

ENFORCEMENT DECREE OF THE NATIONAL LAND PLANNING AND UTILIZATION ACT

Presidential Decree No. 17816, Dec. 26, 2002
Amended by Presidential Decree No. 18044, jun. 30, 2003
Presidential Decree No. 18108, Sep. 29, 2003
Presidential Decree No. 18146, Nov. 29, 2003
Presidential Decree No. 18240, Jan. 20, 2004
Presidential Decree No. 18312, Mar. 17, 2004
Presidential Decree No. 18680, Jan. 15, 2005
Presidential Decree No. 18978, Jul. 27, 2005
Presidential Decree No. 19036, Sep. 8, 2005
Presidential Decree No. 19073, Sep. 30, 2005
Presidential Decree No. 19130, Nov. 11, 2005
Presidential Decree No. 19206, Dec. 28, 2005
Presidential Decree No. 19239, Dec. 30, 2005
Presidential Decree No. 19400, Mar. 23, 2006
Presidential Decree No. 19422, Mar. 29, 2006
Presidential Decree No. 19463, Apr. 28, 2006
Presidential Decree No. 19503, jun. 7, 2006
Presidential Decree No. 19586, jun. 30, 2006
Presidential Decree No. 19639, Aug. 4, 2006
Presidential Decree No. 19647, Aug. 17, 2006
Presidential Decree No. 20009, Apr. 19, 2007
Presidential Decree No. 20535, Jan. 8, 2008
Presidential Decree No. 20585, Jan. 31, 2008
Presidential Decree No. 20647, Feb. 22, 2008
Presidential Decree No. 20722, Feb. 29, 2008
Presidential Decree No. 20791, May 26, 2008
Presidential Decree No. 20941, Jul. 28, 2008
Presidential Decree No. 21019, Sep. 18, 2008
Presidential Decree No. 21038, Sep. 25, 2008
Presidential Decree No. 21052, Sep. 30, 2008

Presidential Decree No. 21098, Oct. 29, 2008
Presidential Decree No. 21214, Dec. 31, 2008
Presidential Decree No. 21231, Dec. 31, 2008
Presidential Decree No. 21445, Apr. 21, 2009
Presidential Decree No. 21488, May 13, 2009
Presidential Decree No. 21565, jun. 26, 2009
Presidential Decree No. 21625, Jul. 7, 2009
Presidential Decree No. 21629, Jul. 16, 2009
Presidential Decree No. 21641, Jul. 27, 2009
Presidential Decree No. 21665, Aug. 5, 2009
Presidential Decree No. 21669, Aug. 5, 2009
Presidential Decree No. 21774, Sep. 21, 2009
Presidential Decree No. 21807, Nov. 2, 2009
Presidential Decree No. 21835, Nov. 20, 2009
Presidential Decree No. 21847, Nov. 26, 2009
Presidential Decree No. 21881, Dec. 14, 2009
Presidential Decree No. 21887, Dec. 15, 2009
Presidential Decree No. 22128, Apr. 20, 2010
Presidential Decree No. 22142, Apr. 29, 2010
Presidential Decree No. 22151, May 4, 2010
Presidential Decree No. 22224, jun. 28, 2010
Presidential Decree No. 22264, Jul. 9, 2010
Presidential Decree No. 22273, Jul. 12, 2010
Presidential Decree No. 22420, Oct. 1, 2010
Presidential Decree No. 22467, Nov. 2, 2010
Presidential Decree No. 22703, Mar. 9, 2011
Presidential Decree No. 22815, Apr. 1, 2011
Presidential Decree No. 23009, Jul. 1, 2011
Presidential Decree No. 23755, Apr. 27, 2012
Presidential Decree No. 23966, Jul. 20, 2012
Presidential Decree No. 24008, Jul. 31, 2012
Presidential Decree No. 24155, Oct. 29, 2012
Presidential Decree No. 24443, Mar. 23, 2013
Presidential Decree No. 24593, jun. 11, 2013
Presidential Decree No. 25050, Dec. 30, 2013
Presidential Decree No. 25090, Jan. 14, 2014

Presidential Decree No. 25273, Mar. 24, 2014
Presidential Decree No. 25279, Mar. 24, 2014
Presidential Decree No. 25339, Apr. 29, 2014
Presidential Decree No. 25432, jun. 30, 2014
Presidential Decree No. 25456, Jul. 14, 2014
Presidential Decree No. 25483, Jul. 16, 2014
Presidential Decree No. 25652, Oct. 14, 2014
Presidential Decree No. 25661, Oct. 15, 2014
Presidential Decree No. 25718, Nov. 11, 2014
Presidential Decree No. 25751, Nov. 19, 2014
Presidential Decree No. 25773, Nov. 24, 2014
Presidential Decree No. 25840, Dec. 9, 2014
Presidential Decree No. 26027, Jan. 6, 2015
Presidential Decree No. 26096, Feb. 10, 2015
Presidential Decree No. 26142, Mar. 11, 2015
Presidential Decree No. 26302, jun. 1, 2015
Presidential Decree No. 26316, jun. 15, 2015
Presidential Decree No. 26381, Jul. 6, 2015

Article 1 (Purpose)

The propose of this Decree is to provide for matters delegated by the National Land Planning and Utilization Act and matters necessary to implement the said Act. <Amended by Presidential Decree No. 19036, Sep. 8, 2005>

Article 2 (Infrastructure)

(1) "Facilities prescribed by Presidential Decree" referred to in the part other than the items of subparagraph 6 of Article 2 of the National Land Planning and Utilization Act (hereinafter referred to as the "Act") means the following facilities (including incidental facilities and convenience facilities necessary for the performance of functions and utilization of the relevant facilities): <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 20791, May 26, 2008; Presidential Decree No. 21807, Nov. 2, 2009; Presidential Decree No. 24593, Jun. 11, 2013>

1. Traffic facilities: Roads, railways, harbors, airports, parking lots, automobile depots, tracks, canals, inspection facilities for automobiles and construction machinery, and drivers' schools for automobiles and construction machinery;
2. Space facilities: Squares, parks, green areas, amusement parks, and vacant public land;
3. Distribution and supply facilities: Distribution business facilities, water, electricity, gas and heat supply facilities, broadcasting and communications facilities, utility tunnels, markets, oil-storage and oil

supply facilities;

4. Public, cultural and athletic facilities: Schools, athletic fields, public buildings, cultural facilities, athletic facilities deemed necessary for public use, libraries, research facilities, social welfare facilities, public vocational training facilities and juvenile training facilities;

5. Disaster-prevention facilities: Rivers, storing ponds, reservoirs, fire prevention facilities, windbreak facilities, waterproof facilities, erosion control facilities and tide-control facilities;

6. Health and sanitary facilities: Cremation facilities, cemeteries, enshrinement facilities, natural burial grounds, funeral parlors, slaughterhouses, and general medical facilities;

7. Environmental basic facilities: Sewage systems, waste treatment facilities, prevention facilities for water pollution, and auto junkyards.

(2) Roads, automobile depots and squares, among infrastructure under paragraph (1) may be subdivided as follows: <Amended by Presidential Decree No. 20535, Jan. 8, 2008; Presidential Decree No. 22142, Apr. 29, 2010>

1. Roads:

(a) General roads;

(b) Exclusive roads for automobiles;

(c) Exclusive roads for pedestrians;

(d) Exclusive roads for bicycles;

(e) Overpass;

(f) Underpass;

2. Automobile depots:

(a) Passenger automobile terminals;

(b) Cargo terminals;

(c) Public garages;

(d) Collective truck depots (limited to those installed by the association or the federation under Article 48 or 50 of the Trucking Transport Business Act);

3. Squares:

(a) Traffic squares;

(b) General squares;

(c) Scenic squares;

(d) Underground squares;

(e) Squares annexed to building structures.

(3) Additional subdivision and specific scope of infrastructure provided for in paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 3 (Metropolitan Facilities)

"Facilities prescribed by Presidential Decree" in the part other than the items of subparagraph 8 of Article 2 of the Act means the following facilities: <Amended by Presidential Decree No. 19400, Mar. 23, 2006;

Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24593, Jun. 11, 2013>

1. Facilities extending over areas under the jurisdictions of two or more Special Metropolitan Cities, Metropolitan Cities, Special Self-Governing Cities, Special Self-Governing Provinces or Sis/Guns (excluding any Gun located in the jurisdictional area of a Metropolitan City; hereinafter the same shall apply: Provided, That any Gun located in the jurisdictional area of a Metropolitan City shall be included in Articles 110, 112 and 128): Roads, railways, canals, squares, green areas, water, electricity, gas and heat supply facilities, broadcasting and communications facilities, utility tunnels, oil-storage and oil-supply facilities, river and sewage systems (excluding sewage terminal treatment facilities);
2. Facilities utilized jointly by two or more Special Metropolitan Cities, Metropolitan Cities, Special Self-Governing Cities, Special Self-Governing Provinces or Sis/Guns: Harbors, airports, automobile depots, parks, amusement parks, distribution business facilities, athletic fields, cultural facilities, athletic facilities deemed necessary for public use, social welfare facilities, public vocational training facilities, juvenile training facilities, storing ponds, crematories, cemeteries, chanel facilities, slaughterhouses, sewage systems (limited to sewage terminal treatment facilities), waste treatment facilities, prevention facilities for water pollution, and auto junk yards.

Article 4 (Public Facilities)

"Other public facilities prescribed by Presidential Decree" in subparagraph 13 of Article 2 of the Act means the following facilities: <*Amended by Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 22703, Mar. 9, 2011*>

1. Harbors, airports, canals, squares, green areas, vacant public land, utility tunnels, rivers, storage ponds, fire prevention facilities, windbreak facilities, waterproof facilities, erosion-control facilities and tide-control facilities, sewage systems, and conduits;
2. Parking lots, athletic fields, reservoirs, crematories, cemeteries, and chanel facilities constructed by administrative offices;
3. Facilities under subparagraph 3 (c) of Article 2 of the Act on the Construction, etc. of Ubiquitous Cities.

Article 4-2 (Infrastructure Needed to be Installed in Infrastructure-Levy Areas)

"Infrastructure prescribed by Presidential Decree, such as roads, parks and green areas" in subparagraph 19 of Article 2 of the Act means the following infrastructure (including appurtenant and convenience facilities needed to use the relevant facilities): <*Amended by Presidential Decree No. 23718, Apr. 10, 2012*>

1. Roads (including approach roads from neighboring arterial roads to infrastructure-levy areas);
2. Parks;
3. Green areas;
4. Schools (excluding schools under Article 2 of the Higher Education Act);
5. Waterworks (including waterworks connecting neighboring waterworks to infrastructure-levy areas);

6. Sewerage (including waterworks connecting neighboring waterworks to infrastructure-levy areas);
7. Waste disposal facilities;
8. Other facilities determined by the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun in infrastructure-levy plans under the proviso to Article 68 (2) of the Act.

Article 4-3 (Kind of Facilities Inducing Infrastructure)

"Facilities prescribed by Presidential Decree, such as detached houses, lodging facilities, etc." in subparagraph 20 of Article 2 of the Act means buildings by use, as provided for in attached Table 1 of the Enforcement Decree of the Building Act: Provided, That buildings specified in attached Table 1 shall be excluded.

Article 4-4 (Criteria and Procedures for Assessment of Sustainability of Cities)

(1) When the Minister of Land, Infrastructure and Transport prescribes criteria for assessment of sustainability of cities under Article 3-2 (2) of the Act, he/she shall comprehensively consider the efficiency and eco-friendliness of land use, the appropriateness of supply of infrastructure, safety, comfortableness, convenience, etc. of living space.

(2) Where the Minister of Land, Infrastructure and Transport intends to conduct assessment according to criteria for assessment of sustainability of cities under paragraph (1), he/she shall require a Special Metropolitan City Mayor, a Metropolitan City Mayor, the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province or the head of a Si/Gun to conduct self-assessment of the relevant local government and submit the result thereof, and shall conduct a final assessment based on the self-assessment results submitted.

(3) The Minister of Land, Infrastructure and Transport may disclose all or part of the result of sustainability assessment of cities under paragraph (2), and require the assessment result to be utilized for subsidies or loans for revitalizing urban renewal under Article 27 of the Special Act on Revitalization of and Support for Urban Renewal, and for general subsidies under Article 40 of the Special Act on Balanced National Development.

(4) The Minister of Land, Infrastructure and Transport may entrust a specialized institution with the assessment of sustainability of cities under paragraph (2).

(5) Detailed matters necessary for the criteria and procedures for assessment provided for in paragraphs (1) through (4) shall be determined and publicly announced by the Minister of Land, Infrastructure and Transport.

Article 5 (Restrictions on Designation of Zones, etc. concerning Land Utilization by other Acts)

(1) "Area prescribed by Presidential Decree" in Article 8 (2) of the Act means one square kilometer (five square kilometers in cases of urban development districts designated under the Urban Development Act).
<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 25090, Jan. 14, 2014>

(2) When the head of a central administrative agency or the head of a local government requests the Minister of Land, Infrastructure and Transport to hold consultations or grant approval pursuant to Article 8

(2) of the Act, he/she shall submit the following documents to the Minister of Land, Infrastructure and Transport: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014>*

1. Descriptions on the purposes, necessities, background, procedures for promotion, etc. of the designation or alteration of a zone, etc. (including matters that should be included when designating or altering the relevant zone, etc. pursuant to the related Acts and subordinate statutes);

2. Maps describing the current status of land use drawn on a scale of 1:25,000 indicating a special-purpose area, infrastructure, etc. in the area intended for the zone and peripheral area;

3. Maps drawn on a scale of 1:5,000 through 1:25,000 indicating the zone, etc. he/she intends to designate within the area intended for the zone;

4. Other documents prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(3) "Area prescribed by Presidential Decree" in Article 8 (3) of the Act means five square kilometers (limited to where a Special Metropolitan City Mayor, a Metropolitan City Mayor, the Mayor of a Special Self-Governing City or a Do Governor or the Governor of a Special Self-Governing Province (hereinafter referred to as "Mayor/Do Governor") designates or alters a zone, etc. following deliberation by a City/Do urban planning committee (hereinafter referred to as "City/Do urban planning committee") under Article 113 (1) of the Act. *<Newly Inserted by Presidential Decree No. 25090, Jan. 14, 2014>*

(4) Where the head of a Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter the same shall apply) requests a Mayor/Do Governor to grant approval pursuant to Article 8 (3) of the Act, he/she shall submit documents referred to in the subparagraphs of paragraph (2) to the Mayor/Do Governor. *<Newly Inserted by Presidential Decree No. 25090, Jan. 14, 2014>*

(5) "Where the head of a central administrative agency or the head of a local government intends to alter a zone, etc. within the limits prescribed by Presidential Decree" in Article 8 (4) 4 of the Act means any of the following cases: *<Amended by Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 25090, Jan. 14, 2014>*

1. Where he/she increases or decrease the area within ten percent of the area of a region, district, zone, lot, etc. (hereinafter referred to as "zone, etc.") on which he/she has had consultations or has obtained approval;

2. Where he/she intends to correct errors in the computation of the area of a zone, etc. on which he/she has had consultations or has obtained approval.

Article 6 (Restrictions on Alteration of Use Area, etc. under other Acts)

(1) Where the head of a central administrative agency or the head of a local government intends to permit, authorize, approve or determine a plan which assumes the fact of determination of an urban or Gun management plan on the designation or alteration of a use area, use district or use zone pursuant to the main sentence of Article 9 of the Act, he/she shall first submit the plan to the Central Urban Planning Committee under Article 106 of the Act (hereinafter referred to as the "Central Urban Planning Committee") or a local urban planning committee under Article 113 of the Act (hereinafter referred to as

"local urban planning committee") for deliberation, according to the following classification: Provided, That this shall not apply where an alteration of a use area, etc. falls under Article 8 (4) 1 of the Act or less than five percent of a planned area is altered in a plan which assumes the fact of determination of an urban or Gun management plan: <Amended by Presidential Decree No. 18240, Jan. 20, 2004; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25090, Jan. 14, 2014>

1. Where deliberation by the Central Urban Planning Committee is required:

(a) Where the head of a central administrative agency intends to permit, authorize, approve or determine a plan which assumes the fact of determination of an urban or Gun management plan on the designation or alteration of a use area, use district or use zone, the area of which is at least 300,000 square meters;

(b) Where the head of a local government intends to permit, authorize, approve or determine a plan which assumes the fact of determination of an urban or Gun management plan on the designation or alteration of a use area, use district or use zone, the area of which is at least five square kilometers;

2. Where deliberation by a local urban planning committee is required: Where the head of a local government intends to permit, authorize, approve or determine a plan which assumes the fact of determination of an urban or Gun management plan on the designation or alteration of a use area, use district or use zone, the area of which is at least 300,000 square meters, but less than five square kilometers.

(2) When the head of a central administrative agency or of a local government submits a plan to the Central Urban Planning Committee or a local urban planning committee for deliberation pursuant to paragraph (1), he/she shall submit the following documents to the Minister of Land, Infrastructure and Transport or the head of a local government under which the relevant local urban planning committee has been established: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

1. Written plans detailing the purpose, necessity, background, contents, procedures for promotion, etc. of a plan (including details to be included in the relevant plans under the related statutes);

2. Sketch reflecting current status of land utilization drawn at a scale of 1:25,000 indicating a use area and infrastructure, etc. in the relevant area and peripheral area;

3. Sketch drawn at a scale of 1:1,000 indicating the details on the designation or alteration of a use area, use district or use zone (it may be at a scale of at least 1:5,000 for areas, other than an urban area);

4. Other documents prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 7 (Designation of Metropolitan Planning Zones)

(1) A metropolitan planning zone under Article 10 (1) of the Act shall be designated by the unit of the jurisdictional areas of two or more adjacent Special Metropolitan Cities, Metropolitan Cities, Special Self-Governing Cities, Special Self-Governing Provinces or Sis/Guns. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(2) Notwithstanding paragraph (1), where the Minister of Land, Infrastructure and Transport or a Do Governor intends to include part of the jurisdictional areas of two or more adjacent Special Metropolitan Cities, Metropolitan Cities, Special Self-Governing Cities, Special Self-Governing Provinces or Sis/Guns in a metropolitan planning zone, he/she shall do so by the unit of jurisdictional zone of a Gu, Gun (referring to a Gun in the jurisdictional area of a Metropolitan City), Eup or Myeon. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

Article 8 Deleted. <by Presidential Decree No. 21669, Aug. 5, 2009>

Article 9 (Contents of Metropolitan Plans)

"Matters prescribed by Presidential Decree" in Article 12 (1) 5 of the Act means the following matters:

1. Matters relating to the traffic, distribution and circulation system of a metropolitan planning zone;
2. Matters relating to the cultural and leisure spaces and the prevention of disasters in a metropolitan planning zone.

Article 10 (Standards for Formulating Metropolitan Plans)

The Minister of Land, Infrastructure and Transport shall comprehensively consider the following matters when setting standards for formulating metropolitan plans pursuant to Article 12 (2) of the Act: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23502, Jan. 6, 2012; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26381, Jul. 6, 2015>

1. To present the future images of each metropolitan planning zone and the systemized strategy capable of realizing them, and to ensure that they are to be mutually connected with the comprehensive national land plan, etc.;
2. To ensure that it is set by making such matters the prime objects as the sharing of functions among a Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun, the prevention of disorderly urban sprawl, the conservation of environments, the rational allocation of metropolitan facilities, and other specific sectors that form pending issues in each metropolitan planning zone;
3. To ensure that it is comprehensively and generally set in order to resiliently cope with fluctuations in given conditions, but where it is set by making specific sectors prime objects, it shall be definitely set in order to distinctly present the guidelines for urban or Gun master plans or urban or Gun management plans;
4. To ensure that it is set by thoroughly considering favorable natural environments, including the green area axis, ecosystems, forests, and scenery, and the excellent farmland and special-purpose areas, cultural heritage, and historic and cultural environments for preservation purposes;
5. To ensure that sectoral plans are mutually connected;
6. To set standards for formulating metropolitan plans by thoroughly considering a City/Do safety management plan under Article 24 (1) of the Framework Act on the Management of Disasters and

Safety, a Si/Gun/Gu safety management plan under Article 25 (1) of the same Act and a Si/Gun/Gu master plan to reduce damage from storms and floods under Article 16 (1) of the Countermeasures against Natural Disasters Act.

Article 11 (Basic Investigations for Formulation of Metropolitan Plans)

(1) "Other matters prescribed by Presidential Decree" in Article 13 (1) of the Act means:

1. Given natural conditions, such as weather, topography, resources, and ecology;
2. Current status and prospects of infrastructure and residential levels;
3. Current status and progress of the wind and flood disaster, earthquake, and other disasters;
4. Details of other planning and projects relating to a metropolitan plan;
5. Other matters necessary for the formulation of a metropolitan plan.

(2) Where there exists any data investigated and measured under other statutes with regard to matters to be investigated in performing a basic investigation under Article 13 (1) of the Act, it may be applied practically.

(3) When the Minister of Land, Infrastructure and Transport, the Mayor/Do, or the head of a Si/Gun intends to alter a formulated metropolitan plan, he/she shall investigate and measure matters necessary for altering the relevant metropolitan plan, among matters for basic investigation under Article 13 (1) of the Act. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014>*

Article 12 (Public Hearings for Formulation of Metropolitan Plans)

(1) When the Minister of Land, Infrastructure and Transport, a Mayor/Do Governor or the head of a Si/Gun intends to hold a public hearing under Article 14 (1) of the Act, he/she shall publicly announce the following matters on a daily newspaper having areas of a Special Metropolitan City, Metropolitan City, Special Self-Governing City, Special Self-Governing Province or Si/Gun belonging to the relevant metropolitan planning zone as its principal distribution area for at least once, by no later than 14 days prior to the scheduled date of the public hearing: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

1. Purposes of holding a public hearing;
2. Scheduled date, time, and venue of the public hearing;
3. Summary of a metropolitan plan intended for formulation or alteration;
4. Other necessary matters.

(2) Public hearings under Article 14 (1) of the Act shall be held at a metropolitan planning zone-unit level, but if deemed necessary, they may be held by dividing the metropolitan planning zone into several areas.

(3) Public hearings under Article 14 (1) of the Act shall be supervised by a person nominated by the Minister of Land, Infrastructure and Transport, a Mayor/Do Governor or the head of a Si/Gun. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree*

No. 24443, Mar. 23, 2013>

(4) Matters necessary for holding a public hearing, other than matters referred to in paragraphs (1) through (3), may be set forth by the Minister of Land, Infrastructure and Transport, depending upon a main agent to hold such public hearing, or by urban or Gun planning ordinance (hereinafter referred to as "urban or Gun planning ordinance") of a Special Metropolitan City, Metropolitan City, Special Self-Governing City, Do, Special Self-Governing Province (hereinafter referred to as "City/Do"), or Si/Gun. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 13 (Approval of Metropolitan Plans)

(1) When the Mayor/Do Governor intends to obtain approval of a metropolitan plan pursuant to Article 16 (1) of the Act, he/she shall submit, to the Minister of Land, Infrastructure and Transport, a draft metropolitan plan accompanied by the following documents: *<Amended by Presidential Decree No. 19400, Mar. 23, 2006; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014>*

1. Outcomes from the basic investigation;
2. Results from holding a public hearing;
3. Outcomes from hearing the opinions of the local council of the related City/Do, or the head of the related Si/Gun under Article 15 (1) of the Act (excluding the head of a Gun located within the jurisdictional area of a Metropolitan City; hereinafter the same shall apply: Provided, That the head of a Gun located within the jurisdictional area of a Metropolitan City shall be included in Articles 110, 112, 117, 122 through 124-3, 127, 128 and 130);
4. Where he/she undergoes consultation with a City/Do urban planning committee, the result thereof;
5. Documents necessary for a consultation with the head of the related central administrative agency and deliberation by the Central Urban Planning Committee under Article 16 (2) of the Act.

(2) When a draft metropolitan plan submitted under paragraph (1) does not comply with the formulation standard, etc. under Article 12 (2) of the Act, the Minister of Land, Infrastructure and Transport may request the relevant Mayor/Do Governor to supplement such draft metropolitan plan. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(3) Any public announcement of a metropolitan plan under Article 16 (4) of the Act shall be made by publishing it in the official report of the related City/Do, and that of a metropolitan plan under Article 16 (6) of the Act shall be made by publishing it in the official report of the related Si/Gun and the period of a public perusal of related documents shall be for at least 30 days. *<Amended by Presidential Decree No. 21669, Aug. 5, 2009>*

Article 13-2 (Composition and Operation of Metropolitan Planning Council)

(1) Members of the Metropolitan Planning Council under Article 17-2 of the Act shall be comprised of relevant public officials and persons who have knowledge and experience in metropolitan planning.

