nature, implementation of industrial policies, investment intensity, and input-output ratio per unit of land; and the housing and urban-rural development (planning) administrative departments at or above the county level are responsible for supervising the project planning control indicators (including land use nature, total building area, plot ratio, building height, building density, green space ratio, and indicators related to the area, number of units, and proportion of urban affordable housing units).

Article 37 The land and resources administrative departments at or above the county level shall establish a dynamic information disclosure system for land development and utilization, and regularly publish information on land approval, expropriation, land supply, and contract performance on their departmental websites to accept public supervision.

Article 38. The land and resources administrative departments at or above the county level and other relevant departments may, in addition to imposing penalties on units and individuals that violate relevant laws, regulations, rules and standards on the economical and intensive use of land, include them in the public credit system at the same level in accordance with national and provincial regulations, and make them available for inquiry or public disclosure in accordance with the law.

Article 39. If a violation of these Measures is subject to legal liability provisions in relevant laws and regulations, those provisions shall apply.

If land-using entities, individuals, and land and resources administrative departments at or above the county level fail to perform or fail to perform in accordance with the agreement of the land use contract for compensation, they shall bear the liability for breach of contract as stipulated in the contract.

Article 40. If the municipal or county people's governments, the land and resources administrative departments at or above the county level, and other relevant departments and their staff violate the provisions of these Measures and any of the following circumstances exist, the competent authorities shall, in accordance with their management authority, impose disciplinary sanctions on the directly responsible supervisors and other directly responsible personnel; if a crime is constituted, criminal liability shall be pursued in accordance with the law:

(i) Providing land in violation of the relevant national and provincial regulations on allocated land, restricted land, and prohibited land;

(ii) Land that should be used for compensation according to law is supplied at a price lower than the minimum price standard stipulated by the state and province;

(iii) Land prices that have not been adjusted or republished for more than 5 years;

(iv) Other acts of favoritism, abuse of power, or dereliction of duty.

Chapter Six Supplementary Provisions

Article 41 The municipal and county people's governments shall formulate detailed implementation rules in accordance with these Measures.

Article 42 This regulation shall come into force on April 1, 2016.

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