(2) Detailed matters concerning the composition and organization of the Metropolitan Planning Council under paragraph (1) shall be determined through consultation among persons who have authority to formulate a metropolitan plan under Article 11 of the Act.

Article 14 (Areas for which Urban or Gun Master Plans May not be Formulated)

"Si/Gun prescribed by Presidential Decree" in the proviso to Article 18 (1) of the Act means the following Sis/Guns: <Amended by Presidential Decree No. 19036, Sep. 8, 2005>

1. Si/Gun with a population of not more than 100,000, not belonging to the metropolitan zone under subparagraph 1 of Article 2 of the Seoul Metropolitan Area Readjustment Planning Act (hereinafter referred to as "metropolitan zone") and not sharing boundaries with the Metropolitan Cities;
2. Si/Gun for which all of the matters falling under each subparagraph of Article 19 (1) of the Act are included in the relevant metropolitan plan, which is Si/Gun for which a metropolitan plan has been established on all of its jurisdictional areas.

Article 15 (Details of Urban or Gun Master Plans)

"Other matters prescribed by Presidential Decree" in Article 19 (1) 10 of the Act means the following matters, related to direction-setting for, and the achievement of objectives of, urban or Gun master plans: <Amended by Presidential Decree No. 23009, Jul. 1, 2011; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24593, Jun. 11, 2013; Presidential Decree No. 26381, Jul. 6, 2015>

1. Matters concerning the consolidation or preservation of the downtown and residential environments;
2. Matters to be included in urban or Gun master plans under other Acts;
3. Matters concerning funding necessary for the implementation of urban or Gun master plans;
4. Other matters deemed necessary by a person who has the authority to approve urban or Gun master plans under Article 22-2 (1) of the Act;
5. through 7. Deleted. <by Presidential Decree No. 26381, Jul. 6, 2015>

Article 16 (Standards for Formulating Urban or Gun Master Plans)

The Minister of Land, Infrastructure and Transport shall comprehensively consider the following matters when setting standards for formulating urban or Gun master plans pursuant to Article 19 (3) of the Act: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23502, Jan. 6, 2012; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 26381, Jul. 6, 2015>

1. To ensure that it becomes a comprehensive plan for land utilization, traffic, environment, etc. indicating the basic space structures of, and long-term development direction-setting, for the competent Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun;
2. To ensure that it is comprehensively and generally set in order to resiliently cope with fluctuations in given conditions;
3. When adjusting an urban or Gun master plan pursuant to Article 23 of the Act, to ensure that the continuity of planning is maintained by extracting only the parts requiring corrections, among the

details of the former urban or Gun master plan, and supplementing them;

4. To ensure that the level of particularity of plans for each area is differentiated by comprehensively considering the population density, characteristics of land utilization and peripheral environment, etc. of a city, farming and fishing village, and mountain village, but to ensure that the allocation plans for infrastructure and land use, etc. are mutually connected for areas of the city, farming and fishing village, and mountain village;

5. Plans by sector shall maintain the unity and consistency of an urban or Gun master plan by coinciding with the direction-setting for an urban or Gun master plan under Article 19 (1) 1 of the Act and presenting the scheme capable of achieving the objectives of an urban or Gun master plan;

6. To ensure that the land feasible for development, which is located in an urban area, etc., is to be developed with a time difference by phase;

7. To ensure that it is set by thoroughly considering favorable natural environments, including the green area axis, ecosystems, forests, and scenery, and the excellent farmland and special-purpose areas, cultural heritage, and historic and cultural environments for preservation purposes;

8. To ensure that matters concerning sceneries referred to in Article 19 (1) 8 of the Act are prepared as supplements of an urban or Gun master plan, if deemed necessary;

9. To set standards for formulation of urban or Gun master plans by thoroughly considering a City/Do safety management plan under Article 24 (1) of the Framework Act on the Management of Disasters and Safety, a Si/Gun/Gu safety management plan under Article 25 (1) of the same Act, and a Si/Gun/Gu master plan to reduce damage from storms and floods under Article 16 (1) of the Countermeasures against Natural Disasters Act.

Article 16-2 (Grounds for Exemption from Assessments of Land Suitability and Analyses of Vulnerability to Disasters among Basic Surveys to Formulate Urban or Gun Master Plans)

"In cases prescribed by Presidential Decree, such as where a Mayor/Do Governor or the head of a Si/Gun conducts an assessment of land suitability within five years from the date he/she has formulated an urban or Gun master plan" in Article 20 (3) of the Act means the following cases:

1. An assessment of land suitability (hereinafter referred to as "assessment of land suitability") under Article 20 (2) of the Act: The following cases:

(a) Where an assessment of land suitability is conducted within five years from the date an urban or Gun master plan is formulated;

(b) Where it is necessary to amend an urban or Gun master plan as an area, district, etc. is designated, or a development plan is formulated under other Acts;

2. An analysis of vulnerability to disasters (hereinafter referred to as "analysis of vulnerability to disasters") under Article 20 (2) of the Act: The following cases:

(a) Where an analysis of vulnerability to disasters is conducted within five years from the date an urban or Gun master plan is formulated;

(b) Where it is necessary to amend an urban or Gun master plan as an area, district, etc. is designated, or a development plan is formulated under other Acts.

Article 16-3 (Public Announcement and Perusal of Urban or Gun Master Plans of Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, or Special Self-Governing Province)

A public announcement of an urban or Gun master plan of the Special Metropolitan City, a Metropolitan City, a Metropolitan Autonomous City, or a Special Self-Governing Province under Article 22 (3) of the Act shall be made by publishing it in the official gazette of the relevant Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, or Special Self-Governing Province and a period for public perusal of related documents shall be at least 30 days. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 17 (Approval of Urban or Gun Master Plans of Sis/Guns)

(1) When the head of a Si/Gun intends to obtain approval of an urban or Gun master plan pursuant to Article 22-2 (1) of the Act, he/she shall submit to the competent Do Governor a draft of an urban or Gun master plan along with the following documents: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012>*

1. Outcomes from the basic investigation;
2. Results from holding the public hearing;
3. Outcomes from hearing the opinions of the local council of the relevant Si/Gun under Article 21 of the Act;
4. Where he/she undergoes consultation by the local urban planning committee established in the relevant Si/Gun, outcomes from such advice;
5. Documents necessary for consultation with the head of the related central administrative agency and deliberation by the local urban planning committee of the competent Do under Article 22-2 (2) of the Act.

(2) When a draft of an urban or Gun master plan submitted pursuant to paragraph (1) does not comply with standards for formulation, etc. under Article 19 (3) of the Act, the Do Governor may request the head of a Si/Gun to supplement such draft of an urban or Gun master plan. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012>*

(3) Any public notification of an urban or Gun master plan under Article 22-2 (4) of the Act shall be made in the official report of the relevant Si/Gun, and a period for public perusal of related documents shall be for not less than 30 days. *<Amended by Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012>*

Article 17-2 Deleted. *<by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 18 (Standards for Preparation of Books of Urban or Gun Management Plans and Descriptions of Plans, etc.)

(1) The scheme drawing, among the books of urban or Gun management plans under Article 25 (2) of the Act, shall be prepared by a drawing specifying matters in an urban or Gun management plan in a topographical map (including a digital map; hereinafter the same shall apply) at a scale of 1:1,000 or that of 1:5,000 (where the topographical maps at a scale of 1:1,000 or that of 1:5,000 are not published, a scale of 1:25,000): Provided, That where the topographical maps are not published, the drawings of a maritime chart, seafloor topographical map, etc. may substitute for the topographical map. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(2) Where two or more sheets of scheme drawings under paragraph (1) exist, a summarized map of urban or Gun management plans (referring to a drawing clarifying principal matters of urban or Gun management plans in a topographical map to a scale equivalent to or over 1 to 50,000) may be included in the descriptions of a plan pursuant to Article 25 (2) of the Act. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

Article 19 (Standards for Formulating Urban or Gun Management Plans)

The Minister of Land, Infrastructure and Transport (referring to the Minister of Oceans and Fisheries in cases of fishery-resource protection zones designated under Article 40 of the Act) shall comprehensively consider the following matters when setting standards for formulating urban or Gun management plans pursuant to Article 25 (4) of the Act: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 20941, Jul. 28, 2008; Presidential Decree No. 23502, Jan. 6, 2012; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014; Presidential Decree No. 26381, Jul. 6, 2015>

1. To accept the contents presented in metropolitan plans, urban or Gun master plans, etc. and to set such standards considering the relations with respective project plans and trends of urban development;
2. For a Si/Gun that does not formulate an urban or Gun master plan, to ensure that matters necessary for smoothly formulating urban or Gun management plans, among matters to be included in the conception of long-term development of the relevant Si/Gun and the urban or Gun master plan under Article 19 (1) of the Act, are included;
3. Where necessary for efficiently implementing urban or Gun management plans, to ensure that modifications are made by limiting to a specific area or a specific field;
4. To ensure that the space structures are properly divided by unit of a living zone, and the living or convenience facilities are fairly provided in each living zone;
5. To ensure that the level of particularity of planning by area is differentiated by comprehensively considering the population density, characteristics of land utilization and peripheral environment, etc. of the city, farming and fishing village, and mountain village, but to ensure that the allocation plans for infrastructure and land use, etc. are mutually connected for the areas of the city, farming and fishing village, and mountain village;
6. Where any land utilization plan is formulated, to ensure that development density is secured in compatibility with the considerations of the population in daytime and nighttime activities and trends of

urban development;

7. To ensure that a land utilization plan is formulated by considering favorable natural environments, including the green area axis, ecosystems, forests, and scenery, and the excellent farmland, cultural heritage, and historic and cultural environments;

8. Where any facility causing a population concentration within the Seoul Metropolitan area is relocated to an area, other than the Seoul Metropolitan area, to ensure that, in respect of the previous sites, a land utilization plan is formulated to promote a relocation of such facility to the local area;

9. To ensure that urban or Gun planning facilities are determined at a proper level, considering execution capability, and that land use is revitalized by cancelling or adjusting existing urban or Gun planning facilities, the size, etc. of which has been unreasonably determined, which cannot be realized, or which do not need to exist as a result of inspecting the current status of installed facilities and the conditions of the management and operation thereof;

10. To ensure that urban development is implemented in a sound and sustainable manner by elevating the organic relevance between plans and environments, such as conducting a prior examination of impacts of urban development or installation of infrastructure, etc. on the environments;

11. To endeavor to minimize damage caused by disasters, considering a City/Do safety management plan under Article 24 (1) of the Framework Act on the Management of Disasters and Safety, a Si/Gun/Gu safety management plan under Article 25 (1) of the same Act, and a Si/Gun/Gu master plan to reduce damage from storms and floods under Article 16 (1) of the Countermeasures against Natural Disasters Act.

Article 20 (Procedures for Handling Written Proposals)

(1) The Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the head of a Si/Gun in receipt of a proposal for the formulation of an urban or Gun management plan pursuant to Article 26 (1) of the Act, shall notify the relevant proposer of whether the proposal is to be reflected in the formulation of an urban or Gun management plan within 45 days from the proposing date: Provided, That if any extenuating circumstance exists, 30 days may be extended only once. *<Amended by Presidential Decree No. 18240, Jan. 20, 2004; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23009, Jul. 1, 2011; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

(2) When necessary for the Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the head of a Si/Gun in making a decision on whether to reflect the proposal under Article 26 (1) of the Act in the formulation of an urban or Gun management plan, he/she may obtain advice from the Central Urban Planning Committee or the local urban planning committee established under the relevant local government. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

(3) Where the Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the head of a Si/Gun reflects a proposal under Article 26 (1) of the Act in the formulation of an urban or Gun management plan, he/she may utilize documents of an urban or Gun management plan and the

descriptions of the plan attached to the proposal for the formulation of an urban or Gun management plan.
<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012;
Presidential Decree No. 24443, Mar. 23, 2013>

Article 21 (Grounds, etc. for Exemption from Basic Surveys to Formulate Urban or Gun Management Plans)

(1) "Minor matters prescribed by Presidential Decree" in the proviso to Article 27 (1) of the Act means matters specified under Article 25 (3) and (4).

(2) "Requirements prescribed by Presidential Decree" in Article 27 (4) of the Act means requirements classified as follows:

1. Requirements under which a basic survey may be exempted: Any of the following cases:

(a) Where the relevant district unit planning zone is located in the downtown (referring to a commercial area and an area adjacent thereto);

(b) Where the area of vacant land in the relevant district unit planning zone does not exceed two percent of the area of such zone;

(c) Where the relevant district unit planning zone or a site for an urban or Gun planning facility is designated as an area, district, etc. under other Acts, or a development plan is formulated;

(d) Where the relevant district unit planning zone is designated for the purposes of renewing or managing the relevant zone, and no plan to build a road at least 12 meters wide is included in the relevant district unit plan;

(e) Other cases meeting requirements prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport;

2. Requirements under which an environmental review may be exempted: Any of the following cases:

(a) Cases referred to in subparagraph 1 (a) through (e);

(b) Where an urban or Gun management plan subject to strategic environmental impact assessment under Article 9 of the Environmental Impact Assessment Act is formulated;

3. Requirements under which an assessment of land suitability may be exempted: Any of the following cases:

(a) Cases referred to in subparagraph 1 (a) through (e);

(b) Where an assessment of land suitability is conducted within five years from the date an urban or Gun management plan is formulated;

(c) Where an urban or Gun management plan is formulated for a residential, commercial, or industrial area;

(d) Where an urban or Gun management plan is formulated for an area developed under the Act or other Acts and subordinate statutes;

(e) Where an urban or Gun management plan is formulated for an area adjusted or released from a development restriction zone because it falls under Article 2 (3) 1, 2, or 6 (limited to land adjacent to an area referred to in Article 2 (1) 1 or 2) of the Enforcement Decree of the Act on Special Measures

for Designation and Management of Development Restriction Zones;

(f) An urban development project performed under Urban Development Act;

(g) Where an urban or Gun management plan is formulated for a district unit planning zone or a site for an urban or Gun planning facility;

(h) Where any of the following special-purpose areas, special-purpose districts, or special-purpose zones is designated or altered:

(i) Where a residential, commercial, or industrial area, or a planned management area is altered into other special-purpose area (excluding where a planned management area is altered into a green natural area);

4. Requirements under which an analysis of vulnerability to disasters may be exempted: Any of the following cases:

(a) Cases referred to in the subparagraph 1 (a) through (e);

(b) Where an analysis of vulnerability to disasters is conducted within five years from the date an urban or Gun management plan is formulated;

(c) A case referred to in subparagraph 3 (g) or (h) (excluding the designation or alteration of a disaster-prevention district);

(d) Where any of the following infrastructure is installed:

Article 22 (Hearing Opinions of Residents and Local Councils)

(1) "Minor matters prescribed by Presidential Decree" in the proviso to Article 28 (1) of the Act means matters falling under each subparagraph of Article 25 (3) and that of Article 25 (4).

(2) When the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun intends to hear the opinions of residents on the development of an urban or Gun management plan under Article 28 (4) of the Act [including when he/she intends to hear the opinions of residents on a draft urban or Gun management plan forwarded by the Minister of Land, Infrastructure and Transport (referring to the Minister of Oceans and Fisheries in cases of a fishery-resource protection zone under Article 40 of the Act; hereafter the same shall apply in this Article) or a Mayor/Do Governor pursuant to Article 28 (2) of the Act], he/she shall publicly announce major details of a draft urban or Gun management plans in two or more nationwide daily newspapers and daily newspapers having the areas of the relevant Special Metropolitan City, Metropolitan City, Special Self-Governing City, Special Self-Governing Province or Si/Gun as their principal distribution areas, on the website of the relevant Special Metropolitan City, Metropolitan City, Special Self-Governing City, Special Self-Governing Province or Si/Gun, and similar media and shall ensure that the draft urban or Gun management plan is made available for public perusal for at least 14 days. <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 20941, Jul. 28, 2008; Presidential Decree No. 23009, Jul. 1, 2011; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

(3) Any person who has opinions on the details of the draft urban or Gun management plans publicly announced under paragraph (2) may submit written opinions within the period of perusal to the relevant Special Metropolitan City Mayor, Metropolitan City Mayor, or Special Self-Governing City Mayor, the Governor of the relevant Special Self-Governing Province, or the head of the relevant Si/Gun. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(4) The Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the head of a Si/Gun shall examine whether to reflect the opinions submitted under paragraph (3) in the draft urban or Gun management plans, and notify a person who has submitted the relevant opinions of the outcomes of the said examination within 60 days from the date of expiration of the perusal period. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

(5) Where the Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the head of a Si/Gun intends to reflect the opinions submitted under paragraph (3) in a draft urban or Gun management plan, if their details are important matters prescribed by urban or Gun planning ordinance of the relevant Special Metropolitan City, Metropolitan City, Special Self-Governing City, Special Self-Governing Province or Si/Gun, he/she shall have the said details re-announced publicly and re-perused, and hear the opinions of residents. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

(6) Paragraphs (2) through (4) shall apply mutatis mutandis to public re-announcement and re-perusal under paragraph (5).

(7) "Matters prescribed by Presidential Decree" in Article 28 (5) of the Act means the following matters: Provided, That matters under each subparagraph of Article 25 (3) and those subject to determination or a determination for modification by a district unit plan shall be excluded: *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 19130, Nov. 11, 2005; Presidential Decree No. 21625, Jul. 7, 2009; Presidential Decree No. 23718, Apr. 10, 2012>*

1. Designation or designation for modification of a special-purpose area, special-purpose district, or special-purpose zone under Articles 36 through 40 of the Act;
2. Determination or designation for modification of an urban or Gun management plan concerning the installation, consolidation or improvement of metropolitan facilities included in a metropolitan plan;
3. Determination or designation for modification of an urban or Gun management plan concerning the installation, consolidation or improvement of the following infrastructure:
 - (a) Major arterial roads among roads (referring to roads constituting the skeleton of a Si/Gun, which are roads to cope with the mass passing traffic connecting major areas in a Si/Gun, or between a Si/Gun or between major areas);
 - (b) Urban railroads among railroads;
 - (c) Terminals of passenger automobiles among automobile depots (limited to those for suburban bus transportation business);

- (d) Parks (excluding small parks and children's parks under the Act on Urban Parks, Greenbelts, etc.);
- (e) Facilities for distribution business;
- (f) Colleges and universities among schools;
- (g) Athletic fields;
- (h) Deleted; <by Presidential Decree No. 19036, Sep. 8, 2005>
- (i) Buildings of local governments among government buildings;
- (j) Crematories;
- (k) Cemeteries;
- (l) Charnel facilities;
- (m) Sewage systems (limited to sewage terminal treatment facilities);
- (n) Waste treatment facilities;
- (o) Facilities for prevention of water pollution.

Article 23 (Requests for Determination of Urban or Gun Management Plans)

When the head of a Si/Gun (where making a request for determination of an urban or Gun management plan falling under any of Article 29 (2) 2 through 4 of the Act, including a Mayor/Do Governor) intends to request a determination of an urban or Gun management plan under Article 29 (1) of the Act, he/she shall submit to the competent Do Governor (referring to the Minister of Land, Infrastructure and Transport where he/she makes a request for determination of an urban or Gun management plan falling under Article 29 (2) 2 or 3 of the Act, and referring to the Minister of Oceans and Fisheries where he/she makes a request for determination of an urban or Gun management plan under Article 29 (2) 4 of the Act) the books of an urban or Gun management plan and the descriptions of the plan under Article 25 (2) of the Act, along with the following documents: Provided, That where the head of a Si/Gun requests the Minister of Land, Infrastructure and Transport or the Minister of Oceans and Fisheries to determine an urban or Gun management plan, he/she shall make such request via the competent Do Governor: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 20941, Jul. 28, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

1. Outcomes from hearing the opinions of residents under Article 28 (1) of the Act;
2. Outcomes from hearing the opinions of local councils under Article 28 (5) of the Act;
3. Outcomes from advice in cases where he/she has obtained advice from the local urban planning committee established under the relevant local government;
4. Documents necessary for a consultation with the head of the related administrative agency under Article 30 (1) of the Act (where a prior consultation has been held with the related administrative agency under Article 35 (2) of the Act, outcomes from such consultation);
5. Documents necessary for deliberation by the Central Urban Planning Committee or City/Do urban planning committee.

Article 24 Deleted. <by Presidential Decree No. 21669, Aug. 5, 2009>

Article 25 (Determination of Urban or Gun Management Plans)

(1) "Urban or Gun management plans concerning important matters prescribed by Presidential Decree" in Article 30 (2) of the Act means the following urban or Gun management plans: Provided, That excluded herefrom shall be matters specified under paragraphs (3) and (4), and matters pre-consulted with the Minister of Land, Infrastructure and Transport (referring to the Minister of Oceans and Fisheries in cases of fishery-resource protection zones designated under Article 40 of the Act; hereafter in this Article the same shall apply) under the related statutes: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 20941, Jul. 28, 2008; Presidential Decree No. 22142, Apr. 29, 2010; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

1. An urban or Gun management plan formulated by a Mayor/Do Governor in connection with a metropolitan plan;
 2. The first urban or Gun management plan determined for an area released from a development restriction zone;
 3. An urban management plan prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport among urban or Gun management plans concerning the installation, maintenance, or improvement of infrastructure extending over at least two Cities/Dos.
- (2) Where a building committee and an urban planning committee intend to jointly deliberate on a district unit plan pursuant to the proviso to Article 30 (3) of the Act or paragraph (7) of the aforesaid Article, they shall constitute a joint committee pursuant to the following standards: <Amended by Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25090, Jan. 14, 2014>

1. Members of the joint committee shall be appointed or commissioned by a Mayor/Do Governor or the head of a Si/Gun, from among members of the building committee and the urban planning committee. In such cases, if any subcommittee for deliberation on a district unit plan has been established in a local urban planning committee pursuant to Article 113 (3) of the Act, all members of the relevant subcommittee shall be appointed or commissioned as the members of the joint committee;
 2. The number of members of the joint committee shall not exceed 25;
 3. The ratio of members of the building committee to those of the joint committee shall be at least 1/3;
 4. The Deputy Mayor shall be the chairperson of the joint committee, in cases of the Special Metropolitan City, a Metropolitan City or a Metropolitan Autonomous City; the Deputy Governor in cases of a Do or a Special Self-Governing Province; the Deputy Mayor in cases of a Si; and the deputy head of a Gun in cases of a Gun.
- (3) In any of the following cases, an urban or Gun management plan (excluding a district unit plan) may be amended pursuant to the proviso to Article 30 (5) of the Act, without any consultation with the head of the related administrative agency and the Minister of Land, Infrastructure and Transport, and deliberation by the Central Urban Planning Committee or local urban planning committee: <Amended by Presidential Decree No. 18108, Sep. 29, 2003; Presidential Decree No. 18240, Jan. 20, 2004; Presidential Decree No. 18680, Jan. 15, 2005; Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential

Decree No. 20941, Jul. 28, 2008; Presidential Decree No. 21038, Sep. 25, 2008; Presidential Decree No. 21625, Jul. 7, 2009; Presidential Decree No. 22420, Oct. 1, 2010; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013, Presidential Decree No. 26096, Feb. 10, 2015>

1. Altering the area of a site for urban or Gun planning facilities by less than five percent: Provided, That the following requirements shall be satisfied for any of the following facilities:
 - (a) A road: Its start point and end point are not altered and its center line does not deviate from the scope of the formerly determined road;
 - (b) A park and a green area: In any of the following cases:
 2. Inevitably altering a facility site due to a minor change in the location or an ascending surface of an urban or Gun planning facility due to the topographical conditions;
 3. Determining or altering specific parts of the already-determined urban or Gun planning facilities;
 4. Altering a special-purpose area, special-purpose district, special-purpose zone, or district unit planning zone following a reduction of urban areas;
 5. Determining an agriculture-promotion area designated under the Farmland Act or a conserved mountainous district designated under the Mountainous Districts Management Act, as an agricultural and forestry area, in an area, other than an urban area;
 6. Determining a park zone designated under the Natural Parks Act, a water resource protection district designated under the Water Supply and Waterworks Installation Act, and a designated cultural heritage or natural monuments and their protection zone designated under the Cultural Heritage Protection Act, as a natural environment preservation area;
 - 6-2. Fully or partially altering any of the following urban or Gun planning facilities or sites therefor, into any of the following facilities or sites therefor (including an alteration made to locate at least two urban or Gun planning facilities on the same site):
 - (a) A sport ground and sports facilities;
 - (b) A cultural facility and a library;
 - (c) A crematorium, a public cemetery, a charnel house, a natural burial site, and a funeral parlor;
 7. Altering minor matters stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport (referring to Ordinance of the Ministry of Oceans and Fisheries in cases of fishery-resource protection zones designated under Article 40 of the Act).
- (4) Where a district unit plan falls under any of the following cases, the district unit plan may be altered pursuant to the proviso to Article 30 (5) of the Act, without consultation with the head of the related administrative agency and with the Minister of Land, Infrastructure and Transport, and deliberation by the Central Urban Planning Committee, local urban planning committee, or joint committee under paragraph (2): *<Amended by Presidential Decree No. 18240, Jan. 20, 2004; Presidential Decree No. 18680, Jan. 15, 2005; Presidential Decree No. 20535, Jan. 8, 2008; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24593, Jun. 11, 2013; Presidential Decree No. 25090, Jan. 14, 2014; Presidential Decree No. 25718, Nov. 11, 2014; Presidential Decree*

No. 26381, Jul. 6, 2015>

1. An alteration falling under any subparagraph of paragraph (3), which is the determination for altering a special-purpose area, special-purpose district, or an urban or Gun planning facility determined by a district unit plan;
 2. An alteration by up to 10 percent of the area of a block (including a separate zone referred to in Article 42-2 (2) 4; hereafter in this paragraph the same shall apply);
 3. An alteration by up to 30 percent of the demarcated land;
 4. An alteration by up to 20 percent of the height of a building (including alterations accompanying a change in the number of floors);
 5. An alteration of the scale and creation plan of demarcated land referred to in any item of Article 46 (7) 2;
 6. An alteration by up to one meter of the construction line;
 7. An alteration of the construction line or car park entrance and exit, which is determined following deliberation on traffic impact analysis or improvement measures under Article 17 or 18 of the Urban Traffic Improvement Promotion Act;
 8. An alteration of the arrangement, shape, or color of a building;
 9. An alteration of minor matters determined by a district unit plan: Provided, That excluded herefrom shall be alterations of a special-purpose area, special-purpose district, urban or Gun planning facility, the area of a block, the area of demarcated land, the height of a building, or construction line;
 10. A reduction in the building-to-land ratio or floor area ratio determined by a development plan deemed Class-II district unit plan under Article 17 (2) of Addenda to the National Land Planning and Utilization Act (Act No. 6655), or an increase of such building-to-land ratio or floor area ratio by up to ten percent (excluded herefrom shall be an increase in excess of limits on the building-to-land ratio or floor area ratio provided for in Article 47 (1));
 11. An alteration by up to ten percent of the area of a district unit planning zone (or five percent, where an alteration of a special-purpose area is included) and an amendment of a district unit plan for the altered special-purpose area;
 12. An alteration of minor matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport;
 13. An alteration of other matters prescribed by Urban or Gun Planning Ordinance, similar to those provided for in subparagraphs 1 through 12.
- (5) A public announcement of the determination of an urban or Gun management plan under Article 30 (6) and (7) of the Act shall be made by publishing the following matters in the Official Gazette where it is made by the Minister of Land, Infrastructure and Transport, or in the official report of the relevant City/Do or Si/Gun where it is made by a Mayor/Do Governor or the head of a Si/Gun: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 22142, Apr. 29, 2010; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential

Decree No. 25090, Jan. 14, 2014>

1. Purport that it is a plan referred to in any item of subparagraph 4 of Article 2 of the Act;
2. Location;
3. Area or scale;
4. Other matters stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport.

(6) When the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Metropolitan Autonomous City Mayor, or a Special Self-Governing Province Governor publicly announces the determination of an urban or Gun management plan which includes jurisdictional areas of another Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun, he/she shall forward related documents to the relevant Special Metropolitan City Mayor, Metropolitan City Mayor, Metropolitan Autonomous Mayor, or Special Self-Governing Province Governor, or the head of the relevant Si/Gun. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 26 (Special Cases on Works in Progress)

(1) Any person who has already undertaken a project or works at the time of a determination of an urban or Gun management plan on the designation of an urbanization-coordination zone or a fishery resource protection zone, shall file a report on the details of such project or works to the competent Special Metropolitan City Mayor, Metropolitan City Mayor, or Special Self-Governing City Mayor, the Governor of the competent Special Self-Governing Province, or the head of the competent Si/Gun within three months from the date of the public announcement of a determination of an urban or Gun management plan for the designation of an urbanization-coordination zone or a fishery resource protection zone, under the proviso to Article 31 (2) of the Act. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(2) Where activities reported pursuant to paragraph (1) are performed to alter the form and quality of land aiming at building the structure, any person intending to build the relevant structure may build the relevant structure when he/she files an application for a building permit within three months after completion of the works for the alteration of the form and quality of land.

(3) Where a public announcement is made on the determination of an urban or Gun management plan under paragraph (1), any person intending to build the relevant structure may build the relevant structure when he/she files an application for a building permit within six months from the date of the public announcement of the determination of the relevant urban or Gun management plan. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 27 (Period of Approval of Topographic Maps)

"Period prescribed by Presidential Decree" in the latter part of Article 32 (2) of the Act means a period not exceeding 30 days.

Article 28 Deleted. *<by Presidential Decree No. 25090, Jan. 14, 2014>*

Article 29 (Readjustment of Urban or Gun Management Plans)

(1) Where the Mayor of a Special Metropolitan City, the Mayor of a Metropolitan City, the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, or the head of a Si/Gun

readjusts an urban or Gun management plan pursuant to Article 34 of the Act, he/she shall review the following matters and reflect the results thereof in the formulation of an urban or Gun management plan: <Amended by Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25090, Jan. 14, 2014>

1. Where within 10 years from the date of announcement of the determination of an urban or Gun management plan on urban or Gun planning facility (hereinafter referred to as "determination of urban or Gun planning facility"), all or part of an urban or Gun planning facility project on the installation of the relevant urban or Gun planning facility has not been executed, the validity of the determination of the relevant urban or Gun planning facility;
 2. Whether to terminate a facility the existence of which is not needed due to changes in circumstances among facilities installed according to the determination of urban or Gun planning facilities.
- (2) When the head of a Si/Gun who does not formulate an urban or Gun master plan in accordance with the proviso to Article 18 (1) of the Act readjusts an urban or management plan in accordance with Article 34 of the Act, he/she shall include the long-term development scheme of the relevant Si/Gun in the descriptions of a plan under Article 25 (2) of the Act, and hear the opinions of residents on it by holding a public hearing. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>
- (3) Article 12 shall apply mutatis mutandis to the public hearings under paragraph (2).

Article 30 (Subdivision of Special-Purpose Areas)

The Minister of Land, Infrastructure and Transport, the Mayor/Do Governor, or the Mayor of a large city (hereinafter referred to as "Mayor of a large City") with a population of at least a half million (hereinafter referred to as "large City") excluding the Seoul Special Metropolitan City, a Metropolitan City and a Special Self-Governing City under Article 175 of the Local Autonomy Act may determine a residential area, commercial area, industrial area and green area by determination of an urban or Gun management plan by subdividing them in a manner falling under each of the following subparagraphs under Article 36 (2) of the Act: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014>

1. A residential area:
 - (a) An exclusive residential area: An area required for protecting favorable residential environments;
 - (b) A general residential area: An area required for creating convenient residential environments;
 - (c) A quasi-residential area: An area required for supplementing a part of the commercial function and business functions to support it by centering around residential function;
2. A commercial area:
 - (a) A central commercial area: An area required for expanding the commercial and business functions in the center and subcenter of a metropolis;
 - (b) A general commercial area: An area required for the general commercial function and business function;

- (c) A neighboring commercial area: An area required for supplying the daily necessities and services in the neighboring area;
 - (d) A circulative commercial area: An area required for increasing the circulation function in the city and between the areas;
3. An industrial area:
- (a) An exclusive industrial area: An area required for admitting mainly the heavy chemical industry, pollutive industries, etc.;
 - (b) A general industrial area: An area required for allocating the industry not impeditive to the environments;
 - (c) A quasi-industrial area: An area for admitting the light industry and other industries, but in need of supplementing the residential, commercial functions and business function;
4. A green area:
- (a) A green conservation area: An area requiring conservation of natural environment, scenery, forest and green areas in the city;
 - (b) A green production area: An area requiring reservation on development for the main purpose of agricultural production;
 - (c) A green natural area: An area requiring preservation for securing green area space, prevention of city's expansion, supply of future city sites, etc., in which restrictive development is allowed for only inevitable cases.

Article 31 (Designation of Special-Purpose Districts)

(1) Deleted. <by Presidential Decree No. 21038, Sep. 25, 2008>

(2) The Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the Mayor of a large city may designate a scenic district, aesthetic district, height restriction district, disaster prevention district or conservation district, facility protection district, settlement district, and development promotion district by determination of an urban or Gun management plan pursuant to Article 37 (2) of the Act through subdividing them as follows: <Amended by Presidential Decree No. 18680, Jan. 15, 2005; Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014>

1. A scenic district:

- (a) A natural scenic district: A district required for protecting natural scenery, such as mountain land and hill areas, or for keeping the natural urban elegance;
- (b) A waterside scenic district: A district required for protecting and keeping the waterside natural scenery in the principal water systems of the area;
- (c) An urban scenic district: A district required for creating favorable environment of a residential area and for protecting urban scenery of urban districts;

2. An aesthetic district:

- (a) A central place aesthetic district: A district required for keeping and controlling scenery of areas with a high level of land utilization;
- (b) A historical culture aesthetic district: A district required for keeping and controlling scenery of cultural properties and structures with great cultural conservation value;
- (c) A general aesthetic district: A district required for keeping and controlling scenery of areas, other than a central place aesthetic district and a historical culture aesthetic district;

3. A height restriction district:

- (a) A tallest height restriction district: A district in need of setting forth the maximum height limit on the structure in order to protect the environment and scenery, and to prevent an over-concentration;
- (b) A lowest height restriction district: A district in need of setting forth the minimum height limit on the structure in order to heighten land utilization and to protect scenery;

4. A disaster prevention district:

- (a) An urban disaster prevention district: A district which requires disaster prevention through the improvement, etc. of facilities, which is an area with densely packed buildings and heavily populated;
- (b) A natural disaster prevention district: A district which requires disaster prevention through restrictions, etc. on construction, which is an area, such as the seashore, river skirts or steep sloping land, where the rate of land use is low;

5. A conservation district:

- (a) A historic and cultural environment conservation district: A district required for protecting and keeping areas and facilities with great historical and cultural conservation values, such as cultural properties and traditional Buddhist temples;
- (b) An important installation conservation district: A district required for protecting and keeping important facilities for the national defense and security;
- (c) An ecosystem conservation district: A district required for protecting and keeping areas with great ecological conservation values, such as the habitats of wild animals and plants;

6. A facility protection district:

- (a) A school facility protection district: A district required for protecting and keeping the educational environment of schools;
- (b) A public facility protection district: A district required for protecting public facilities, and for making public business functions efficient;
- (c) A harbor facility protection district: A district required for making harbor functions efficient, and for controlling and operating harbor facilities;
- (d) An airport facility protection district: A district required for protecting airport facilities, and for safely operating aircraft;

7. A settlement district:

- (a) A natural settlement district: A district required for consolidating communities within a green area, control area, agricultural and forestry area, or natural environment conservation area;
- (b) A collective settlement district: A district required for consolidating communities within a development-restricted zone;

8. A development promotion district:

- (a) A residence development promotion district: A district in need of development and consolidation centered around residential functions;
- (b) An industry and distribution development promotion district: A district in need of development and consolidation centered around industrial, distribution and logistics functions;
- (c) Deleted; <by Presidential Decree No. 23718, Apr. 10, 2012>
- (d) A tourism and recreation development promotion district: A district in need of development and consolidation centered around tourism and recreation functions;
- (e) A complex development promotion district: A district in need of development and consolidation centered around two or more functions among the residential function, industrial function, circulation and distribution function, and tourism and recreational function;
- (f) A specific development promotion district: A district in need of development and consolidation for special-purposes centered around functions, other than a residential function, industrial function, circulation and distribution function, tourism and recreational functions.

(3) When necessary for the given local conditions, a Mayor/Do Governor or the Mayor of a large city may, as prescribed by urban or Gun planning ordinance of the relevant City/Do or large city, additionally subdivide a scenic district or aesthetic district under paragraph (2) 1 and 2 or subdivide a special-purpose restriction district under Article 37 (1) 10 of the Act, and designate them. <Amended by Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012>

(4) When setting forth special-purpose districts, other than a special-purpose district under any subparagraph of Article 37 (1) of the Act by urban or Gun planning ordinance of a City/Do or a large city under paragraph (3) of the same Article, the following standards shall be observed: <Amended by Presidential Decree No. 22703, Mar. 9, 2011; Presidential Decree No. 23718, Apr. 10, 2012>

1. To ensure that new establishment of a special-purpose district is limited to cases where extenuating circumstances exist by which efficient land utilization may not be achieved with only special-purpose areas, special-purpose districts or special-purpose zones stipulated by the Act;
2. To ensure that restrictions on activities within a special-purpose district are ceased to the minimum extent necessary for the achievement of designation purposes of the said special-purpose district;
3. To ensure that no special-purpose district is newly established which relaxes restrictions on activities in the relevant special-purpose area or special-purpose zone.

(5) "Areas prescribed by Presidential Decree, such as areas where coastal erosion is occurring or is likely to occur" in Article 37 (4) of the Act means any of the following areas: <Newly Inserted by Presidential Decree No. 25090, Jan. 14, 2014>

1. An area designated as a coastal erosion control area under Article 20-2 of the Coast Management Act (limited to the coastal landward boundary defined in subparagraph 3 of Article 2 of the aforesaid Act), which requires special management because serious damage occurs or is likely to occur due to coastal erosion;
2. An area where human lives have been lost because the same disaster, such as wind damage and flooding or a landslide, occurred at least twice within the last ten years, which is likely to suffer significant damage when the same disaster occurs in the future.

Article 32 (Designation of Urbanization-Coordination Zones)

(1) "Period prescribed by Presidential Decree" in the main sentence of Article 39 (1) of the Act means the period of at least five years, but not exceeding 20 years. <Amended by Presidential Decree No. 25090, Jan. 14, 2014>

(2) When the Minister of Land, Infrastructure and Transport or the Mayor/Do Governor intends to designate or alter an urbanization-coordination zone pursuant to Article 39 (1) of the Act, he/she shall set the period of reserving the urbanization by an urban or Gun management plan, considering the movement of population, status of land utilization, status of industrial development, etc. in the relevant urban area and its peripheral areas. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014>

(3) A public announcement of invalidation of designating an urbanization-coordination zone under the latter part of Article 39 (2) of the Act shall be made by stating the date of invalidation, cause for invalidation, and the details of an invalid urban or Gun management plan in the Official Gazette where the Minister of Land, Infrastructure and Transport makes such public announcement or in the official report of the relevant City/Do where the Mayor/Do Governor makes such public announcement. <Amended by Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25090, Jan. 14, 2014>

Article 33 (Designation of Special-Purpose Area for Reclaimed Land of Public Water Area)

(1) "Special-purpose area" in the former part of Article 41 (1) of the Act and paragraph (2) of the same Article means a special-purpose area under each subparagraph of Article 6 of the Act.

(2) A public announcement under the latter part of Article 41 (1) of the Act shall be made by notification in the official report of the relevant City/Do.

Article 34 (Public Announcement of Restoration of Special-Purpose Areas)

A public announcement of the restoration of a special-purpose area under the latter part of Article 42 (4) of the Act shall be made by announcing the date of restoration, reasons for restoration, and the details of an urban or Gun management plan under which a special-purpose area has been restored in the official report of the relevant City/Do. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

Article 35 (Installation and Management of Urban or Gun Planning Facilities)

(1) "Cases prescribed by Presidential Decree" in the proviso to Article 43 (1) of the Act means the following cases: <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 19130, Nov. 11, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21807, Nov. 2, 2009; Presidential

Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24593, Jun. 11, 2013; Presidential Decree No. 26381, Jul. 6, 2015>

1. Where intending to install the following infrastructure in an urban area or a district unit planning zone:

(a) An inspection facility of automobile and construction machinery, a drivers' school for automobiles and construction machinery, vacant public land, a heat-supply facility, a broadcasting and communications facility, a market, a public office building, a cultural facility, a sports facility deemed necessary for public use, a library, a research facility, a social welfare facility, a public vocational training facility, a juvenile training facility, a reservoir, a fire prevention facility, a windbreak facility, a flood protection facility, a erosion control facility, tide embankments, a funeral parlor, a general medical facility, and a junkyard;

(b) Infrastructure in a park subject to an occupation permit under the Act on Urban Parks, Greenbelts, Etc.;

(c) Other facilities prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport;

2. Where intending to install the following infrastructure in areas, other than an urban area and a district unit planning zone:

(a) Infrastructure referred to in subparagraph 1 (a) and (b);

(b) Tramways and power supply facilities;

(c) Other facilities stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport.

(2) Urban or Gun planning facilities managed by the State pursuant to Article 43 (3) of the Act shall be managed by the heads of central government agencies defined in subparagraph 11 of Article 2 of the State Property Act. *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 21641, Jul. 27, 2009; Presidential Decree No. 22815, Apr. 1, 2011; Presidential Decree No. 23718, Apr. 10, 2012>*

Article 35-2 (Installation of Utility Tunnels)

(1) "Scale prescribed by Presidential Decree" in Article 44 (1) of the Act means two million square meters.

(2) "Areas prescribed by Presidential Decree" in Article 44 (1) 5 of the Act means the following areas: *<Amended by Presidential Decree No. 25339, Apr. 29, 2014>*

1. A public housing district defined in subparagraph 2 of Article 2 of the Special Act on the Construction of Public Housing, Etc.;

2. A new town for relocating a Do Office defined in subparagraph 3 of Article 2 of the Special Act on the Construction and Support of Cities for the Purpose of Relocating Do Offices.

Article 35-3 (Facilities to be Housed in Utility Tunnels)

Where a utility tunnel is installed, facilities referred to in subparagraphs 1 through 6 shall be housed in a utility tunnel pursuant to Article 44 (3) of the Act, and the facilities referred to in subparagraphs 7 and 8 may be housed in a utility tunnel following deliberation thereon by a utility tunnel council under Article 44-2 (4) of the Act (hereinafter referred to as "utility tunnel council"):

1. Power cable conduits;
2. Communications cable conduits;
3. Water-pipes;
4. Heat-transporting pipes;
5. Gray water pipes;
6. Waste-transporting pipes;
7. Gas pipes;
8. Sewerage pipes and other facilities.

Article 36 (Hearing Opinions on Installation of Utility Tunnels)

(1) Any implementer of a urban planning project under Article 44 (1) of the Act (hereafter referred to as "project implementer" in this Article and Articles 37, 38 and 39-2) shall first notify a person who intends to occupy and use a utility tunnel to install facilities to be housed in a utility tunnel (hereinafter referred to as "person scheduled to occupy and use a utility tunnel") of the following matters before installing a utility tunnel:

1. Location for a utility tunnel;
2. Structure of a utility tunnel;
3. Particulars of a person scheduled to occupy and use utility tunnels;
4. Summary of the portions scheduled to occupy and use a utility tunnel by a person scheduled to occupy and use utility tunnels;
5. Expenses incurred in installing a utility tunnel and matters on apportionment of such expenses;
6. Scheduled commencement and completion date of works.

(2) Any person scheduled to occupy and use a utility tunnel in receipt of notice on the installation of a utility tunnel under paragraph (1) shall submit his/her opinions, including expenses, etc. incurred in installing individual relevant facilities, by the deadline set by the relevant project implementer.

(3) When a project implementer has received a written opinion under paragraph (2), he/she undergo deliberation on the installation plan, etc. of a utility tunnel by a utility tunnel council, and reflect the outcome thereof in the application for authorization of an implementation plan for a development project under Article 44 (1) of the Act (including approval of an implementation plan, authorization for the implementation of a project and approval of a district planning; hereafter referred to as "authorization, etc. of an implementation plan for a development project" in Article 38 (3)).

Article 37 (Admittance into Utility Tunnels)

(1) When an implementer of a urban planning project has completed works for installing a utility tunnel, he/she shall individually notify persons scheduled to occupy and use a utility tunnel of the following matters without delay: <Amended by Presidential Decree No. 22264, Jul, 9, 2010>

1. A period for occupancy and use works for facilities to be housed in a utility tunnel;
2. Location to install a utility tunnel and design drawings;

3. Types of facilities which can be housed in a utility tunnel;
4. Considerations for works on occupancy and use of a utility tunnel.

(2) Any person scheduled to occupy and use a utility tunnel shall house the facilities to be housed in a utility tunnel within the period for occupation works under paragraph (1) 1: Provided, That the same shall not apply to cases where a prior consultation has been held with the project implementer, since a special condition exists under which it is impossible to complete occupation works within such period. *<Amended by Presidential Decree No. 22264, Jul, 9, 2010>*

(3) Any person scheduled to occupy a utility tunnel shall remove the previous facilities whose usage has been abolished due to an admittance into a utility tunnel of the facilities to be admitted into the utility tunnel, within the period designated by the project implementer, and the road shall be restored to its original state. *<Amended by Presidential Decree No. 22264, Jul, 9, 2010>*

Article 38 (Expenses, etc. Incurred in Installing Utility Tunnels)

(1) Expenses incurred in installing a utility tunnel under the former part of Article 44 (5) of the Act shall be as follows: Provided, That when there exists any subsidy under Article 44 (6) of the Act, the amount of such subsidy shall be deducted: *<Amended by Presidential Decree No. 22264, Jul, 9, 2010>*

1. Expenses incurred in relation to installation works;
2. Expenses incurred in relation to interior works;
3. Expenses incurred in relation to measurement and design for installation;
4. When there exists a necessity to make any compensation due to an installation of a utility tunnel, costs of such compensation;
5. Expenses incurred in installing facilities annexed to a utility tunnel;
6. When there exists any loan under Article 44 (6) of the Act, the amount equivalent to the interests thereof.

(2) Expenses incurred in installing a utility tunnel, which are to be borne by a person scheduled to occupy and use a utility tunnel pursuant to the latter part of Article 44 (5) of the Act, shall be those incurred in burying individual facilities, but shall be determined by the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun (hereafter referred to as "utility tunnel manager" in Articles 39 and 39-3) in consideration of the location, size, surrounding conditions, etc. of the relevant utility tunnel, following deliberation thereon by a utility tunnel council. *<Amended by Presidential Decree No. 22264, Jul, 9, 2010; Presidential Decree No. 23718, Apr. 10, 2012>*

(3) A project implementer shall notify a person scheduled to occupy and use a utility tunnel, promptly after authorization, etc. is granted for an implementation plan for a development project involving an installation of a utility tunnel, of the payment of a share in expenses computed under paragraphs (1) and (2). *<Amended by Presidential Decree No. 22264, Jul, 9, 2010>*

(4) A person scheduled to occupy and use a utility tunnel in receipt of notice of payment for shares in expenses under paragraph (3) shall pay one third or more of the share before undertaking works for

installing a utility tunnel, and the remainder thereof shall be paid by no later than the expiration date of occupation works under Article 37 (1) 1 (referring to the completion date of the work, where such work has been completed prior to the expiration date). <Amended by Presidential Decree No. 22264, Jul, 9, 2010>

Article 39 (Management, Operation, etc. of Utility Tunnels)

(1) "Institutions prescribed by Presidential Decree" in the proviso to Article 44-2 (1) of the Act means any of the following agencies: <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

1. A local government-invested public corporation or public corporation of a local government under Article 49 or 76 of the Local Public Enterprises Act;
2. The Korea Infrastructure Safety and Technology Corporation under Article 25 of the Special Act on the Safety Control of Public Structures;
3. Institutions specialized in the management and operation of utility tunnels and determined by urban or Gun planning ordinance of the Special Metropolitan City, a Metropolitan City, Special Self-Governing City, Special Self-Governing Province, or Si/Gun.

(2) A safety and maintenance plan of a utility tunnel under Article 44-2 (2) of the Act shall include all the following matters:

1. Matters concerning securing an organization, human resources and equipment for the safety and maintenance of a utility tunnel;
2. Matters concerning a system of taking measures in an occurrence of an emergency;
3. Matters concerning plans for conducting safety inspections or precise safety diagnoses under Article 44-2 (3) of the Act;
4. Matters concerning the collection and keeping of design drawings and documents related to the design, construction, supervision, maintenance, etc. of the relevant utility tunnel;
5. Other matters necessary for the safety and maintenance of a utility tunnel.

(3) Where a utility tunnel manager intends to formulate or alter a safety and maintenance plan of a utility tunnel under Article 44-2 (2) of the Act, he/she shall undergo deliberation thereon by a utility tunnel council after consulting with the heads of related administrative agencies, in advance.

(4) Where a utility tunnel manager has formulated or altered the safety and maintenance plan of a utility tunnel under paragraph (3), he/she shall send the related documents to the heads of related administrative agencies.

(5) A utility tunnel manager shall conduct the following safety inspections pursuant to Article 44-2 (3) of the Act:

1. Regular inspections: At least once every six months based on January 1 of each year;
2. Precise inspections: At least once every two years based on the date on which the previous precise inspection or precise safety diagnosis is completed;
3. Emergency inspections: When deemed necessary to conduct them by a utility tunnel manager.

Article 39-2 (Organization, Operation, etc. of Utility Tunnel Council)

(1) Matters deliberated by and consulted on by a utility tunnel council pursuant to Article 44-2 (4) of the Act shall be as follows:

1. Deliberation on matters concerning plans, etc. for installing a utility tunnel under Article 44 (4) of the Act;
2. Deliberation on matters concerning apportionment, etc. of expenses incurred in installing and managing a utility tunnel under Articles 44 (5) and 44-3 (1) of the Act;
3. Deliberation on matters concerning safety and maintenance plans, etc. of a utility tunnel under Article 44-2 (2) of the Act;
4. Deliberation on matters concerning permission for the occupancy/use and use of a utility tunnel, expenses-sharing, etc. under Article 44-3 (2) and (3) of the Act;
5. Deliberation or consultation on other matters concerning the installation and management of a utility tunnel.

(2) A utility tunnel council shall be comprised of not less than 10 but not more than 20 members, including one chairperson and one vice-chairperson.

(3) The Vice-Mayor of the Special Metropolitan City, a Metropolitan City or a Special Self-Governing City, or the Vice-Governor of a Special Self-Governing Province, or the vice-head of a Si/Gun shall be the chairperson of a utility tunnel council, and the vice-chairperson shall be elected, from among its members: Provided, That the chairperson of a utility tunnel council jointly established in at least two Special Metropolitan Cities, Metropolitan Cities, Special Self-Governing Cities, Special Self-Governing Provinces or Sis/Guns shall be determined through consultation between the relevant Special Metropolitan City Mayor, Metropolitan City Mayors, or Special Self-Governing City Mayors, the Governors of the relevant Special Self-Governing Provinces, or the heads of the relevant Sis/Guns. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(4) Members of a utility tunnel council shall be appointed or commissioned by the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun, from among the following persons, and the members of a utility tunnel council jointly established in at least two Special Metropolitan Cities, Metropolitan Cities, Special Self-Governing Cities, Special Self-Governing Provinces or Sis/Guns shall be appointed or commissioned through consultation among the relevant Special Metropolitan City Mayor, Metropolitan City Mayors, or Special Self-Governing City Mayors, the Governors of the relevant Special Self-Governing Provinces, or the heads of the relevant Sis/Guns. In such cases, the number of the members falling under subparagraph 5 shall be at least half of the total number of the members: <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

1. Public officials of the relevant local government;
2. Public officials of the competent fire station;
3. Employees of a project implementer;

4. Employees of a person scheduled to occupy and use a utility tunnel;
5. Persons who have knowledge and experience in the structural safety or disaster prevention affairs of a utility tunnel.

(5) The term of office of a member falling under paragraph (4) 5 shall be two years: Provided, That the term of office of a newly commissioned member due to the resignation, etc. of the present member shall be the remaining term of office of his/her predecessor.

(6) In addition to matters provided for in paragraphs (2) through (5), matters necessary for the organization and operation of a utility tunnel council shall be determined by urban or Gun planning ordinance of the competent Special Metropolitan City, Metropolitan City, Special Self-Governing City, Special Self-Governing Province, or Si/Gun. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

Article 39-3 (Management Expenses of Utility Tunnels)

Any utility tunnel manager may permit expenses incurred in managing a utility tunnel under Article 44-3 (1) of the Act to be paid in two installments, annually.

Article 40 (Supports, etc. Following Installation of Metropolitan Facilities)

Where any local government intends to install metropolitan facilities in a jurisdictional area of another local government under Article 45 (4) of the Act, it shall either implement projects falling under any of the following subparagraphs concurrently with the relevant local government, or support the fund, etc. required for them:

1. Projects for preventing environmental pollution: Projects for installation of a green area, sewage system, or waste treatment facilities, and prevention projects, etc. of air pollution, water quality pollution, offensive odor, noise and vibration;
2. Projects for convenience of local residents: Installation projects, etc. of roads, parks, water supply facilities, cultural facilities, libraries, social welfare facilities, pavilion for senior citizens, sewage system, general medical facilities, etc.

Article 41 (Requests for Purchase of Sites for Urban or Gun Planning Facilities)

(1) Any person intending to request a purchase of land under Article 47 (1) of the Act shall submit a written request for purchase of sites for urban or Gun planning facilities (including a request made in the form of electronic documents) stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport, along with a certificate of registered matters of the relevant land and building, to a person liable for purchase under the proviso to the part other than each subparagraph of Article 47 (1) of the Act: Provided, That where a person liable for purchase is able to verify a certified copy of the register of relevant land and building through joint use of administrative information under Article 36 (1) of the Electronic Government Act, such verification shall substitute for the accompanying documents. <Amended by Presidential Decree No. 18312, Mar. 17, 2004; Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 22151, May 4, 2010; Presidential Decree No. 22467, Nov. 2, 2010; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

(2) Article 26 of the Enforcement Decree of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects shall apply mutatis mutandis to the scope of land of an absentee owner of immovables under Article 47 (2) 2 of the Act. In such cases, "date of public announcement of authorization for business" shall be construed as "date of a request for purchase". <Amended by Presidential Decree No. 19036, Sep. 8, 2005>

(3) Article 49 (1) 1 of the Enforcement Decree of the Corporate Tax Act shall apply mutatis mutandis to the scope of non-business land under Article 47 (2) 2 of the Act. <Amended by Presidential Decree No. 19036, Sep. 8, 2005>

(4) "Amount prescribed by Presidential Decree" in Article 47 (2) 2 of the Act means 30 million won.

(5) "Buildings or structures prescribed by Presidential Decree" in the former part, other than each subparagraph of Article 47 (7) of the Act, means the following: Provided, That where the scope of allowance is separately stipulated by urban or Gun planning ordinance of the competent Special Metropolitan City, Metropolitan City, Special Self-Governing City, Special Self-Governing Province or Si/Gun, it shall govern: <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 21625, Jul. 7, 2009; Presidential Decree No. 21629, Jul. 16, 2009; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25273, Mar. 24, 2014>

1. Independent houses with not more than three floors under subparagraph 1 (a) of attached Table 1 of the Enforcement Decree of the Building Act;

2. Type I neighborhood lifestyle facilities with not more than three floors specified under subparagraph 3 of attached Table 1 of the Enforcement Decree of the Building Act;

2-2. Type II neighborhood lifestyle facilities with not more than three floors specified under subparagraph 4 of attached Table 1 of the Enforcement Decree of the Building Act (excluding items (o), (q) and (r) of the same subparagraph);

3. Structures.

Article 42 (Public Announcement of Invalidation and Recommendation of Cancellation of Determination of Urban or Gun Planning Facilities)

(1) A public announcement of the invalidation of a determination of urban or Gun planning facilities under Article 48 (2) of the Act shall be made by publishing the date of invalidation, the grounds for invalidation, and the details of the invalid urban or Gun plan in the Official Gazette where it is made by the Minister of Land, Infrastructure and Transport, and in the official report of the relevant City/Do or large city where it is made by a Mayor/Do Governor or the Mayor of a large city. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

(2) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Metropolitan Autonomous City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun (hereafter in this Article, referred to as "head of a local government") shall report the following matters on urban or Gun planning facilities, the installation of which is no longer required, among urban or Gun planning facilities, the

determination of which has been announced pursuant to Article 48 (3) of the Act, or on urban or Gun planning facilities, no urban or Gun planning facilities project to install which has been executed (hereafter in this Article, referred to as "urban or Gun planning facilities unexecuted for a long time") until ten years have passed from the date of such announcement, to the relevant local council annually during its regular session or extraordinary session held under Article 44 or 45 of the Local Autonomy Act. In such cases, where the head of a local government deems necessary, he/she may take counsel with the local urban planning committee belonging to the relevant local government or pre-consult with the head of the relevant administrative agency: <Newly Inserted by Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25718, Nov. 11, 2014>

1. The overall current status of urban or Gun planning facilities, etc. unexecuted for a long time (referring to kinds of facilities, the area thereof, expenses to be incurred in installing such facilities, etc.);

2. The names, the dates of announcement, the dates of announcement of modification, locations, scales, grounds for failure in the execution, implementation plans by phase, rough drawings, photographs of the current status, or aerial photographs of urban or Gun planning facilities, etc. unexecuted for a long time, and opinions on the cancellation of the relevant facilities;

3. Other matters necessary for deliberation or resolution by the local council.

(3) The head of each local government shall report to the relevant local council every two years on urban or Gun planning facilities, etc. unexecuted for a long time, the determination of which has not been cancelled from the time he/she files the first report, among urban or Gun planning facilities, etc. unexecuted for a long time on which he/she has reported to the relevant local council pursuant to paragraph (2). In such cases, paragraph (2) shall apply mutatis mutandis to reporting to a local council. <Newly Inserted by Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25718, Nov. 11, 2014>

(4) Where a local council recommends the head of the relevant local government to cancel urban or Gun planning facilities, etc. unexecuted for a long time pursuant to Article 48 (4) of the Act, it shall send a document (the names, locations, scales, grounds for cancellation, etc. of urban or Gun planning facilities shall be included therein) stating a recommendation of the cancellation thereof, to the head of the relevant local government within 90 days of receipt of a report under paragraph (2) or (3). <Newly Inserted by Presidential Decree No. 23718, Apr. 10, 2012>

(5) The head of a local government recommended to cancel urban or Gun planning facilities, etc. unexecuted for a long time pursuant to paragraph (4) shall determine an urban or Gun management plan for the cancellation thereof within one year from the date it is recommended to cancel the relevant urban or Gun planning facilities, etc. unexecuted for a long time, except in an extenuating circumstance where such urban or Gun planning facilities, etc. cannot be cancelled, in consideration of the correlation with a higher-level plan, an implementation plan by phase, traffic, environment, opinions of residents, etc. In such cases, the head of a local government shall provide the relevant local council with evidence of an extenuating circumstance where such urban or Gun planning facilities, etc. cannot be cancelled within six

months from the date he/she is recommended to cancel such facilities, etc. <Newly Inserted by Presidential Decree No. 23718, Apr. 10, 2012>

(6) Notwithstanding paragraph (5), where the head of a Si/Gun needs the cancellation of an urban or Gun management plan determined by a Do Governor pursuant to Article 24 (6) of the Act, he/she shall request the Do Governor to make such determination. <Newly Inserted by Presidential Decree No. 23718, Apr. 10, 2012>

(7) A Do Governor requested to cancel the determination of urban or Gun planning facilities pursuant to paragraph (6) shall determine an urban or Gun management plan to cancel the relevant urban or Gun planning facilities within one year from the date he/she is requested to cancel such determination, except in extenuating circumstances. <Newly Inserted by Presidential Decree No. 23718, Apr. 10, 2012>

Article 42-2 (Formulation of District Unit Plans)

(1) "Matters prescribed by Presidential Decree" in Article 49 (1) 4 of the Act means the following:

1. Revitalizing a community;
2. Creating a safe and sustainable living environment;
3. Harmony between a land utilization plan and a building plan, considering land utilization in the relevant area and the neighboring area.

(2) The Minister of Land, Infrastructure and Transport shall consider the following when setting standards for the formulation of district unit plans pursuant to Article 49 (2) of the Act: <Amended by Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24593, Jun. 11, 2013; Presidential Decree No. 25090, Jan. 14, 2014; Presidential Decree No. 26381, Jul. 6, 2015>

1. When formulating a district unit plan in a development restriction area, to ensure that the purposes of designating the development restriction area is not compromised or the surrounding environment thereof, is not damaged and preferentially apply the Act on Special Measures for Designation and Management of Development Restriction Zones thereto;

1-2. When formulating a district unit plan in a conservation and control area, to minimize environmental degradation by, for example, planning the district as a green space or park;

1-3. Where formulating a district unit plan in a historic and cultural environment preservation area designated under Article 13 of the Cultural Heritage Protection Act, the district unit plan shall be formulated in harmony with the cultural heritage and historic and cultural environment therein;

2. Where necessary for uncongested traffic in a district unit planning area, the competent authority shall allow a household to which a building site belongs, to individually or jointly install a parking lot annexed to the relevant building outside of the relevant building site by a district unit plan. In such cases, the location, scale etc. of the parking lot annexed to a building jointly installed outside of the building site shall be determined by a district unit plan;

3. No entrance to a parking lot annexed to a building installed outside of a building site under subparagraph 2 shall be placed on the trunk road side: Provided, That this shall not apply where the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Metropolitan Autonomous City Mayor,

a Special Self-Governing Province Governor, or the head of a Si/Gun deems that the entrance on the trunk road side does not obstruct traffic in consideration of a traffic plan of the relevant district unit planning area;

4. Where necessary for performing a public project, constructing a large building, or for owners of at least two parcels of land in a district unit planning area to perform joint development, the competent authority shall designate a specific part as a separate area so that the level of the details of a plan therefor may be separately determined;

5. The competent authority shall examine whether it is necessary to determine insignificant matters under Article 25 (4) 8, considering the purposes of designating a district unit planning area, expected changes in the conditions thereof in the future, a plan for the management thereof, etc., and reflect the necessity of such determination in the district unit plan;

6. Where matters by which an existing special-purpose area or special-purpose district is changed to a special-purpose area or special-purpose district subject to the higher floor area ratio are included in the details of a district unit plan, the competent authority shall apply the floor area ratio of the existing special-purpose area or special-purpose district to the floor area ratio of an area to be changed, and formulate a plan so that it may leniently apply limits on the floor area ratio, based on the current status of supply of sites for public facilities, etc.;

7. The competent authority shall formulate a district unit plan, including the lenient limits on the building-to-land ratio or the floor area ratio under Articles 46 and 47;

8. The competent authority shall specify the purposes of designating an area that requires the promotion of the complex use of land combining functions of residence, commerce, business, etc. in an urban area falling under Article 51 (1) 8-2 of the Act by classifying as development for complex purposes, include at least three core functions, and formulate a plan that does not focus on any of core functions;

9. In principle, matters referred to in Article 52 (1) 1 and 4 (excluding restrictions on purposes of a building) of the Act among the details of a district unit plan formulated for an area referred to in Article 51 (2) 1 of the Act shall maintain the details of a project, when such project executed in the relevant area is complete;

10. The competent authority shall classify the purposes of designating a district unit planning area designated in an area, other than an urban area, for residence, for industries and distribution, for sightseeing and recreation, or for complex purposes according to the core functions of the relevant area;

11. The competent authority shall determine the purposes, kinds, scales, etc. of buildings that may be constructed in a district unit planning area, other than an urban area, by a district unit plan in consideration of restrictions on buildings, etc. for each special-purpose area of an urban area similar to the core functions of the relevant area;

12. Where a special-purpose area is changed to a special-purpose area subject to the higher floor area ratio and lenient restrictions on construction pursuant to the latter part of Article 45 (2) or matters that leniently apply restrictions on activities are included in a district unit plan due to a change in the

determination of urban or Gun planning facilities under Article 43 of the Act, the competent authority shall formulate a plan so that it may leniently apply limits on the floor area ratio or restrictions on construction in consideration of provision of a site for infrastructure or installed infrastructure in the relevant district unit planning area. In such cases, expenses incurred in providing a site for infrastructure or infrastructure installation costs shall be within the limits of the increased portion (referring to the amount appraised by an appraiser under the Public Notice of Values and Appraisal of Real Estate Act) in the value of land according to the increase in the floor area ratio due to the change of a special-purpose area and the change of restrictions on building;

13. When infrastructure in the relevant district unit planning area is sufficient, infrastructure can be installed in a height restriction area, historic and cultural environment conservation area, disaster prevention area designated in the competent Si/Gun/Gu outside of the relevant district unit planning area, or an area with poor infrastructure prescribed by urban or Gun planning ordinance of a City/Do or large city or infrastructure installation costs may be charged to the competent Si/Gun/Gu, in lieu of subparagraph 12;

14. Infrastructure installation costs referred to in subparagraph 13 shall be used for securing infrastructure in a height restriction area, historic or cultural environment conservation area, disaster prevention area designated in the competent Si/Gun/Gu outside of the relevant district unit planning area or an area with poor infrastructure prescribed by urban or Gun planning ordinance of a City/Do or large city;

15. The installation of infrastructure, and methods of computing infrastructure installation costs referred to in subparagraphs 12 and 13, specific standards for operation thereof, and other necessary matters, shall be prescribed by urban or Gun planning ordinance of a City /Do or large city.

Article 43 (Areas Subject to Designation as District Unit Planning Zones in Urban Areas)

(1) "Area meeting the requirements prescribed by Presidential Decree" in Article 51 (1) 8-2 of the Act means an area reflected in an urban or Gun master plan because it is necessary to restore the functions of the backward downtown or to foster a center for the balanced urban development in a quasi-residential area, quasi-manufacturing area and business area, falling under any of the following subparagraphs:

<Newly Inserted by Presidential Decree No. 23718, Apr. 10, 2012>

1. An area where it is easy to use public transportation, because it is provided with good infrastructure such as the sphere of influence of the major station, an express bus and intercity bus terminal, an intersection of trunk roads, etc.;
2. An area where the systematic and planned development of the sphere of influence of a station is required;
3. An area located within one kilometer from a road junction where three or more roads either meet or cross at grade;
4. A developed area in the sphere of influence of a station under the Act on the Development and Use of Sphere of Influence of Stations, and an area designated as a highly-populated complex type renewal

promotion district under the Special Act on the Promotion of Urban Renewal.

(2) "Facilities prescribed by Presidential Decree" in Article 51 (1) 8-3 of the Act means the following facilities: *<Newly Inserted by Presidential Decree No. 23718, Apr. 10, 2012>*

1. Railways, harbors, airports, factories, hospitals, schools, government offices, public institutions, marketplaces, playgrounds and terminals;
2. Other facilities similar to those under subparagraph 1, prescribed by urban or Gun planning ordinance of the Special Metropolitan City, a Metropolitan City, Special Self-Governing City, Special Self-Governing Province or Si/Gun.

(3) "Area meeting the requirements prescribed by Presidential Decree" in Article 51 (1) 8-3 of the Act means any of the following areas, which is unused land, the area of which is at least 10,000 square meters or a site for relocation of large-scale facilities: *<Newly Inserted by Presidential Decree No. 23718, Apr. 10, 2012>*

1. An area where the reallocation and readjustment of urban functions are required according to the relocation of a large-scale facilities;
2. An area where the high potential of the use of land exists and the fostering of a regional base is required;
3. An area where it is expected to have a great effect on the revitalization of regional economy and the creation of jobs.

(4) "Areas prescribed by Presidential Decree" in Article 51 (1) 10 of the Act means the following areas: *<Amended by Presidential Decree No. 18044, Jun. 30, 2003; Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012>*

1. Model cities designated under Article 127 (1) of the Act;
2. Areas with a restriction on permission for development activities which have been publicly announced under Article 63 (2) of the Act;
3. Areas intended for an efficient development of underground and air spaces;
4. Areas publicly announced for public perusal in order to formulate an urban or Gun management plan for a designation or alteration of a special-purpose area;
5. Deleted; *<by Presidential Decree No. 23718, Apr. 10, 2012>*
6. Areas in which multi-unit housing is built by a housing reconstruction project;
7. Green natural areas intended to install public facilities adjacent to the land intended to be designated as a district unit planning district;
8. Other areas necessary for ensuring a favorable environment or the increase of functions and fine views, etc., prescribed by urban or Gun planning ordinance of the competent Special Metropolitan City, Metropolitan City, Special Self-Governing City, Special Self-Governing Province or Si/Gun.

(5) "Areas prescribed by Presidential Decree" in Article 51 (2) 2 of the Act means any of the following areas, the area of which is at least 300,000: *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

1. Urbanization-coordination zones or areas removed from parks: Provided, That it shall be excluded if designated or retained as a green area, or where development plans, such as urban or Gun planning projects, are not formulated under the Act or other statutes;
2. Areas altered from a green area to a residential, commercial or industrial area.

Article 44 (Areas Subject to Designation as District Unit Planning Zones in Areas, other than Urban Areas)

(1) "Requirements prescribed by Presidential Decree" in Article 51 (3) 1 of the Act means the following requirements: <Amended by Presidential Decree No. 18680, Jan. 15, 2005; Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014>

1. The remaining use area that may be included in a district unit planning zone, other than a planned management area, shall be a production management area or conservation area: Provided, That the area of the conservation area included in the district unit planning zone shall meet the requirements for the area based on the following classification:

(a) Where the total area of the district unit planning zone does not exceed 100,000 square meters: Within 20 percent of the total area of the district unit planning zone;

(b) Where the total area of the district unit planning zone exceeds 100,000 square meters: Within 10 percent of the total area of the district unit planning zone;

2. The area of land intended to be designated as a district unit planning zone shall meet the requirements of the area provided for in any of the following items:

(a) Where any plan for building the apartment or tenement house, among multi-unit housing under subparagraph 2 of attached Table 1 of the Enforcement Decree of the Building Act, is included in an area intended for designation, it shall be at least 300,000. In such cases, if it falls under the following requirements, it may be designated as a district unit planning zone by combining a tract of land:

(b) Where any plan for building the apartment or tenement house, from among multi-unit housing under subparagraph 2 of attached Table 1 of the Enforcement Decree of the Building Act, is included in an area intended for designation and the relevant area falls under any of the following, it shall be at least 100,000:

(c) Except in cases falling under items (a) and (b), it shall be at least 30,000;

3. Infrastructure, such as roads, water supply facilities, and sewage system, may be provided to the relevant area;

4. Natural environment, scenery, fine view, etc. shall not be impaired, and there shall be no concern over damaging cultural properties.

(2) "Requirements prescribed by Presidential Decree" in Article 51 (3) 2 of the Act means the following requirements: <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 23718, Apr. 10, 2012>

1. It shall meet the requirements under paragraph (1) 2 through 4;
2. The relevant development promotion district shall be located in each of the following areas:
 - (a) A residence development promotion district, a complex development promotion district (limited to where residence functions are included) and a specific development promotion district: A planning management area;
 - (b) An industrial and distribution development promotion district and a complex development promotion district (limited to where residence functions are not included): A planning management area, a production management area, or an agricultural and forestry area;
 - (c) Tourism and recreation development promotion district: Areas, other than urban areas.
- (3) The Minister of Land, Infrastructure and Transport may stipulate requirements for designation under each subparagraph of paragraphs (1) and (2), when necessary to ensure that a district unit planning zone is to be reasonably designated. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 45 (Details of District Unit Plans)

- (1) Deleted. *<by Presidential Decree No. 23718, Apr. 10, 2012>*
- (2) Subdivision or alteration of a special-purpose area or special-purpose district under Article 52 (1) 1 of the Act shall be that a special-purpose area referred to in each subparagraph of Article 30 or a special-purpose district (excluding a height restriction district) referred to in each subparagraph of Article 31 (2) is subdivided or altered within a scope of the said subparagraph (including a special-purpose district to be subdivided by urban or Gun planning ordinance under Article 31 (3)). In such cases, alterations between special-purpose areas referred to in the subparagraphs of Article 30 shall be included in a district unit planning zone designated pursuant to Article 51 (1) 8-2 and 8-3 of the Act. *<Amended by Presidential Decree No. 18680, Jan. 15, 2005; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012>*
- (3) "Infrastructure prescribed by Presidential Decree" in Article 52 (1) 2 of the Act means the following facilities necessary for achieving the purposes of designating the relevant district unit planning zone: *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 19130, Nov. 11, 2005; Presidential Decree No. 21038, Sep. 25, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 24593, Jun. 11, 2013; Presidential Decree No. 25090, Jan. 14, 2014>*
 1. For areas and zones provided for in Article 51 (1) 2 through 7 of the Act, infrastructure to be installed by development projects performed under the relevant Acts;
 2. Roads, automobile stopping places, parking lots, automobile and construction equipment inspection facilities, automobile and construction equipment driving schools, squares, parks (excluding cemetery parks established under the Act on Urban Parks, Greenbelts, Etc.), green areas, vacant public land, distribution business facilities, water supply facilities, electricity supply facilities, gas supply facilities, heat supply facilities, utility tunnels, markets, schools (excluding schools defined in Article 2 of the Higher Education Act), public office buildings, cultural facilities, sports facilities deemed necessary for

public use, libraries, research facilities, social welfare facilities, public vocational training facilities, juvenile training facilities, river, detention basins, fire protection and fire prevention systems, windbreaks, protective facilities against floods, erosion control facilities, seawalls, funeral parlors, general medical facilities, sewage, waste treatment facilities, water pollution prevention facilities, and junkyards;

3. Deleted. <by Presidential Decree No. 19647, Aug. 17, 2006>

(4) "Matters prescribed by Presidential Decree" in Article 52 (1) 8 of the Act means the following: <Amended by Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 26381, Jul. 6, 2015>

1. Height, depth, allocation, or scale of facilities to be installed underground or in the air space;
2. Forms or colors of the main gate, wall, or fence;
3. Scale, form, color, or material quality of the signboard;
4. Plans for convenience facilities for disabled persons, old persons, weak persons, etc.;
5. Plans for conservation and recycling of energy and resources;
6. Plans for the protection, creation, connection of the biological habitat space, and for the circulation, etc. of water and air;
7. Plans for the protection of cultural heritage and historic and cultural environments.

(5) "Urban or Gun planning facilities prescribed by Presidential Decree" in Article 52 (2) of the Act means roads, parking lots, parks, green areas, vacant public land, water, power, gas, and heat supply facilities, schools (limited to primary and middle schools), sewage systems, and waste treatment facilities. <Amended by Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012>

Article 46 (Relaxed Application of Building-to-Land Ratio, etc. in District Unit Planning Zones in Urban Areas)

(1) Where any person intending to build a structure in a district unit planning zone (limited to the designation of a district unit planning zone in an urban area; hereafter the same shall apply in this Article) provides a part of such site as a site for a school or infrastructure (hereafter referred to as "public facilities, etc." in this paragraph) prescribed by urban or Gun planning ordinance of the relevant City/Do or large city among public facilities or infrastructure, or installs and provides public facilities, etc. [including cases where public sewage works are installed and provided in a drainage district under subparagraph 14 of Article 2 of the Sewerage Act outside of a district unit planning zone (limited to cases where other infrastructure is sufficiently installed in a district unit planning zone)], the building-to-land ratio, floor area ratio and height restriction may be relaxedly applied to the relevant structure by a district unit plan pursuant to Article 52 (3) of the Act according to the following classifications: <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 19400, Mar. 23, 2006; Presidential Decree No. 21038, Sep. 25, 2008; Presidential Decree No. 22703, Mar. 9, 2011; Presidential Decree No. 23502, Jan. 6, 2012; Presidential Decree No. 23718, Apr. 10, 2012>

1. When a person offers a site for public facilities, etc., a building-to-land ratio, building volume ratio and height restriction may be leniently applied up to the following ratios: Provided, That where a person

who offers a part of land in a district unit planning zone as a site for public facilities, etc. constructs a building at another site within the relevant district unit planning zone, the building volume ratio may be applied by mitigating it up to the ratio under item (b):

(a) Leniency building-to-land ratio Building-to-land ratio to be applied to relevant special-purpose area $\times [1 \text{ Area to be offered for sites of public facilities, etc. (where a person who offers a site for public facilities, etc. has taken over public facilities, the uses of which are to be repealed under Article 65 (2) of the Act for free of charge, it shall be calculated after deduction of an area of the site taken over; hereafter the same shall apply in this Article)} \div \text{Area of original site}]$;

(b) Leniency building volume ratio Building volume ratio to be applied to the relevant special-purpose area $[1.5 \times (\text{Area to be offered for sites of public facilities, etc.} \times \text{Building volume ratio of sites to be offered for sites of public facilities, etc.}) \div \text{Area of sites after offering for sites of public facilities, etc.}]$;

(c) Leniency height restriction Height restricted under Article 60 of the Building Act $\times (1 \text{ Area to be offered for sites of public facilities, etc.} \div \text{Area of original sites})$;

2. When a person installs and offers public facilities, etc. (excluding the offering of the site), it is deemed to have offered a site with the value equivalent to costs incurred in installing the public facilities, etc. so that a building-to-land ratio, building volume ratio, and height restriction may be leniently applied up to the ratio under subparagraph 1. In such cases, the methods of calculating the costs incurred in installing public facilities, etc. and the site value equivalent to such costs shall be prescribed by urban or Gun planning ordinance of the relevant City/Do or large city;

3. When a person installs public facilities, etc. and provides them with the site, up to the ratio calculated by adding leniency building-to-land ratio, building volume ratio and height pursuant to subparagraphs 1 and 2 shall be applied leniently.

(2) Where any person who has received compensation after offering the land located in a district unit planning zone for the site of public facilities, or his/her general successor, returns the amount obtained by aggregating interests prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport to the said compensation (hereafter referred to as "returned money" in this paragraph), the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun may relax the building-to-land ratio, the floor area ratio and height restriction of the relevant building by applying the items of paragraph (1) 1, as prescribed by urban or Gun planning ordinance of the relevant local government. In such cases, the said returned money shall be used for securing the infrastructure. <Newly Inserted by Presidential Decree No. 18240, Jan. 20, 2004; Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

(3) Where a person intending to build a structure in a district unit planning zone has installed the vacant public land or open space under Article 43 (1) of the Building Act in excess of the liable area under the same paragraph, the floor area ratio and height restriction may be relaxedly applied to the relevant structure by a district unit plan under Article 52 (3) of the Act up to the following ratio: <Amended by

Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 21038, Sep. 25, 2008; Presidential Decree No. 23718, Apr. 10, 2012>

1. Floor area ratio that may be relaxed Floor area ratio relaxed under Article 43 (2) of the Building Act (Floor area ratio to be applied to the relevant special-purpose area \times Half of areas of the vacant public land or open space in excess of a liable area \div Area of sites);

2. Height that may be relaxed Height leniently applied under Article 43 (2) of the Building Act (Height under Article 60 of the Building Act \times Half of areas of the vacant public land or open space in excess of a liable area \div Area of sites).

(4) In a district unit planning zone, the building-to-land ratio may be leniently applied by a district unit plan under Article 52 (3) of the Act within the scope stipulated in Article 84, notwithstanding the provisions of urban or Gun planning ordinance. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(5) In a district unit planning zone, Article 76 of the Act may be leniently applied by a district unit plan under Article 52 (3) of the Act, within the scope of usage, type, size, etc. of the structures allowed to be constructed within a special-purpose area under each subparagraph of Article 30 (limited to structures permitted in urban or Gun planning ordinance, in cases of structures allowed to be constructed, as prescribed by the said ordinance). *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(6) Where the purposes of designating a district unit planning zone fall under any of the following subparagraphs, the criteria for installation of parking lots under Article 19 (3) of the Parking Lot Act may be leniently applied by a district unit plan under Article 52 (3) of the Act by up to 100 percent: *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

1. Where intending to conserve Hanok villages;

2. Where intending to create a street without any automobiles (including cases where exclusive pedestrians' roads are designated or the passage of automobiles is prohibited under a district unit plan);

3. Other cases prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(7) In any of the following cases, the floor area ratio may be leniently applied by a district unit plan under Article 52 (3) of the Act, within 120 percent of the floor area ratio to be applied to the relevant special-purpose area: *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

1. A development promotion district has been designated in an urban area, which is designated as a district unit planning zone;

2. Where falling under any of the following items, joint development is performed, following advice from the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun:

(a) Where it is set forth in a district unit plan that a single structure is to be built in two or more parcels of land;

(b) Where it is set forth in a district unit plan that the joint-wall building is to be made;

(c) Where it is necessary to simultaneously build structures in two or more parcels of land, since it is set forth in a district unit plan that parking lots, pedestrians' passages, etc. are to be jointly used.

(8) Where a development promotion district has been designated in an urban area, which is designated as a district unit planning zone, the restriction on height may be leniently applied to the relevant structure by a district unit plan under Article 52 (3) of the Act, within 120 percent of the height of structures restricted under Article 60 of the Building Act. <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 21038, Sep. 25, 2008; Presidential Decree No. 23718, Apr. 10, 2012>

(9) Paragraphs (1) 1 (b) (including cases applied pursuant to paragraphs (1) 2 and (2)), (3) 1 and (7) shall not apply to any of the following cases: <Amended by Presidential Decree No. 18240, Jan. 20, 2004; Presidential Decree No. 23009, Jul. 1, 2011; Presidential Decree No. 23718, Apr. 10, 2012>

1. Where an area requires planned development or management among zones released from a development-restricted zone, urbanization-coordination zone, green area or park, and a zone newly incorporated in an urban area;

2. Where an existing special-purpose area or a special-purpose district is altered into a special-purpose area or a special-purpose district having a high building volume ratio, and whereto a building volume ratio of an existing special-purpose area or a special-purpose district is not applied.

(10) The building-to-land ratio and building volume ratio to be leniently applied under paragraphs (1) through (4) and (7) shall not exceed 150 percent of a building-to-land ratio and 200 percent of the building volume ratio to be applied to the relevant special-purpose area or a special-purpose district, respectively.

<Amended by Presidential Decree No. 18240, Jan. 20, 2004>

Article 47 (Relaxed Application of Building-to-Land Ratio, etc. in District Unit Planning Zones other than Urban Areas)

(1) In a district unit planning zone (limited to the designation of a district unit planning zone other than an urban area; hereafter the same shall apply in this Article), the building-to-land ratio and the floor area ratio may be relaxedly applied by a district unit plan pursuant to Article 52 (3) of the Act within 150 percent of the building-to-land ratio and 200 percent of the floor area ratio to be applied to the relevant special-purpose area or development promotion district. <Amended by Presidential Decree No. 18680, Jan. 15, 2005; Presidential Decree No. 20009, Apr. 19, 2007; Presidential Decree No. 23718, Apr. 10, 2012>

(2) In a district unit planning zone, the usage, type and size, etc. of structures under Article 76 of the Act may be leniently applied by a district unit plan under Article 52 (3) of the Act: Provided, That the apartment and tenement house among multi-unit housing under subparagraph 2 of attached Table 1 of the Enforcement Decree of the Building Act shall not be permitted for a district unit planning zone designated in a development promotion district (excluding a development promotion district designated in a planning management area). <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 23718, Apr. 10, 2012>

(3) and (4) Deleted. <by Presidential Decree No. 20009, Apr. 19, 2007>

Article 48 Deleted. <by Presidential Decree No. 23718, Apr. 10, 2012>

Article 49 (Opinions of Residents, etc. on Draft District Unit Plans)

Any of the following persons may submit matters intended for inclusion in a draft district unit plan to the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun, and when the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun deems that matters submitted are pertinent, he/she shall reflect them in a draft district unit plan: <Amended by Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012>

1. Where a district unit planning zone has been designated by a proposal from residents under Article 26 of the Act, the said proposers;
2. Where a district unit planning zone has been designated for areas under Article 51 (1) 2 through 7 of the Act, the implementor of a development project under individual Acts constituting the ground for such designation.

Article 50 (Publicly Announcing Invalidation of Designation of District Unit Planning Zones)

The invalidation of designation of a district unit planning zone under Article 53 (2) of the Act shall be publicly announced by means of publishing the date of invalidation, the cause for invalidation, and the details of an invalid district unit planning zone in the Official Gazette where the public announcement is made by the Minister of Land, Infrastructure and Transport, and in the official report of the relevant City/Do or Si/Gun where it is made by the Mayor/Do Governor or the head of a Si/Gun. <Amended by Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014>

Article 51 (Activities Subject to Permission for Development Activities)

(1) Activities subject to permission for development activities under Article 56 (1) of the Act shall be as follows: <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 19400, Mar. 23, 2006; Presidential Decree No. 21038, Sep. 25, 2008; Presidential Decree No. 23718, Apr. 10, 2012>

1. Construction of buildings: Construction of buildings under Article 2 (1) 2 of the Building Act;
2. Installation of engineering works: Installation of facilities artificially manufactured (excluding the structures under Article 2 (1) 2 of the Building Act);
3. Alteration of the form and quality of land: Altering the form and quality of land by cutting, backfilling, levelling, paving, etc. of the ground, and of reclaiming the public waters (excluding the alteration of the form and quality of land for cultivation);
4. Gathering earth and rocks: Gathering earth and rocks, such as the soil, sand, gravel, rock, etc.: Provided, That what aims at altering the form and quality of land shall be excluded;
5. Division of land: Division of land, which falls under any of the following items (excluding sites where the structures under Article 57 of the Building Act exist):

(a) Division of land performed within a green area, control area, agricultural and forestry area or natural environment conservation area without obtaining a permit, authorization, etc. under the related statutes;

(b) Division of land into a unit falling short of a scale with restriction on partition under Article 57 (1) of the Building Act;

(c) Division of land into a scale not exceeding five meters in width, performed without obtaining a permit, authorization, etc. under the related statutes;

6. Piling goods: To pile up goods for not less than one month in a green area, control area or natural environment conservation area, in land which is not located within the fences of structures (limited to sites created by lawful procedures).

(2) "Alteration of the form and quality of land prescribed by Presidential Decree" in Article 56 (1) 2 of the Act means an alteration of the form and quality of land for the admixture of soil or soil preparation for growing crops in developed farmland, the improvement of soil fertility and the improvement of productivity of farmland, and for the installation of water pumping or drainage facilities, in cases not falling under any of the followings: *<Newly Inserted by Presidential Decree No. 23718, Apr. 10, 2012>*

1. Where such alteration has an effect on irrigation, drainage and farming in the neighboring land;
2. Where mounding is performed by making use of earth and sand that may cause water pollution or soil pollution, such as recycled aggregate, abandoned soil of construction sites and inorganic sludge;
3. Where such alteration is accompanied with the alteration of land category (excluding an alteration between a rice field and a dry field).

Article 52 (Minor Alteration of Permission for Development Activities)

(1) "Where minor matters prescribed by Presidential Decree are altered" in the proviso to Article 56 (2) of the Act means any of the following cases: *<Amended by Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 26302, Jun. 1, 2015; Presidential Decree No. 26381, Jul. 6, 2015>*

1. Where the project period is reduced;
2. Where the area of a site or the total floor area of a building is reduced by up to five percent;
3. Where the terms and conditions of permission are inevitably altered following the amendment of relevant Acts and subordinate statutes or the alteration of an urban or Gun management plan;
4. An alteration to reflect a permissible error pursuant to Article 26 (2) of the Act on the Establishment, Management, etc. of Spatial Data and Article 26 of the Building Act;
5. Any of alterations specified under Article 12 (3) of the Enforcement Decree of the Building Act.

(2) When a person who has obtained permission for development activities alters any of the minor matters specified under paragraph (1), he/she shall promptly notify the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Metropolitan Autonomous City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun thereof. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 53 (Minor Activities Exempt from Permission)

"Other minor activities prescribed by Presidential Decree" in Article 56 (4) 3 of the Act means the following activities: Provided, That where they are separately stipulated by urban or Gun planning ordinance of the Special Metropolitan City, a Metropolitan City, a Metropolitan Autonomous City, a Special Self-Governing Province, or a Si/Gun within the scope stipulated under each of the following subparagraphs, it shall govern: <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 19647, Aug. 17, 2006; Presidential Decree No. 21038, Sep. 25, 2008; Presidential Decree No. 21625, Jul. 7, 2009; Presidential Decree No. 21641, Jul. 27, 2009; Presidential Decree No. 22142, Apr. 29, 2010; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25652, Oct. 14, 2014; Presidential Decree No. 25718, Nov. 11, 2014>

1. Construction of buildings: Construction of buildings not subject to building permits under Article 11 (1) of the Building Act, not subject to reporting on construction under Article 14 (1) of the same Act, not subject to permission for construction of a temporary building under Article 20 (1) of the same Act, or not subject to reporting on construction of a temporary building under paragraph (3) of the same Article;

2. Installation of structures:

(a) Installation of structures, whose weight does not exceed 50 tons, volume does not exceed 50, and horizontal projection area does not exceed 50, in an urban area or a district unit planning zone: Provided, That excluded herefrom shall be the installation of structures specified under Article 118 (1) of the Enforcement Decree of the Building Act;

(b) Installation of structures, whose weight does not exceed 150 tons, volume does not exceed 150, and horizontal projection area does not exceed 150, in areas, other than an urban area, a natural environment conservation area, and a district unit planning zone: Provided, That excluded herefrom shall be the installation of structures specified under Article 118 (1) of the Enforcement Decree of the Building Act;

(c) Installation of plastic green houses for agricultural and forestry business (excluding a shore fish-breeding ground installed within a plastic green house) within a green area, control area, or agricultural and forestry area;

3. Alteration in the form and quality of land:

(a) Cutting, backfilling, leveling, etc. within the height not exceeding 50 or the depth not exceeding 50 (excluding paving, and limited to cutting, backfilling, leveling, etc. which does not change the category of land in areas, other than a residential area, commercial area, and industrial area);

(b) Cutting, backfilling, levelling, paving, etc. which does not change the category of land with an area not exceeding 660, in areas, other than an urban area, a natural environment conservation area, and a district unit planning zone (an area with an alteration of land's form and quality refers to the gross area of the relevant parcel, the form and quality of which is altered; hereinafter the same shall apply);

- (c) Alteration in the form and quality of land to construct a building or install other structures on the existing site, the creation of which has been completed (excluding cutting and backfilling);
 - (d) Alteration in the form and quality of land for projects implemented directly by the State or local governments for public interests;
4. Gathering earth and rocks:
- (a) Gathering earth and rocks with the volume not exceeding 50 from land which does not exceed 25 in an urban area or district unit planning zone;
 - (b) Gathering earth and rocks with the volume not exceeding 500 from land which does not exceed 250 in areas, other than an urban area, natural environment conservation area, and district unit planning zone;
5. Division of land:
- (a) Division of land permitted to construct a private road on which under the Private Road Act;
 - (b) Division of land for converting part of the land into public land or land for public use;
 - (c) Division of the parts, the use of which is to be abolished among administrative property, or division of general assets for sale, exchange, or transfer;
 - (d) Division of land, the part of which has been announced publicly as an urban or Gun planning facility by a topographical map;
 - (e) Re-division of land already divided into the width not exceeding five meters, into a scale exceeding the area subject to restrictions on partition under Article 57 (1) of the Building Act;
6. Piling goods:
- (a) Piling goods into the gross weight not exceeding 50 tons and the gross volume not exceeding 50 on the land, the area for piling the goods does not exceed 25 in a green area or district unit planning zone;
 - (b) Piling goods into the gross weight not exceeding 500 tons and the gross volume not exceeding 500 on land, the area for piling the goods does not exceed 250 in a control area (excluding an area designated as a district unit planning zone).

Article 54 (Procedures, etc. for Granting Permission for Development Activities)

(1) "Period specified by Presidential Decree" in Article 57 (2) of the Act means 15 days (where it shall undergo deliberation by an urban planning committee or consultation with the head of the related administrative agency, excluding a period for deliberation or consultation).

(2) When the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun intends to lay down terms on permission for development activities pursuant to Article 57 (4) of the Act, he/she shall first hear the opinion of a person who has filed an application for development activities. <Amended by Presidential Decree No. 19647, Aug. 17, 2006; Presidential Decree No. 23718, Apr. 10, 2012>

Article 55 (Scale of Permission for Development Activities)

(1) "Scale of development activities prescribed by Presidential Decree" in the main sentence of Article 58 (1) 1 of the Act means a scale of changes in the form and quality of the following land: Provided, That a control area and an agricultural and forestry area may be separately set forth by urban or Gun planning ordinance of the relevant Special Metropolitan City, Metropolitan City, Special Self-Governing City, Special Self-Governing Province or Si/Gun within the scope of sizes provided for in subparagraphs 2 and 3: <Amended by Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25090, Jan. 14, 2014>

1. An urban area:

(a) A residential area, commercial area, green natural area, productive green area: Less than 10,000;

(b) An industrial area: Less than 30,000;

(c) A green conservation area: Less than 5,000;

2. A control area: Less than 30,000;

3. An agricultural and forestry area: Less than 30,000;

4. A natural environment conservation area: Less than 5,000.

(2) In applying paragraph (1), if land subject to permission for development activities extends over at least two special-purpose areas, the provisions concerning the scale of development activities in a respective special-purpose area shall apply to the portion of land located in a respective special-purpose area: Provided, That the gross size of land subject to permission for development activities shall not exceed the scale of development activities in a special-purpose area with the largest scale of development activities, among special-purpose areas over which the relevant land extends.

(3) "Cases prescribed by Presidential Decree, such as cases where development activities consist of agricultural and fishing village rearrangement projects defined in subparagraph 4 of Article 2 of the Rearrangement of Agricultural and Fishing Villages Act" means any of the following cases: <Amended by Presidential Decree No. 18680, Jan. 15, 2005; Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 19400, Mar. 23, 2006; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21625, Jul. 7, 2009; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 22142, Apr. 29, 2010; Presidential Decree No. 23529, Jan. 25, 2012; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014>

1. Where the infrastructure related to the relevant change in form and quality of land has been already installed or the alteration of the form and quality of land and the installation of such infrastructure are simultaneously achieved, as changes in form and quality of land achieved within the scope of the block and partitioned land set forth by a district unit plan;

2. Where the relevant development activities are achieved by rearrangement projects for agricultural and fishing villages under subparagraph 4 of Article 2 of the Rearrangement of Agricultural and Fishing Villages Act;

2-2. Where the relevant development activities consist of national defense and military installation projects stipulated under subparagraph 2 of Article 2 of the Act on National Defense and Military Installations Projects;

3. Where it is for the creation of grassland or farmland, the forest management, or the gathering of earth and rocks;

3-2. Where the relevant development activities fall under any of the following cases. In such cases, where the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun intends to grant permission for such development activities, he/she shall undergo deliberation thereon by a City/Do urban planning committee or a Si/Gun/Gu urban planning committee under Article 113 (2) of the Act which is an urban planning committee established in a large city (hereinafter referred to as a "Si/Gun/Gu urban planning committee"), and the head of a Si (excluding the Mayor of a large city) or the head of a Gun (including the head of a Gun or an autonomous Gu where the authority of the Special Metropolitan City Mayor or a Metropolitan City Mayor to grant permission for development activities is delegated to the head of a Gun or an autonomous Gu by municipal ordinance pursuant to Article 139 (2) of the Act) may consult with the local urban planning committee established under the relevant local government thereon before requesting deliberation thereon to the relevant City/Do urban planning committee:

(a) Alteration of the form and quality of land to construct a building or to install a structure on one parcel of land (including where permission has been granted on condition that at least two parcels of land are to be combined in one parcel of land when applying for a completion inspection under Article 62 of the Act, but excluding where one parcel of land is divided into at least two parcels of land for sale after obtaining permission for development activities);

(b) Alteration of the form and quality of land to construct a building or to install a structure, either of which is used for one purpose on at least one parcel of land;

4. Where a land restoration project is implemented unaccompanied with construction of buildings, installation of structures or any change in land category;

5. Other cases stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport.

(4) through (7) Deleted. <by Presidential Decree No. 22703, Mar. 9, 2011>

Article 56 (Standards for Permission for Development Activities)

(1) Standards for permission for development activities under Article 58 (3) of the Act shall be as stipulated in attached Table 1-2. <Amended by Presidential Decree No. 21669, Aug. 5, 2009>

(2) "Area prescribed by Presidential Decree" in Article 58 (3) 2 of the Act means a natural green area. <Newly Inserted by Presidential Decree No. 23718, Apr. 10, 2012>

(3) "Area prescribed by Presidential Decree" in Article 58 (3) 3 of the Act means a production green area and preserved green area. <Newly Inserted by Presidential Decree No. 23718, Apr. 10, 2012>

(4) The Minister of Land, Infrastructure and Transport may set forth standards for detailed examination on standards for permission for development activities under paragraph (1). <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

Article 56-2 (Areas, etc. Subject to Growth Management Plans)

(1) An area where development activities are highly likely to occur pursuant to Article 58 (4) of the Act and for which a Special Metropolitan City Mayor, a Metropolitan City Mayor, a Metropolitan Autonomous City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun may formulate a management plan concerning installation and alteration of infrastructure, purposes of buildings, etc. (hereinafter referred to as "growth management plan"), shall be any of the following areas that is a reserved special-purpose area provided for in Article 58 (3) 2 of the Act: Provided, That some of preserved special-purpose areas referred to in Article 58 (3) 3 of the Act may be included in such area, by up to 20 percent of the total area of the area for which a growth management plan need to be formulated, where necessary for the installation, alteration, etc. of infrastructure: *<Amended by Presidential Decree No. 26381, Jul. 6, 2015>*

1. An area where unplanned development is progressing or is likely to progress because of high demand for development;
 2. An area where future urbanization is expected due to changes in land use of the surrounding areas, traffic conditions, etc.;
 3. An area that requires systematic management in connection with the surrounding areas;
 4. Other areas prescribed by urban or Gun planning ordinance, which are corresponding to subparagraphs 1 through 3.
- (2) At least two of the following matters, including those specified in subparagraphs 1 and 2, shall be included in each growth management plan:

1. Matters concerning the arrangement and scale of infrastructure, such as roads and parks;
2. Restrictions on purposes of buildings, the building-to-land ratio or the floor area ratio of buildings;
3. Arrangement, shape, color, and height of buildings;
4. An environmental management plan or landscape plan;
5. Other matters prescribed by urban or Gun planning ordinance, and necessary for preventing urban sprawl and encouraging planned development.

Article 56-3 (Procedures for Formulation of Growth Management Plans)

(1) Where a Special Metropolitan City Mayor, a Metropolitan City Mayor, the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province or the head of a Si/Gun intends to hear opinions of residents on a growth management plan pursuant to Article 58 (5) of the Act, he/she shall publicly announce the main content of the growth management plan in at least two general daily newspapers which mainly cover the whole country or the area within the limits of the relevant local government and on the Internet homepage of the relevant local government, and make the growth management plan available for public perusal for at least 14 days.

(2) Any person who has his/her opinion on a growth management plan publicly announced under paragraph (1) may submit a statement of opinion to the Special Metropolitan City Mayor, the Metropolitan City Mayor, the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing

Province or the head of a Si/Gun within the period of perusal.

(3) The Special Metropolitan City Mayor, the Metropolitan City Mayor, the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province or the head of a Si/Gun shall review whether he/she will reflect the opinion submitted under paragraph (2) in a growth management plan, and notify a person who has submitted the relevant opinion of the result of his/her review within 30 days from the date the period of perusal expires.

(4) Where the Special Metropolitan City Mayor, the Metropolitan City Mayor, the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province or the head of a Si/Gun intends to hear the opinion of the relevant local council on a growth management plan pursuant to Article 58 (5) of the Act, he/she shall forward the growth management plan to the relevant local council, specifying the deadline for advancing its opinion.

(5) Where the Special Metropolitan City Mayor, the Metropolitan City Mayor, the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province or the head of a Si/Gun intends to modify a growth management plan within the following limits, he/she may choose not to follow procedures for hearing opinions of residents and the relevant local council under Article 58 (5) of the Act:

1. Where he/she modifies the growth management plan within 10 percent of the total area of an area for which he/she has formulated the growth management plan and modifies the growth management plan for such changed area;
2. Where he/she changes the unit area of a site for infrastructure by less than 10 percent: Provided, That in case of a road, the foregoing shall be only applicable to cases where the starting point and the ending point are not changed and the central line keeps within bounds of the former road;
3. Where changes are a slight change in the location of infrastructure due to the topographical conditions or an inevitable change in the site for facilities due to a sloping surface, etc.;
4. Where changes are changes in the arrangement, shape, color or height of a building;
5. Where other changes are insignificant changes prescribed by City or Gun Planning Ordinance.

(6) A public announcement of a growth management plan under Article 58 (6) of the Act shall be made according to the method of publishing the following matters in the Official Gazette of the relevant Special Metropolitan City, Metropolitan City, Special Self-Governing City, Special Self-Governing Province or Si/Gun:

1. Objectives of the formulation of a growth management plan;
2. Location and limits;
3. Area and size;
4. Other matters prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

Article 56-4 (Detailed Criteria for Growth Management Plans)

The Minister of Land, Infrastructure and Transport shall establish and announce detailed criteria for areas subject to the formulation of a growth management plan, the content thereof, procedures for the formulation thereof, etc. under Articles 56-2 and 56-3.

Article 57 (Deliberation, etc. on Development Activities by Urban Planning Committee)

(1) "Activities prescribed by Presidential Decree" in Article 59 (1) of the Act means the following activities: Provided, That activities done under an urban or Gun planning project (excluding a project which creates an urban or Gun planning project in other Acts, such as the Housing Site Development Promotion Act) shall be excluded: *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 20009, Apr. 19, 2007; Presidential Decree No. 20535, Jan. 8, 2008; Presidential Decree No. 22142, Apr. 29, 2010; Presidential Decree No. 22703, Mar. 9, 2011; Presidential Decree No. 23502, Jan. 6, 2012; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24155, Oct. 29, 2012; Presidential Decree No. 25273, Mar. 24, 2014>*

1. Where an act is an alteration of the form and quality of land aiming at the construction of a building or the erection of a structure, and the area of such land is at least a size falling under any of the subparagraphs of Article 55 (1) (where the size is separately prescribed by urban or Gun planning ordinance pursuant to the proviso to the part other than the subparagraphs of the same paragraph, referring to such size; hereafter the same shall apply in this Article): Provided, That an alteration of the form and quality of land that is deliberated upon by an urban planning committee established in a large city pursuant to Article 55 (3) 3-2 among City/Do urban planning committees or Si/Gun/Gu urban planning committees shall be excluded;

1-2. Where an act is an alteration of the form and quality of land aiming at the construction of a building or the erection of a structure in a green belt, management area, agricultural and forestry area or natural environment conservation area and the area of such land is less than a size falling under any of the subparagraphs of Article 55 (1): Provided, That any of the following cases (limited to an act that does not fall under an alteration of the form and quality of land aiming at the construction of a building or the erection of a structure in a disaster prevention area under Article 37 (1) 5 of the Act and an area prescribed by urban or Gun planning ordinance) shall be excluded herefrom:

(a) Where the relevant land is located in a natural settlement district, a development promotion district, an infrastructure-levy area, a quasi-industrial complex designated under Article 8-3 of the Industrial Sites and Development Act or a district inducing the site of facilities under Article 40-2 of the same Act;

(b) Where the relevant land is located in an area publicly announced in the official report of the relevant local government via deliberation by the local urban planning committee, which is recognized by the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun as an area where infrastructure, such as roads, are already installed or any urban or Gun management plan for the installation of infrastructure is already established;

(c) Where any of the following buildings is to be constructed on the relevant land within the extent of the use, the size (including the size of the site), the number of floors or the number of houses, etc. by special-purpose area determined by urban or Gun planning ordinance of a Special Metropolitan City,

Metropolitan City, Special Self-Governing City, Special Self-Governing Province, or Si/Gun:

(d) Where a building meeting all the following requirements is to be constructed in the relevant land:

(e) Where, among the following factories, the site of a factory, the size of which is less than 10,000, is extended by up to 50 percent of the size of the previous site within a planning management area (if a management area is not subdivided, referring to the management area). In such cases, cases where a site to be extended abuts on the previous site with a road whose width is less than eight meters between the two sites:

2. Gathering earth and rocks in excess of the volume of 30,000;

3. Deleted. <by Presidential Decree No. 20535, Jan. 8, 2008>

(2) Where permission for development activities is granted without undergoing deliberation by an urban planning committee pursuant to paragraph (1) 1-2 (c) through (e), conditions to prevent alteration of the use of the relevant building (excluding any alteration of the use between buildings permitted to be constructed pursuant to paragraph (1) 1-2 (c) through (e)) shall be attached. <Newly Inserted by Presidential Decree No. 22703, Mar. 9, 2011>

(3) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun may give priority to providing support to the establishment of infrastructure, such as roads, waterworks, and sewerage, in an area where the clustering of buildings is induced pursuant to paragraph (1) 1-2 (d). <Newly Inserted by Presidential Decree No. 22703, Mar. 9, 2011; Presidential Decree No. 23718, Apr. 10, 2012>

(4) Where the head of the related administrative agency intends to permit under the Act, any activity falling under each subparagraph of paragraph (1), or to grant permission, authorization, approval or to hold a consultation pursuant to other Acts, he/she shall undergo deliberation by the Central Urban Planning Committee or local urban planning committee pursuant to the following classifications under Article 59 (1) of the Act: <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 21038, Sep. 25, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 22142, Apr. 29, 2010; Presidential Decree No. 22703, Mar. 9, 2011>

1. Matters subject to deliberation by the Central Urban Planning Committee:

(a) Alteration of the form and quality of land, the size of which is at least 1;

(b) Gathering earth and rock, the volume of which is at least 1,000,000;

2. Matters subject to deliberation by a City/Do urban planning committee, or a Si/Gun/Gu urban planning committee which is an urban planning committee established in a large city:

(a) Alteration of the form and quality of land, the size of which is at least 300,000, but less than 1;

(b) Gathering earth and rocks, the volume of which is at least 500,000, but less than 1,000,000;

3. Matters subject to deliberation by a Si/Gun/Gu urban planning committee:

(a) Alteration of the form and quality of land, the size of which is less than 300,000;

(b) Gathering earth and rocks, the volume of which is at least 30,000, but less than 500,000;

(c) Deleted. <by Presidential Decree No. 20535, Jan. 8, 2008>

(5) Notwithstanding paragraph (4), where the head of a central administrative agency intends to permit matters falling under any item of subparagraph 2 or 3 of the same paragraph in accordance with the Act or to grant permission, authorization, or approval or to hold a consultation in accordance with other Acts, he/she shall undergo deliberation by the Central Urban Planning Committee, and where a Mayor/Do Governor intends to permit matters falling under any item of subparagraph 3 of the same paragraph in accordance with the Act or to grant permission, authorization, or approval or to hold a consultation in accordance with other Acts, he/she shall undergo deliberation by the relevant City/Do urban planning committee. <Amended by Presidential Decree No. 22703, Mar. 9, 2011>

(6) When the head of the related administrative agency undergoes deliberation by the Central Urban Planning Committee or local urban planning committee under paragraphs (4) and (5), he/she shall submit the following documents to the Minister of Land, Infrastructure and Transport or the head of a local government under which the relevant local urban planning committee has been established: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 22703, Mar. 9, 2011; Presidential Decree No. 24443, Mar. 23, 2013>

1. Details of development activities involving the purposes, necessity, background, details, promotion procedures, etc. of development activities (including details to be included as at the time of granting permission, authorization, approval, or holding a consultation, for the relevant development activities, pursuant to the related statutes);
2. A current land utilization map at a scale of 1:25,000 indicating a special-purpose area, infrastructure, etc. of the subject areas and peripheral areas;
3. An allocation map, a cubic surface map (limited to construction of a structure or installation of engineering works) and written plans for works;
4. Other documents stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport.

(7) "Projects prescribed by Presidential Decree" in Article 59 (2) 6 of the Act means all of the projects stipulated in subparagraph 4 of Article 2 of the Rearrangement of Agricultural and Fishing Villages Act. <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 22703, Mar. 9, 2011>

Article 58 (Deliberation on Development Activities not Included in Urban or Gun Planning)

(1) When the Minister of Land, Infrastructure and Transport or the head of a local government requests the head of the related administrative agency to undergo deliberation by the Central Urban Planning Committee or local urban planning committee under Article 59 (3) of the Act, he/she shall clarify reasons for requiring deliberation. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(2) Where the head of a central administrative agency receives a request to undergo deliberation by the Central Urban Planning Committee or local urban planning committee under Article 59 (3) of the Act, he/she shall undergo deliberation by the Central Urban Planning Committee, and where the head of a local

government receives such request, he/she shall undergo deliberation by the local urban planning committee established under the relevant local government.

Article 59 (Performance Guarantee, etc. for Permission for Development Activities)

(1) "Where prescribed by Presidential Decree" in the main sentence of Article 60 (1) of the Act, means each of the following cases:

1. Where installation of infrastructure, such as roads, water supply facilities, or sewage systems, is required due to any of the development activities provided for in Article 56 (1) 1 through 3 of the Act;
2. Where land excavation could cause a landslide, or damage to adjacent buildings or structures;
3. Where falling rocks, dusts, etc. caused by a blasting of earth and rocks could cause damage to adjacent areas;
4. Where the traffic of vehicles transporting earth and rocks could pollute environments around the passages;
5. Where requiring a landscape gardening on a slope surface upon altering the form and quality of land or gathering earth and rocks.

(2) The amount of a warranty bond to be deposited under Article 60 (1) of the Act (hereinafter referred to as "warranty bond") shall be computed within the limits of costs incurred in installing infrastructure, securing a site necessary for the installation thereof, preventing disasters, preventing environmental pollution, and scenery and landscape gardening, but it shall not exceed 20 percent of the total construction cost (or 20 percent of the total construction cost including restoration expenses provided for in Article 38 of the Mountainous Districts Management Act in cases of development activities in a mountainous district), and the details for such computation and methods of depositing a warranty bond shall be stipulated by urban or Gun planning ordinance of the Special Metropolitan City, a Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun. In such cases, the amount of a warranty bond to be deposited for development activities in a mountainous district shall be determined, including restoration expenses provided for in Article 38 of the Mountainous Districts Management Act, but such restoration expenses shall not be aggregated with warranty bond twice. <Amended by Presidential Decree No. 18108, Sep. 29, 2003; Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 19400, Mar. 23, 2006; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25718, Nov. 11, 2014>

(3) A warranty bond shall be paid in cash, but it may be substituted by any of the letters of guarantee, etc. specified under Article 37 (2) of the Enforcement Decree of the Act on Contracts to which the State is a Party and Article 37 (2) of the Enforcement Decree of the Act on Contracts to which a Local Government is a Party or a performance guarantee, etc. issued by the Mine Reclamation Corporation pursuant to Article 39 (1) 5 of the Mining Damage Prevention and Restoration Act. <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 19239, Dec. 30, 2005; Presidential Decree No. 19647, Aug. 17, 2006; Presidential Decree No. 21052, Sep. 30, 2008>

(4) A warranty bond paid by a person granted permission for development activities shall be promptly refunded to him/her when he/she has undergone a completion inspection under Article 62 (1) of the Act.

(5) "Institutions prescribed by Presidential Decree" in Article 60 (1) 2 of the Act means institutions referred to in Article 5 (3) 1 or 2 (b) of the Act on the Management of Public Institutions. <Newly Inserted by Presidential Decree No. 21669, Aug. 5, 2009>

(6) When a person granted permission for development activities fails to comply with an order for reinstatement issued under Article 60 (3) of the Act, the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Metropolitan Autonomous City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun may reinstate the relevant land using the warranty bond through vicarious administrative execution under paragraph (4) of the same Article. In such cases, any balance remaining after such reinstatement shall promptly be refunded to the depositor of the warranty bond. <Amended by Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012>

Article 59-2 (Overall Conference of Complex Civil Application for Development Activities)

(1) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall hold an overall conference of complex civil applications for development activities (hereinafter referred to as "conference") for consultations on the agenda of authorization, permission, approval, license, consultation, cancellation, reporting or screening (hereafter referred to as "authorization, permission, etc." in this Article) under Article 61 (3) of the Act within ten days from the date of application for permission for development activities under Article 57 (1) of the Act pursuant to Article 61-2 of the Act.

(2) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall notify the heads of the relevant administrative agencies under Article 61 (3) of the Act of the holding of a conference by no later than three days prior to the holding of the conference.

(3) The heads of the relevant administrative agencies under Article 61 (3) of the Act shall submit their opinions on the agenda of authorization, permission, etc. at a conference: Provided, That where it is impracticable for the heads of the relevant administrative agencies under Article 61 (3) of the Act to submit their opinions on the relevant authorization, permission, etc. at the conference because they need to examine further statutes and to confirm the fact, etc., they may submit their opinions within a period provided for in Article 61 (4) of the Act.

(4) In addition to matters provided for in paragraphs (1) through (3), matters necessary for the operation, etc. of a conference shall be prescribed by urban or Gun planning ordinance of the Special Metropolitan City, Metropolitan City, Special Self-Governing City, Special Self-Governing Province or Si/Gun.

Article 60 (Restrictions on Permission for Development Activities)

(1) Where a person who intends to restrict permission for development activities under Article 63 (1) of the Act is the Minister of Land, Infrastructure and Transport, he/she shall undergo deliberation by the Central Urban Planning Committee, and where such person is a Mayor/Do Governor or the head of a Si/Gun, he/she shall undergo deliberation by the local urban planning committee established under the relevant local government. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No.

24443, Mar. 23, 2013>

(2) Where a person who intends to restrict permission for development activities under Article 63 (1) of the Act is the Minister of Land, Infrastructure and Transport or a Mayor/Do Governor, he/she shall first hear the opinions of the head of a Si/Gun having jurisdiction over the area intended for a restriction prior to deliberation by the Central Urban Planning Committee or the City/Do urban planning committee under paragraph (1). <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(3) A public announcement of restrictions on permission for development activities under Article 63 (2) of the Act and the termination of restrictions on permission for development activities under the latter part of paragraph (3) of the aforesaid Article shall be made by publishing it in the Official Gazette where it is made by the Minister of Land, Infrastructure and Transport, and in the official report of the relevant local government where it is made by a Mayor/Do Governor or the head of a Si/Gun. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014>

Article 61 (Development Activities in Sites for Urban or Gun Planning Facilities)

"Cases prescribed by Presidential Decree" in the proviso to Article 64 (1) of the Act means any of the following circumstances: <Amended by Presidential Decree No. 21625, Jul. 7, 2009; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24593, Jun. 11, 2013; Presidential Decree No. 26316, Jun. 15, 2015>

1. Where buildings or structures, which do not belong to urban or Gun planning facilities, are built at the sites for buildings or structures, which belong to urban or Gun planning facilities, within the scope that urban or Gun planning facilities are determined by setting a specific extent in the ground, water surface, air, underwater, or underground, and within the scope not interfering with the installation, utilization, and possibility of future expansion of urban or Gun planning facilities;
2. Where urban or Gun planning facilities and facilities, which do not belong to urban or Gun planning facilities, are built in the same building (referring to where such facilities are built pursuant to the Urban Planning Act before amendment by Act No. 6243), which falls under any of the following items with authorization granted for an implementation plan under Article 88 of the Act:
 - (a) Where facilities, which do not belong to urban or Gun planning facilities, are built by enlarging or remodeling the relevant building within the scope that the building-to-land ratio thereof does not increase;
 - (b) Where urban or Gun planning facilities are converted to facilities, which do not belong to urban or Gun planning facilities, within the scope not interfering with the installation, utilization, and possibility of future expansion of urban or Gun planning facilities;
3. Where buildings or structures are installed with permission to occupy and use under the Road Act or other Acts governing the installation and management of urban or Gun planning facilities;
4. Where solar energy installations or fuel cell installations are installed among new and renewable energy facilities defined in subparagraph 3 of Article 2 of the Act on the Promotion of the

Development, Use and Diffusion of New and Renewable Energy within the scope not interfering with the installation, utilization, and possibility of future expansion of urban or Gun planning facilities.

Article 62 (Scope of Strengthening Development Density)

- (1) "Extent prescribed by Presidential Decree" in Article 66 (2) of the Act means 50 percent of the maximum limit of the building volume ratio to be applied to the relevant special-purpose area.
- (2) Public announcement of the designation or alteration of a development-density control area under Article 66 (4) of the Act shall be based on the means of stating the matters under each subparagraph of paragraph (3) of the same Article in the official report of the relevant local government.

Article 63 (Criteria for Designation of and Methods of Control for Development-Density Control Areas)

When the Minister of Land, Infrastructure and Transport sets the criteria for designation of and the methods of control for development-density control areas under Article 66 (5) of the Act, he/she shall comprehensively take into account the following matters: *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21231, Dec. 31, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

1. To ensure that a development-density control area may be designated in relation to any of the following areas in which it is impracticable to install infrastructure, among areas anticipated to fall short of the volume of infrastructure, such as roads, water supply facilities, sewage systems, and schools;
 - (a) Areas in which the automobile passage is remarkably delayed due to an extremely low level of road services in relevant areas. In such cases, the measurement of a level of road services shall follow an example of traffic impact analysis and improvement measures under the Urban Traffic Improvement Promotion Act;
 - (b) Areas, the road ratio of which falls short of at least 20 percent of the road ratio by each special-purpose area stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport;
 - (c) Areas for which the quantity of demand for water supply in the relevant area is anticipated to exceed the quantity of water-supply facility installed within two years hereafter;
 - (d) Areas for which the quantity of sewage generation in the relevant area is anticipated to exceed the quantity of sewage systems installed within two years hereafter;
 - (e) Areas for which the number of students in the relevant area is anticipated to exceed at least 20 percent of admittance capability of schools within two years hereafter;
2. To ensure that the boundary line of a development-density control area is clearly divided by utilizing roads, rivers and other characteristic configuration and natural features on a ground, or by installing it along the boundary line of a special-purpose area, etc.;
3. To ensure that the scope of strengthening the building volume ratio is to be determined within the scope under Article 62 (1) by taking into account the level of insufficiency of infrastructure stipulated in each item of subparagraph 1;

4. To ensure that necessary measures are to be taken, such as strict or lenient application of a building volume ratio or revocation of a development-density control area, etc., by periodically checking the changes of infrastructure within the development-density control area.

Article 64 (Designation of Infrastructure-Levy Areas)

(1) "Areas prescribed by Presidential Decree" in Article 67 (1) 3 of the Act means areas that are deemed to require the installation of infrastructure under Article 4-2 by the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun, which fall under any of the following subparagraphs: *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

1. Areas in which the number of permits for development activities granted in the relevant area in the previous year increased by 20 or more percent of the number of permits for development activities in the year before the previous year;

2. The rate of population growth of the relevant area in the previous year is higher than that of the Special Metropolitan City, a Metropolitan City, Special Self-Governing City, Special Self-Governing Province or Si/Gun (excluding Guns in areas under the jurisdiction of a Metropolitan City) in the previous year to which the relevant area belongs by 20 or more percent.

(2) Where the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun has designated or modified an infrastructure-levy area, he/she shall announce the name, location and area of the infrastructure-levy area, date of designation and method of inspecting relevant publications in the official report or on the website of the relevant local government, pursuant to Article 67 (2) of the Act. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 65 (Establishment of Infrastructure Installation Plans)

(1) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall formulate an infrastructure installation plan under Article 67 (4) of the Act (hereinafter referred to as "infrastructure installation plan") to include each of the following matters: *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

1. The kind, location and size of infrastructure requiring installation (referring to infrastructure in each subparagraph of Article 4-2; hereafter the same shall apply in this Section);

2. Priority order of the installation of infrastructure and phased installation plan;

3. Other matters necessary for the installation of infrastructure.

(2) When formulating an infrastructure installation plan, the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall comprehensively consider the following matters: *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

1. Infrastructure shall be properly arranged in consideration of a plan for land use of the relevant infrastructure-levy area or anticipated development demands in the future;
2. The timing for installation of infrastructure shall be reasonably determined in consideration of financial resources procurement plans, priority order of each facility, user's convenience, anticipated time of competition of development activities, etc.

(3) Notwithstanding paragraphs (1) and (2), cases where a district unit plan has been formulated under Article 52 (1) of the Act shall be considered to have formulated an infrastructure installation plan. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(4) Where an infrastructure installation plan fails to be formulated by the date on which one year elapses from the date on which the designation of infrastructure-levy area was announced, the designation of the infrastructure-levy area shall be considered to have been cancelled on the date following such date on which one year elapsed.

Article 66 (Criteria for Designation of Infrastructure-Levy Areas)

When determining criteria for designation of infrastructure-levy areas under Article 67 (5) of the Act, the Minister of Land, Infrastructure and Transport shall comprehensively consider the following matters: <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

1. An infrastructure-levy area shall be designated in a size of at least 100,000 square meters to arrange infrastructure adequately;
2. Where small-scale development activities are anticipated to be conducted one after another, an infrastructure-levy area shall be designated, combing such areas as one district unit;
3. Infrastructure-levy areas shall be clearly demarcated by using roads, rivers, other peculiar topographical features on the earth, etc.

Article 67 (Formulation of Infrastructure-Levy Plans)

(1) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall, when formulating an infrastructure-levy plan under the proviso to Article 68 (2) of the Act (hereinafter referred to as "infrastructure-levy plan"), include each of the following matters: <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

1. The total cost incurred in installing infrastructure or securing land needed therefor;
2. Among the total costs under subparagraph 1, the allotment to be shared by each person who engages in construction works under Article 68 (1) of the Act (including those falling under each subparagraph of Article 70-2 (1); hereinafter referred to as "payment obligor");
3. The timing for sharing the allotment under subparagraph 2;
4. Methods for procuring, managing and operating financial resources.

(2) The allotment under paragraph (1) 2 shall be calculated by each of the following methods: <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

1. Distributing the total costs according to the total floor areas of buildings on the condition that weight is given according to the use of buildings;
2. Notwithstanding subparagraph 1, where the method for calculation is determined through consultations between the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun and a payment obligor, such method.

(3) When formulating an infrastructure-levy plan, the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall comprehensively consider each of the following matters: *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

1. The total costs shall be calculated based on reasonable grounds, such as costs incurred in relation to compensation for sites and construction costs involved in each facility not to immoderately exceed the costs incurred in relation to the installation of infrastructure or security of sites;
2. The allotment of each payment obligor shall be determined in a reasonable and fair manner, taking into account the total floor area, use, etc. of buildings;
3. Where the timing for establishment of an infrastructure-levy plan and the timing for payment of costs incurred in installing infrastructure or securing sites fail to coincide with each other, allotments shall be adjusted in consideration of the rate of price increases, etc.

(4) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall, when formulating or modifying an infrastructure-levy plan, hear the opinions of residents and undergo deliberation by the local urban planning committee concerned. In such cases, Article 28 (1) through (4) of the Act shall apply mutatis mutandis in relation to hearing opinions of residents. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(5) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall, when he/she formulated or modified an infrastructure-levy plan, give public notice of the details thereof. In such cases, the provision of Article 64 (2) shall apply mutatis mutandis to the publication of establishment or modification of an infrastructure-levy plan. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(6) Paragraphs (4) and (5) shall not apply to modification of the following trivial matters, among infrastructure-levy plans: *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

1. Where the timing for sharing the allotment is not advanced, while the allotment of a payment obligor does not increase partly or wholly;
2. The assistance of the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun is not reduced in connection with the installation of infrastructure and securing of sites necessary therefor.

Article 68 (Public Announcement of Standard Infrastructure Installation Costs)

The Minister of Land, Infrastructure and Transport shall publicly announce the standard infrastructure installation costs as of January 1 each year under Article 68 (3) of the Act by June 10 each year. *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

Article 69 (Criteria for Calculation of Infrastructure Installation Costs)

(1) "Conversion coefficient of a site" in Article 68 (4) 1 of the Act means a coefficient used to convert the ratio of the area required for infrastructure (referring to the ratio of a land area required for infrastructure against the total land area of an infrastructure-levy area) which is calculated in consideration of the degree of installation of infrastructure in each infrastructure-levy area into an area required for infrastructure per the total floor area of buildings.

(2) "Cause coefficient of infrastructure by building prescribed by Presidential Decree" in Article 68 (4) 2 of the Act shall be as provided for in attached Table 1-3.

Article 70 (Reduction of or Exemption from Infrastructure Installation Costs, etc.)

(1) Where a payment obligor under Article 68 (6) of the Act has installed infrastructure personally or has secured sites necessary therefor, the costs incurred in such personal installation of infrastructure or securing of sites shall be deducted from infrastructure installation costs.

(2) The costs incurred in personal installation of infrastructure by a payment obligor, among the amount of deduction under paragraph (1) shall be calculated by aggregating the following amounts: *<Amended by Presidential Decree No. 24443, Mar. 23, 2013>*

1. The value of land which is an arithmetical average of the values appraised by at least two appraisal business operators under the Public Notice of Values and Appraisal of Real Estate Act, who meet the qualifications determined by the Minister of Land, Infrastructure and Transport as of the date (hereinafter referred to as "reference point for imposition") on which permission for construction under Article 69 (2) of the Act (in cases of deemed permission for construction, such as approval of business under other Acts, such approval of business) is granted;

2. The building cost of each infrastructure, which is calculated by multiplying the standard building cost per unit of each piece of infrastructure, which is publicly announced by the Minister of Land, Infrastructure and Transport each year based on the reference point for imposition by the amount of infrastructure installed by a payment obligor: Provided, That when a payment obligor submits a statement of actual input building costs, such building costs may be considered as the building costs of each infrastructure, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport.

(3) Notwithstanding paragraph (2), where an amount of deduction calculated by applying a land value based on any of the following amounts and building costs of each infrastructure under paragraph (2) 2 at the reference point for imposition exceeds the infrastructure installation costs, such amount shall be deemed costs actually incurred in installing infrastructure personally by a payment obligor: *<Amended by Presidential Decree No. 22264, Jul, 9, 2010>*

1. A publicly announced individual land price, most recently determined and announced from the reference point for imposition;
 2. The value of land purchased from the State, local governments, public institutions under the Act on the Management of Public Institutions, or local public enterprises under the Local Public Enterprises Act;
 3. The value of land purchased by public institutions under the Act on the Management of Public Institutions, or local public enterprises under the Local Public Enterprises Act;
 4. The value of land acquired through consultation or expropriation under the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects;
 5. The appraised value of land targeted for gratuitous attribution.
- (4) Among the amount deducted under paragraph (1), the costs incurred in securing sites necessary for infrastructure shall be calculated pursuant to paragraph (2) 1.
- (5) The costs to be reduced or exempted from infrastructure installation costs under Article 68 (6) of the Act, other than cases falling under paragraph (1) shall be as provided for in attached Table 1-4.

Article 70-2 (Payment Obligors)

"Persons prescribed by Presidential Decree, such as a trustor of construction or successor to such position, etc." in Article 69 (1) of the Act means the following persons:

1. In cases where entrusting or giving a contract for construction activities, a person who entrusted or gave such contract;
2. In cases where conducting construction activities by leasing land in another person's possession, the person who conducts such activities;
3. In cases where succeeding the position of a contractor before completion of construction activities or succeeding the position of a person who falls under subparagraph 1 or 2, the person who succeeds such position.

Article 70-3 (Prior Notice of Infrastructure Installation Costs, etc.)

(1) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall, when he/she intends to impose infrastructure installation costs under Article 69 (2) of the Act, give prior notice of the criteria for imposition and infrastructure installation costs to be imposed to a payment obligor within 30 days from the reference point for imposition. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(2) A payment obligor who has received notice under paragraph (1) (hereinafter referred to as "prior notice") may, if he/she has an objection to the prior notice of infrastructure installation costs, make an application for examination (hereinafter referred to as "examination before notification") to the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun within 15 days from the date on which he/she received such prior notice. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(3) When a payment obligor who has received prior notice intends to request for examination before notification, he/she shall submit a request for examination before notification stating each of the following matters to the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun: *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

1. Name of an applicant (referring to the name of a corporation and the name of its representative in cases where the applicant is a corporation);
2. Address or the place of residence of an applicant (referring to the address of a corporation and the address of its representative in cases where the applicant is a corporation);
3. Details of buildings subject to imposition of infrastructure installation costs;
4. Infrastructure installation costs notified in prior notice;
5. Reasons for requesting an examination before notification.

(4) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun who has received a request for examination before notification under paragraph (2) shall examine the details of such request and notify the applicant of the results thereof within 15 days from the date on which such request was received. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(5) Notice of the results of examination before notification shall be given by notice of determination on examination before notification which states each of the following matters:

1. Name of an applicant (referring to the name of a corporation and the name of its representative in cases where the applicant is a corporation);
2. Address and place of residence of an applicant (referring to the address of a corporation and the address of its representative in cases where the applicant is a corporation);
3. Details of buildings subject to imposition of infrastructure installation costs;
4. Infrastructure installation costs to be paid;
5. The results of examination before notification and the causes thereof.

Article 70-4 (Determination on Infrastructure Installation Costs)

Where no objection is raised in relation to prior notice, or the results of examination conducted upon a request for examination before notification has been notified, the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall determine infrastructure installation costs according to the amount notified. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 70-5 (Notice for Payment)

(1) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall, when he/she intends to impose infrastructure installation costs under Article 69 (2) of the Act, issue notice for payment to a payment obligor. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(2) When issuing notice for payment under paragraph (1), the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall state therein the amount of payment, grounds for the calculation thereof, deadline for payment and place of payment. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 70-6 (Correction of Infrastructure Installation Costs, etc.)

(1) Where the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun has discovered any omission or error in infrastructure installation costs after imposing them under Article 70-5, he/she shall correct it through investigating the imposed infrastructure installation costs without delay and notify the payment obligor of the details of such correction. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(2) Where a cause to increase infrastructure installation costs has occurred such as increase in the total floor area of buildings, which results from the modification of matters subject to permission for construction, etc., the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall additionally impose the amount obtained by subtracting the infrastructure installation costs incurred in relation to the initial matters subject to permission for construction, etc. calculated based on the date on which permission for modification, etc. was obtained, from infrastructure installation costs incurred in relation to modified matters subject to permission for construction, calculated based on the date on which permission for modification, etc. was obtained. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 70-7 (Payment of Infrastructure Installation Costs in Kind)

(1) Infrastructure installation costs shall be paid in cash, by credit card or debit card, and they may be paid with land subject to imposition of such costs and similar land (hereinafter referred to as "payment in kind"). *<Amended by Presidential Decree No. 25718, Nov. 11, 2014>*

(2) Each person who intends to apply for payment in kind under paragraph (1) shall file an application for payment in kind, containing infrastructure installation costs, the area and location for land subject to payment in kind, publicly announced individual land price of land subject to payment in kind as at the time of filing an application for payment in kind, etc., with the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Metropolitan Autonomous City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun by 20 days prior to the deadline for payment provided for in Article 69 (2) of the Act. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(3) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Metropolitan Autonomous City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun shall give written notice to the relevant applicant as to whether he/she accepts payment in kind within ten days of receipt of an application for payment in kind under paragraph (1). *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(4) No value of land that can be applied for payment in kind shall exceed the amount of relevant infrastructure installation costs imposed, and a payment obligor shall pay the infrastructure installation cost less the value of land subject to payment in kind, in cash, by credit card or debit card. *<Amended by Presidential Decree No. 25718, Nov. 11, 2014>*

(5) The value of land to be appropriated for payment in kind shall be the aggregate of the following:

1. The publicly announced individual land price, most recently determined and announced from the date written notice is given under paragraph (3);
2. The amount computed by applying a fluctuation rate of land prices of the relevant Si/Gun/Gu on the basis of day to the publicly announced individual land price under subparagraph 1 on a daily basis for a period from the base date of publicly announced individual land price under subparagraph 1 to the date written notice is given under paragraph (3).

(6) Upon receipt of payment in kind, the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Metropolitan Autonomous City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun shall transfer it to the special account for infrastructure established in the relevant infrastructure-levy area under Article 70 (1) of the Act. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 70-8 (Extension of Deadline for Payment and Installment Payment)

(1) When the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun deems that a payment obligor lacks means to pay infrastructure installation costs, falling under any of the following subparagraphs, he/she may extend a deadline for payment by up to one year or allow installment payment within the scope of two years in consideration of the status of use according to the purpose of the relevant development project, etc.: *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

1. In cases where a payment obligor sustained serious damage to his/her property from disasters or robbery;
2. In cases where a payment obligor sustained an apparent loss in his/her business;
3. In cases where the business of a payment obligor is in jeopardy;
4. In cases where a payment obligor or a family member sharing livelihood with him/her requires a long-term medical treatment because of a disease or a serious injury.

(2) A person who intends to apply for an extension of a deadline for payment or installment payment of infrastructure installation costs under paragraph (1) shall submit to the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun an application for an extension of the deadline for payment or an application for installment payment within 15 days from the date on which he/she received notice of payment under Article 70-5 (1). *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(3) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall make notice of whether to allow the extension of a deadline for payment or installment payment within 15 days from the

date on which he/she received an application for an extension of the deadline for payment or an application for installment payment under paragraph (2). <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(4) For a period in which payments are delayed or a period in which payments are postponed through installment payment under paragraph (1), the infrastructure installation costs shall be collected plus interest aggregated under Article 43-3 (2) of the Enforcement Decree of the Framework Act on National Taxes. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

Article 70-9 (Urge for Payment)

When a payment obligor fails to make full payment of infrastructure installation costs by the time of application for approval of use under Article 69 (2) of the Act (in cases of deemed approval of use, such as inspection of completion of construction under other Acts, such inspection of completion of construction), the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall issue a letter of reminder within ten days after a deadline for payment elapses. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

Article 70-10 (Refund of Infrastructure Installation Costs)

(1) In any of the following cases, the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall refund the relevant infrastructure installation costs under Article 69 (4) of the Act: <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

1. Where a cause for reduction of paid infrastructure installation costs occurs, such as decrease in building areas resulting from the modification of matters subject to permission for construction, etc.;
2. Where a payment obligor paid additional costs falling under any subparagraph of attached Table 1-4;
3. Where the amount to be deducted under Article 70 (1) increases.

(2) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall, when refunding infrastructure installation costs under paragraph (1), refund the amount obtained by subtracting infrastructure installation costs incurred in relation to modified matters subject to permission for construction which is calculated based on the original reference point for imposition, from infrastructure installation costs paid by a payment obligor (hereinafter referred to as "refund money") and the amount calculated according to the interest rate under Article 43-3 (2) of the Enforcement Decree of the Framework Act on National Taxes for the period from the date following the date falling under any of the following subparagraphs to the date on which refund is determined (hereinafter referred to as "refund dues"): <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

1. In cases of refunding as a result of erroneous payment, dual payment or cancellation or correction of imposition after payment, the date of such payment;

2. In cases of refunding as a result of the cancellation of permission which incurred installation costs, for which cause is attributable to a payment obligor, the date of such cancellation;

3. In cases of refunding as a result of the modification of a construction plan by a payment obligor or other causes similar thereto, the date of permission for such modification or the date on which an administrative disposition similar thereto is given.

(3) Refund money and refund dues shall be paid from the special accounts for infrastructure established in the relevant infrastructure-levy area: Provided, That in cases where a business operator is responsible for reinstatement due to cancellation of permission, decrease of business area, etc., the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun may defer the payment of an amount equivalent to the cost incurred in relation to the reinstatement until such reinstatement works are completed. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(4) A payment obligor who intends to have infrastructure installation costs refunded under paragraph (1) shall submit to the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun materials evidencing modified matters concerning the payment of allotment or installation of infrastructure, and the modification thereof by the date of approval of the use of the relevant construction activities or by the date of completion of construction. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

Article 70-11 (Management and Use of Infrastructure Installation Costs, etc.)

(1) "Cases prescribed by Presidential Decree" in the proviso to Article 70 (2) of the Act means cases where the remainder exists even after all necessary infrastructure is built in infrastructure-levy areas or all sites necessary therefor are secured.

(2) The infrastructure installation costs paid under Article 69 (2) of the Act shall be used for the following purposes:

1. Establishment of infrastructure installation plan and infrastructure-levy plan for each infrastructure-levy area;

2. New installation of infrastructure induced by the construction or expansion of buildings in infrastructure-levy areas and the security of sites required therefor or improvement of existing infrastructure;

3. Management and operation of special accounts established for each infrastructure-levy area.

Article 71 (Limitations on Construction within Special-Purpose Areas)

(1) Limitations on the usage, type, size, etc. of structures within a special-purpose area under Article 76 (1) of the Act (hereinafter referred to as "limitations on construction") shall be as follows: <Amended by Presidential Decree No. 25090, Jan. 14, 2014>

1. Structures that can be constructed within a Class-I exclusive residential area: Structures prescribed in attached Table 2;

2. Structures that can be constructed within a Class-II exclusive residential area: Structures prescribed in attached Table 3;
3. Structures that can be constructed within a Class-I general residential area: Structures prescribed in attached Table 4;
4. Structures that can be constructed within a Class-II general residential area: Structures prescribed in attached Table 5;
5. Structures that can be constructed within a Class-III general residential area: Structures prescribed in attached Table 6;
6. Structures that cannot be constructed within a quasi-residential area: Structures prescribed in attached Table 7;
7. Structures that cannot be constructed within a central commercial area: Structures prescribed in attached Table 8;
8. Structures that cannot be constructed within a general commercial area: Structures prescribed in attached Table 9;
9. Structures that cannot be constructed within a neighboring commercial area: Structures prescribed in attached Table 10;
10. Structures that cannot be constructed within a circulative commercial area: Structures prescribed in attached Table 11;
11. Structures that can be constructed within an exclusive industrial area: Structures prescribed in attached Table 12;
12. Structures that can be constructed within a general industrial area: Structures prescribed in attached Table 13;
13. Structures that cannot be constructed within a quasi-industrial area: Structures prescribed in attached Table 14;
14. Structures that can be constructed within a green conservation area: Structures prescribed in attached Table 15;
15. Structures that can be constructed within a green production area: Structures prescribed in attached Table 16;
16. Structures that can be constructed within a green natural area: Structures prescribed in attached Table 17;
17. Structures that can be constructed within a conservation management area: Structures prescribed in attached Table 18;
18. Structures that can be constructed within a production management area: Structures prescribed in attached Table 19;
19. Structures that cannot be constructed within a planning management area: Structures prescribed in attached Table 20;

20. Structures that can be constructed within an agricultural and forestry area: Structures prescribed in attached Table 21;

21. Structures that can be constructed within a natural environment conservation area: Structures prescribed in attached Table 22;

(2) In applying limitations on construction under paragraph (1), the limitations on construction of principal structures shall govern any annexed structures.

(3) Notwithstanding paragraph (1), restrictions on the kind and size of a building fully meeting the following requirements among buildings provided for in attached Table 1 of the Enforcement Decree of the Building Act may be separately prescribed by urban or Gun planning ordinance of the relevant Special Metropolitan City, Metropolitan City, Special Self-Governing City, Special Self-Governing Province or Si/Gun: <Newly Inserted by Presidential Decree No. 23502, Jan. 6, 2012; Presidential Decree No. 23718, Apr. 10, 2012>

1. It shall be a building newly provided for in attached Table 1 of the Enforcement Decree of the Building Act after January 20, 2012;

2. It shall be a building not provided for in the provisions of attached Tables 2 through 22.

Article 72 (Limitations on Construction within Scenic Districts)

(1) Structures shall be prohibited from being constructed within a scenic district, if stipulated by urban or Gun planning ordinance as they are deemed to impede the protection and formation of scenic views in the said district: Provided, That the same shall not apply to cases where the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun has undergone a deliberation by the urban planning committee established under the relevant local government, by recognizing that they meet the criteria stipulated by urban or Gun planning ordinance within the extent not violating the purposes of designating the said district. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(2) The building-to-land ratio, floor area ratio, height, maximum width, color of structures within a scenic district and landscape gardening, etc. in the sites, shall be stipulated by urban or Gun planning ordinance within the scope necessary for the protection and formation of scenic views of the said district. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

Article 73 (Limitations on Construction within Aesthetic Districts)

(1) Structures shall be prohibited from being constructed within an aesthetic district, if they are stipulated by urban or Gun planning ordinance as they are deemed to impede the maintenance of fine views resulting from the location, environments, and other characteristics of the said district: Provided, That the same shall not apply to cases where the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun has undergone a deliberation by the urban planning committee established under the relevant local government, deeming that they meet the criteria stipulated by urban or Gun planning ordinance within the extent not violating the purposes of designating the said district. <Amended by Presidential Decree No. 23718,

Apr. 10, 2012>

(2) The height and size of structure within a scenic district (including the ratio of the side length or the height of a structure against its front length), the size of an annexed structure, forms and colors of a structure, walls and gates, and forms and colors of the structural installation jutting out to the outside of a structure and other similar ones, or limitations on or prohibition against such installation, shall be stipulated by urban or Gun planning ordinance within the scope necessary for the maintenance of fine views in consideration of the location, environments, and other peculiarities of the said district. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 74 (Limitations on Construction within Height Restriction Districts)

Any structures exceeding or falling short of a height stipulated by an urban or Gun management plan shall be prohibited from being constructed within a height restriction district. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 75 (Limitations on Construction within Disaster Prevention Districts)

Structures stipulated by urban or Gun planning ordinance, deeming that they impede the prevention of wind and flood damage, landslide, ground collapse, earthquake and other disasters, shall be prohibited from being constructed within a disaster prevention district: Provided, That where the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun has undergone deliberation by the urban planning committee established under the relevant local government, by deeming that they meet standards stipulated by urban or Gun planning ordinance within the limit not violating the purposes of designating the said district, the same shall not apply. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 76 (Limitations on Construction within Conservation Districts)

Only structures under each of the following classifications shall be permitted to be constructed within a conservation district: Provided, That in cases where the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun has undergone a consultation with the head of the related administrative agency and deliberation by the urban planning committee established under the relevant local government, by deeming that they meet standards stipulated by urban or Gun planning ordinance within the extent not violating the purposes of designating the said district, the same shall not apply: *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 23718, Apr. 10, 2012>*

1. Historic and cultural environment conservation district: Structures for a direct management and protection of cultural properties subject to the application of the Cultural Heritage Protection Act, and structures not impeding the protection and conservation of the area of culturally-high conservative values, stipulated by urban or Gun planning ordinance;
2. Essential facility conservation district: Structures not impeding the protection and conservation of facilities essential for the national defense and security, stipulated by urban or Gun planning ordinance;

3. Ecosystem conservation district: Structures not impeding the protection and conservation of an area of ecologically-high conservative value, stipulated by urban or Gun planning ordinance.

Article 77 (Limitations on Construction within Facility Protection Districts)

(1) Any structures stipulated by urban or Gun planning ordinance by deeming that they impede the performance of functions of schools and public-use facilities or harbors, shall be prohibited from being constructed within a school facility protection district, public-use facility protection district and harbor facility protection district: Provided, That in cases where the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun has undergone a consultation with the head of the related administrative agency and a deliberation by the urban planning committee established under the relevant local government, deeming that they meet standards stipulated by urban or Gun planning ordinance within the extent not violating the purposes of designating such district, the same shall not apply. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(2) Limitations on construction within an airport facility protection district shall be governed by the Aviation Act, but other limitations on the usage, type, etc. of structures shall be stipulated by urban or Gun planning ordinance within the extent not impeding the protection of airport facilities, and the landing and takeoff of aircraft. *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 23718, Apr. 10, 2012>*

Article 78 (Limitations on Construction within Settlement District)

(1) Structures allowed to be constructed within a natural settlement district under Article 76 (5) 1 of the Act shall be as described in attached Table 23.

(2) Limitations on construction within a collective settlement district shall be governed by the Act on Special Measures for Designation and Management of Development Restriction Zones and the relevant statutes.

Article 79 (Limitations on Construction within Development Promotion Districts)

No structure may be constructed within a development promotion district, in violation of a district unit plan or a development plan under related Acts, and prior to the formulation of a district unit plan or development plan, structures stipulated by urban or Gun planning ordinance may be constructed within the extent not violating a planned development of a development promotion district. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 80 (Limitations on Construction within Special-Purpose Restricted Districts)

Structures stipulated by urban or Gun planning ordinance, deeming that they either damage residential functions or impede the juvenile sentiments, shall not be constructed within a special-purpose restricted district. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 81 Deleted. *<by Presidential Decree No. 18146, Nov. 29, 2003>*

Article 82 (Limitations on Construction within other Special-Purpose Districts)

Limitations on construction within special-purpose districts, other than special-purpose districts stipulated in Articles 72 through 81 shall be stipulated by urban or Gun planning ordinance of the Special Metropolitan City, a Metropolitan City, Special Self-Governing City, Special Self-Governing Province or Si/Gun within the scope of achieving the goals of designation of a special-purpose district. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

Article 83 (Exceptions, etc. to Limitations on Construction within Special-Purpose Areas, Special-Purpose Districts, and Special-Purpose Zones)

(1) Articles 71 through 82 shall not apply to urban or Gun planning facilities within any special-purpose area or special-purpose district. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(2) Limitations may be imposed on structures requiring remodeling under Article 6 (1) 6 of the Enforcement Decree of the Building Act within a scenic district, aesthetic district, or height control district, notwithstanding Articles 72 through 74, by relaxing the limitations on the height, scale, etc. of buildings under Article 6 (1) 5 of the same Enforcement Decree. <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 23718, Apr. 10, 2012>

(3) The following Acts and subordinate statutes or provisions shall apply to limitations on construction in development restriction zones, urban natural park zones, urbanization-coordination zones, and fishery resources protection zones: <Amended by Presidential Decree No. 26381, Jul. 6, 2015>

1. Limitations on construction in development restriction zones: The Act on Special Measures for Designation and Management of Development Restriction Zones;
2. Limitations on construction in urban natural park zones: The Act on Urban Parks, Greenbelts, Etc.;
3. Limitations on construction in urbanization-coordination zones: The provisions of Articles 87 through 89;
4. Limitations on construction in fishery resources protection zones: The Fishery Resources Protection Act.

(4) Matters pertaining to buildings referred to in attached Tables 2 through 27, Articles 72 through 77, and Articles 79 through 82 shall apply to the limitations on the usage, type, scale, etc. of facilities, other than buildings within a special-purpose area, special-purpose district, or special-purpose zone.

(5) The installation of appurtenant facilities for construction works, such as materials storage yards, facilities for producing ready-mixed concrete and asphalt concrete, to be installed in work sites in order to construct buildings or facilities allowed within a special-purpose area, special-purpose district, and special-purpose zone, may be permitted on condition that reinstatement is conducted at a charge of the installer of such facilities after using them during a given period within minimum areas required for the relevant construction works, notwithstanding paragraph (4) and Articles 55 and 56. <Newly Inserted by Presidential Decree No. 18240, Jan. 20, 2004>

(6) In limiting the number of floors among limitations on construction in a special-purpose area under Article 71, where the whole first floor is with pilotis in a disaster prevention area, the part with pilotis shall be excluded from the number of floors. <Newly Inserted by Presidential Decree No. 25090, Jan. 14, 2014>

Article 84 (Building-to-Land Ratios within Special-Purpose Areas)

(1) No building-to-land ratios referred to in Article 77 (1) and (2) of the Act shall exceed the ratios set by urban or Gun planning ordinance of the Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun within each of the following limits:

<Amended by Presidential Decree No. 23718, Apr. 10, 2012>

1. Class-I exclusive residential areas: Not more than 50 percent;
2. Class-II exclusive residential areas: Not more than 50 percent;
3. Class-I general residential areas: Not more than 60 percent;
4. Class-II general residential areas: Not more than 60 percent;
5. Class-III general residential areas: Not more than 50 percent;
6. Quasi-residential areas: Not more than 70 percent;
7. Central commercial areas: Not more than 90 percent;
8. General commercial areas: Not more than 80 percent;
9. Neighboring commercial areas: Not more than 70 percent;
10. Distribution commercial areas: Not more than 80 percent;
11. Exclusive industrial areas: Not more than 70 percent;
12. General industrial areas: Not more than 70 percent;
13. Quasi-industrial areas: Not more than 70 percent;
14. Green conservation areas: Not more than 20 percent;
15. Green production areas: Not more than 20 percent;
16. Green natural areas: Not more than 20 percent;
17. Conservation and control areas: Not more than 20 percent;
18. Production control areas: Not more than 20 percent;
19. Planning management areas: Not more than 40 percent;
20. Agricultural and forestry areas: Not more than 20 percent;
21. Natural environment conservation areas: Not more than 20 percent.

(2) Where necessary for setting the building-to-land ratio for each special-purpose area by urban or Gun planning ordinance under paragraph (1), such ratio may be set differently by sub-dividing the jurisdictional area of the relevant local government. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(3) No building-to-land ratios in the following areas referred to in Article 77 (3) of the Act shall exceed the ratios set by urban or Gun planning ordinance of the Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun within each of the following limits: *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 21038, Sep. 25, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 22420, Oct. 1, 2010; Presidential Decree No. 22703, Mar. 9, 2011; Presidential Decree No. 23297, Nov. 16, 2011; Presidential Decree No. 23718, Apr. 10, 2012>*

1. Settlement districts: Not more than 60 percent (a collective settlement district shall be governed by the Act on Special Measures for Designation and Management of Development Restriction Zones and the Enforcement Decree thereof);
2. Development promotion districts designated in areas, other than urban areas: Not more than 40 percent;
3. Fishery resource protection zones: Not more than 40 percent;
4. Natural parks established under the Natural Parks Act: Not more than 60 percent;
5. Agricultural and forestry complexes defined in subparagraph 8 (d) of Article 2 of the Industrial Sites and Development Act: Not more than 70 percent;
6. National industrial complexes, general industrial complexes, and urban high-tech industrial complexes defined in subparagraph 8 (a) through (c) of Article 2 of the Industrial Sites and Development Act and quasi-industrial complexes defined in subparagraph 12 of the same Article in industrial areas: Not more than 80 percent.

(4) No building-to-land ratios applicable to buildings constructed within a district stipulated by the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Metropolitan Autonomous City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun following deliberation by the urban planning committee established under the relevant local government, as he/she deems it necessary to reduce building-to-land ratios in order to prevent overpopulated land utilization in an urban area pursuant to Article 77 (4) 1 of the Act, shall exceed the ratios set by urban or Gun planning ordinance of the Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun within at least 40 percent of the maximum building-to-land ratio to be applied to the said zone.

<Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(5) Notwithstanding paragraph (1), no building-to-land ratios applicable to any of the following buildings pursuant to Article 77 (4) 2 of the Act shall exceed the following limits: *<Amended by Presidential Decree No. 21038, Sep. 25, 2008; Presidential Decree No. 21625, Jul. 7, 2009; Presidential Decree No. 23009, Jul 1, 2011; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25090, Jan. 14, 2014; Presidential Decree No. 25661, Oct. 15, 2014; Presidential Decree No. 26381, Jul. 6, 2015>*

1. Buildings prescribed by urban or Gun planning ordinance among buildings, the main structures and outer walls of which are of fire-resisting construction, in a fire-prevention district of a quasi-residential area, general commercial area, or neighboring commercial area: The ratio set by urban or Gun planning ordinance of the Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun within at least 80 to 90 percent:

(a) and (b) Deleted; *<by Presidential Decree No. 25090, Jan. 14, 2014>*

2. Buildings equipped with disaster prevention facilities complying with disaster reduction measures for a disaster prevention district under the latter part of Article 37 (4) of the Act, which are in a green area, control area, agricultural and forestry area, or natural environment conservation area: The ratio set by urban or Gun planning ordinance within the limits of up to 150 percent of the building-to-land ratio for

each special-purpose area referred to in the subparagraphs of paragraph (1);

3. Warehousing facilities or research centers in a natural green area (applicable only to warehousing facilities or research centers completed as at the time a natural green area was designated and to be extended on existing sites): The building-to-land ratio permitted for such warehousing facilities or research centers as at the time the first building permit was granted within 40 percent;

4. Existing factories, warehousing facilities, or research centers in a planned control area (applicable only to factories, warehousing facilities, or research centers completed before January 1, 2003 and to be extended on existing sites, and where infrastructure, such as roads, waterworks, and sewerage, are deemed sufficiently secured following deliberation by the relevant local urban planning committee, or requirements for securing infrastructure prescribed by urban or Gun planning ordinance are met): The ratio prescribed by urban or Gun planning ordinance within 50 percent;

5. Any of the following buildings in a green area, preservation control area, production control area, agricultural and forestry area, or natural environment conservation area: The ratio set by urban or Gun planning ordinance within 30 percent:

(a) A traditional temple defined in subparagraph 1 of Article 2 of the Korean Traditional Temples Preservation and Support Act;

(b) A designated cultural heritage defined in Article 2 (2) of the Cultural Heritage Protection Act and a registered cultural heritage defined in Article 2 (3) of the same Act;

(c) A traditional Korean-style house defined in subparagraph 16 of Article 2 of the Enforcement Decree of the Building Act;

6. Factories located in a zone where an industrial site is developed (limited to a zone adjacent to an industrial complex or quasi-industrial complex referred to in paragraph (3) 6 of this Article) defined in Article 2 (1) 10 of the former Urban Planning Act (referring to that in force before amendment by Act No. 6243, January 28, 2000), where the competent Special Metropolitan City Mayor, Metropolitan City Mayor, Metropolitan Autonomous City Mayor, or Special Self-Governing Province Governor, or the head of the competent Si/Gun deems that a sufficient site necessary for building infrastructure is secured and such factories are unlikely to cause environmental pollution in surrounding areas following deliberation by the relevant local urban planning committee: The ratio set by urban and Gun planning ordinance within 80 percent.

(6) Notwithstanding paragraph (1), no building-to-land ratios applicable to buildings which can be constructed under Article 32 (1) of the Farmland Act in a conservation and control area, production control area, agricultural and forestry area, or natural environment conservation area pursuant to Article 77 (4) 3 and 4 of the Act, shall exceed the ratios set by urban or Gun planning ordinance of the Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun within 60 percent. <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 21625, Jul. 7, 2009; Presidential Decree No. 23148, Sep. 16, 2011; Presidential Decree No. 23718, Apr. 10, 2012>

(7) Notwithstanding paragraph (1), no building-to-land ratios applicable to the following buildings which can be constructed in a green production area pursuant to Article 77 (4) 3 of the Act, shall exceed the ratios set by urban or Gun planning ordinance of the Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun within 60 percent, comprehensively considering the current status of population engaged in agriculture and fisheries, the actual conditions of supply of, and demand for, facilities processing or handling agricultural and fishery produce, etc. of the relevant Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun: <Newly Inserted by Presidential Decree No. 23148, Sep. 16, 2011; Presidential Decree No. 23718, Apr. 10, 2012>

1. Facilities processing or handling agricultural and fishery produce (limited to facilities processing or handling agricultural and fishery produce produced in the relevant Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun) and testing and research facilities related to agriculture and fisheries under Article 32 (1) 1 of the Farmland Act;
2. Facilities drying or storing agricultural produce under Article 29 (5) 1 of the Enforcement Decree of the Farmland Act.

(8) Notwithstanding paragraph (1), no building-to-land ratios applicable to an amusement park and a park among urban or Gun planning facilities established in a natural green area, shall exceed the ratios set by the relevant urban or Gun planning ordinance within 30 percent, and 20 percent, respectively. <Amended by Presidential Decree No. 21625, Jul. 7, 2009; Presidential Decree No. 23148, Sep. 16, 2011; Presidential Decree No. 23718, Apr. 10, 2012>

Article 84-2 (Building-to-Land Ratios Applicable to Existing Factories in Production Green Areas, etc.)

(1) Notwithstanding Article 84 (1), no building-to-land ratios applicable to existing factories in a production green area, natural green area, or production control area (only applicable to factories completed as at the time the area is designated as the relevant special-purpose area and to be extended on the existing site) pursuant to Article 77 (4) 2 of the Act, shall exceed the building-to-land ratios permitted for the existing factories as at the time the first building permit was granted within 40 percent: Provided, That the foregoing shall only apply where an application for permission for extension is filed by December 31, 2016.

(2) Notwithstanding Article 84 (1), no building-to-land ratios applicable to factories extended on an additionally acquired site (including an additionally acquired site upon extension after as area is designated as the relevant special-purpose area; hereinafter referred to as “additionally acquired site”) to extend a site for existing factories (only applicable to factories completed as at the time an area is designated as the relevant special-purpose area) in a production green area, natural green space, production control area, or planned control area (limited to an application for permission for extension filed by December 31, 2016) pursuant to Article 77 (4) 2 of the Act, shall exceed the ratios set by urban or

Gun planning ordinance of the relevant Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun within 40 percent where both of the following requirements are met. In such cases, the building-to-land ratio applicable to a factory to be extended on an additionally acquired site shall only apply to the additionally acquired site:

1. The additionally acquired site shall not exceed 3,000 square meters, which shall be within 50 percent of the area of the site as at the time of an existing factory was completed;
2. The competent Special Metropolitan City Mayor, Metropolitan City Mayor, Metropolitan Autonomous City, or Special Self-Governing Province Governor, or the head of the competent Si/Gun deems that a sufficient site necessary for building infrastructure is secured and such factory is unlikely to cause environmental pollution in surrounding areas following deliberation by the relevant local urban planning committee.

Article 85 (Floor Area Ratios within Special-Purpose Areas)

(1) No floor area ratios referred to in Article 78 (1) and (2) of the Act shall exceed the ratios set by urban or Gun planning ordinance of the Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun, considering the scale and population scale of his/her jurisdiction, and the characteristics of a special-purpose area, etc. within each of the following limits:

<Amended by Presidential Decree No. 23718, Apr. 10, 2012>

1. Class-I exclusive residential areas: At least 50 percent, but not more than 100 percent;
2. Class-II exclusive residential areas: At least 100 percent, but not more than 150 percent;
3. Class-I general residential areas: At least 100 percent, but not more than 200 percent;
4. Class-II general residential areas: At least 150 percent, but not more than 250 percent;
5. Class-III general residential areas: At least 200 percent, but not more than 300 percent;
6. Quasi-residential areas: At least 200 percent, but not more than 500 percent;
7. Central commercial areas: At least 400 percent, but not more than 1,500 percent;
8. General commercial areas: At least 300 percent, but not more than 1,300 percent;
9. Neighboring commercial areas: At least 200 percent, but not more than 900 percent;
10. Distribution business areas: At least 200 percent, but not more than 1,100 percent;
11. Exclusive industrial areas: At least 150 percent, but not more than 300 percent;
12. General industrial areas: At least 200 percent, but not more than 350 percent;
13. Quasi-industrial areas: At least 200 percent, but not more than 400 percent;
14. Green conservation areas: At least 50 percent, but not more than 80 percent;
15. Green production areas: At least 50 percent, but not more than 100 percent;
16. Natural green areas: At least 50 percent, but not more than 100 percent;
17. Conservation and control areas: At least 50 percent, but not more than 80 percent;
18. Production control areas: At least 50 percent, but not more than 80 percent;
19. Planned control areas: At least 50 percent, but not more than 100 percent;

20. Agricultural and forestry areas: At least 50 percent, but not more than 80 percent;

21. Natural environment conservation areas: At least 50 percent, but not more than 80 percent.

(2) Where necessary for setting the floor area ratio for each special-purpose area by urban or Gun planning ordinance under paragraph (1), such floor area ratio may be set differently by sub-dividing the jurisdictional area of the relevant local government. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(3) Notwithstanding paragraph (1), floor area ratios may be leniently applied to rental housing units and dormitories, as follows: <Amended by Presidential Decree No. 26381, Jul. 6, 2015>

1. It is permitted to construct additional rental housing units (limited to where the obligatory rental period referred to in Article 16 (1) of the Rental Housing Act is at least ten years) in areas referred to in paragraph (1) 1 through 6 within 20 percent of the floor area ratios referred to in paragraph (1) by urban or Gun planning ordinance;

2. Each of the following entities is permitted to construct a dormitory (referring to a dormitory specified in subparagraph 2 (d) of attached Table 1 to the Enforcement Decree of the Building Act) on land, other than a site for a school defined in Article 2 of the Higher Education Act, for use by students of the relevant school, construction of the dormitory up to the maximum floor area ratio set for each special-purpose area specified under paragraph (1):

(a) The State or a local government;

(b) An educational foundation established under the Private School Act;

(c) The Korea Foundation for the Promotion of Private School Act established under the Korea Foundation for the Promotion of Private School Act;

(d) The Korea Student Aid Foundation established under the Act on the Establishment, etc. of Korea Student Aid Foundation;

(e) A corporation incorporated through investment either solely or jointly by any of the entities referred to in the items (a) through (d).

(4) Paragraph (3) shall not apply to cases falling under any subparagraph of Article 46 (9). <Newly Inserted by Presidential Decree No. 19036, Sep. 8, 2005>

(5) Notwithstanding paragraph (1), in cases of a building for which disaster prevention facilities are installed in compliance with disaster-mitigating measures for a disaster prevention district under the latter part of Article 37 (4) of the Act, the ratio set by urban or Gun planning ordinance within the limits of 120 percent may be applied in a special-purpose area referred to in paragraph (1) 1 through 13. <Newly Inserted by Presidential Decree No. 25090, Jan. 14, 2014>

(6) Pursuant to Article 78 (3) of the Act, no floor area ratios within the following areas shall exceed the ratios set by urban or Gun planning ordinance of the Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun within the following limits: <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 19073, Sep. 30, 2005; Presidential Decree No. 19130, Nov. 11, 2005; Presidential Decree No. 22420, Oct. 1, 2010; Presidential Decree No.

23297, Nov. 16, 2011; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25090, Jan. 14, 2014>

1. A development promotion district designated in an area, other than urban areas: Not more than 100 percent;
2. A fishery resource protection zone: Not more than 80 percent;
3. A natural park designated under the Natural Parks Act: Not more than 100 percent;
4. An agro-industrial complex defined in subparagraph 8 (d) of Article 2 of the Industrial Sites and Development Act (limited to an agro-industrial complex designated in an area, other than an urban area): Not more than 150 percent.

(7) Pursuant to Article 78 (4) of the Act, floor area ratios applicable to any of the following buildings within a quasi-residential area, central commercial area, general commercial area, neighboring commercial area, exclusive industrial area, general industrial area, or quasi-industrial area, may be set by urban or Gun planning ordinance of the Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun within 120 percent of the floor area ratio provided for in each subparagraph of paragraph (1), where no impediments exist to scenery, traffic, fire prevention, and sanitation: <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25090, Jan. 14, 2014>

1. Buildings within sites having roads linked to a park, square (excluding a traffic square; hereafter in this Article, the same shall apply), river, or other vacant lots prohibited from construction, as its front road, or buildings within sites linking at least 20 meters with the park, square, river, and other vacant lots prohibited from construction;
2. Buildings with a building area of at least 1,000, located within sites linking at least 20 meters with a road at least 25-meter wide.

(8) Where any person who intends to construct a building within any of the following areas, districts, or zones, provides a parcel of the site for the building as a site for a public facility, pursuant to Article 78 (4) of the Act, the floor area ratio applicable to such building may be set by urban or Gun planning ordinance of the Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun depending on the rate of the site provided for the public facility, within 200 percent of the floor area ratio provided for in each subparagraph of paragraph (1): <Amended by Presidential Decree No. 18044, Jun. 30, 2003; Presidential Decree No. 18680, Jan. 15, 2005; Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25090, Jan. 14, 2014>

1. A commercial area;
2. Deleted; <by Presidential Decree No. 18680, Jan. 15, 2005>
3. A re-arrangement zone to implement a housing redevelopment project, an urban environment improvement project, or a housing reconstruction project under the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents.

(9) "Buildings or establishments, including warehouses, the purposes of which are prescribed by Presidential Decree" in Article 78 (5) of the Act means warehouses. <Newly Inserted by Presidential Decree No. 19400, Mar. 23, 2006; Presidential Decree No. 25090, Jan. 14, 2014>

(10) "Facility prescribed by Presidential Decree" in the former part of Article 78 (6) of the Act means the following: <Newly Inserted by Presidential Decree No. 25432, Jun. 30, 2014>

1. A child-care center defined in subparagraph 3 of Article 2 of the Infant Care Act;
2. A senior welfare center referred to in Article 36 (1) of the Welfare of Older Persons Act;
3. Other social welfare facilities prescribed by urban or Gun planning ordinance by the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Metropolitan Autonomous City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun considering demand for social welfare facilities of the relevant area.

(11) Notwithstanding paragraph (1), where any person who intends to construct a building constructs a social welfare facility on part of the site for such building and donates the social welfare facility to the State or a local government pursuant to the former part of Article 78 (6) of the Act, he/she may be permitted to additionally construct a building by up to two times the total floor area of the donated social welfare facility, as prescribed by urban or Gun planning ordinance: Provided, That no relevant floor area ratio shall exceed the following limits: <Newly Inserted by Presidential Decree No. 25432, Jun. 30, 2014>

1. 120 percent of the floor area ratio prescribed by urban or Gun planning ordinance pursuant to paragraph (1);
2. Maximum floor area ratio for each special-purpose area provided for in the subparagraphs of paragraph (1).

(12) The State or a local government shall not change the purpose of a social welfare facility donated thereto under the former part of Article 78 (6) of the Act to any facilities, other than facilities specified under paragraph (10), sell or lease the part used for its main purpose, or transfer the ownership of such facility to any person, other than the State or a local government, except where it enlarges the surface area or scale of the relevant facility and subsequently changes the site where the facility is located (where such facility is donated to a local government, referring to the change of the site where the relevant facility is located within the jurisdiction of the local government). <Newly Inserted by Presidential Decree No. 25432, Jun. 30, 2014>

Article 86 (Limitations, etc. on Activities in Non-Subdivided Area of Special-Purpose Area)

"Areas prescribed by Presidential Decree" in Article 79 (2) of the Act means an green conservation area.

Article 87 (Urban or Gun Planning Projects Allowed to be Implemented within Urbanization-Coordination Zones)

"Projects prescribed by Presidential Decree" in Article 81 (1) of the Act means urban or Gun planning projects, for which it is inevitable to implement projects within an urbanization-coordination zone for the national defense and public interests, which are deemed by the Minister of Land, Infrastructure and Transport not to impede the achievement of the purposes of designating an urbanization-coordination zone

upon a request from the head of the related central administrative agency. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

Article 88 (Limitations on Activities within Urbanization-Coordination Zones)

Activities allowed to be conducted under Article 81 (2) of the Act within an urbanization-coordination zone by receiving permission from the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun, shall be as specified in attached Table 24. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

Article 89 (Standards, etc. for Permitting Activities within Urbanization- Coordination Zones)

(1) Where the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun deems that an impediment exists in attaining the purposes of designating an urbanization-coordination zone or in rational utilization of the relevant land or its surrounding land, he/she shall not grant permission under Article 81 (2) of the Act. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(2) Standards for permitting deforestation of standing trees, afforestation and silviculture in the forest located within an urbanization-coordination zone shall be governed by the Forest Resources Creation and Management Act. <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 19639, Aug. 4, 2006>

(3) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall not refuse permission under Article 81 (2) of the Act in relation to activities stipulated in attached Table 25, except in extenuating circumstances. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(4) Where the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun deems necessary for designating an urbanization-coordination zone in granting permission under Article 81 (2) of the Act, he/she may grant such permission on condition that necessary measures, such as a landscape gardening, are to be taken. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(5) When the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun intends to grant permission under Article 81 (2) of the Act, he/she shall hear the opinions, from the implementor of urban or Gun planning projects to be implemented within the relevant urbanization-coordination zone, on whether the relevant activities impede the implementation of urban or Gun planning projects. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(6) Articles 55 and 56 shall apply mutatis mutandis to permission under Article 81 (2) of the Act.

(7) Any person intending to file an application for permission under Article 81 (6) of the Act shall submit documents stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport to the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor

of a Special Self-Governing Province, or the head of a Si/Gun. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

Articles 90 through 92 Deleted. <by Presidential Decree No. 20941, Jul. 28, 2008>

Article 93 (Special Cases on Existing Buildings)

(1) Even when an existing building fails to comply with provisions governing restrictions on construction, building-to-land ratios, or floor area ratios set under Articles 71 through 80, 82 through 84, 84-2, and 85 through 89 hereof, and Article 40 (1) of the Enforcement Decree of the Fishery Resources Management Act due to any of the following reasons, such existing building may be reconstructed (referring to reconstruction defined in Article 2 (1) 8 of the Building Act) or substantially repaired (referring to substantial repair defined in Article 2 (1) 9 of the Building Act, but this shall be limited to the extent that does not increase the building-to-land ratio and floor area ratio): <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 20941, Jul. 28, 2008; Presidential Decree No. 21038, Sep. 25, 2008; Presidential Decree No. 22128, Apr. 20, 2010; Presidential Decree No. 23009, Jul 1, 2011; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25661, Oct. 15, 2014>

1. Enactment or amendment of statutes or urban or Gun planning ordinance;
2. Determination or alteration of an urban or Gun management plan, or alteration of an administrative district;
3. Installation of an urban or Gun planning facility, implementation of an urban or Gun planning project, or opening of a road under the Road Act.

(2) Even when an existing building fails to comply with provisions governing restrictions on construction or building-to-land ratios set under Articles 71 through 80, 82 through 84, 84-2, and 86 through 89 hereof, and Article 40 (1) of the Enforcement Decree of the Fishery Resources Management Act due to any reasons specified under paragraph (1), such existing building may be extended or reconstructed as classified follow, where part to be extended or reconstructed (referring to extension or reconstruction under Article 2 (1) 8; hereafter in this Article and Article 93-2, the same shall apply) complies with the provisions governing restrictions on construction or floor area ratios set under Articles 71 through 80, 82, 83, and 85 through 89 hereof, and Article 40 (1) of the Enforcement Decree of the Fishery Resources Management Act, which falls under any of the following: <Newly Inserted by Presidential Decree No. 25661, Oct. 15, 2014>

1. Where the existing building exceeds the limits on the building-to-land ratio under Articles 84 and 84-2:
2: Extension or reconstruction to the extent that does not increase the building-to-land ratio;
2. Where the existing building meets the limits on the building-to-land ratio under Articles 84 and 84-2:
Extension or reconstruction to the extent not exceeding the limits on the building-to-land ratio set under Articles 84 and 84-2.

(3) Even when an existing building fails to comply with provisions governing restrictions on construction, building-to-land ratios, or floor area ratios set under Articles 71 through 80, 82 through 84, 84-2, and 85 through 89 hereof, and Article 40 (1) of the Enforcement Decree of the Fishery Resources Management

Act due to any reasons specified under paragraph (1), such existing building may be extended if part to be extended on the additionally acquired site by enlarging the site, complies with the provisions governing restrictions on construction, building-to-land ratios, or floor area ratios set under Articles 71 through 80, 82 through 84, 84-2, and 85 through 89 hereof, and Article 40 (1) of the Enforcement Decree of the Fishery Resources Management Act. In such cases, the limits on the building-to-land ratio and the floor area ratio of the building to be extended on the additionally acquired site shall only apply to the additionally acquired site. <Newly Inserted by Presidential Decree No. 25661, Oct. 15, 2014>

(4) Even when an existing factory or manufacturing establishment fails to comply with provisions governing restrictions on construction, building-to-land ratios, or floor area ratios set under Articles 71 through 80, 82 through 84, 84-2, and 85 through 89 hereof, and Article 40 (1) of the Enforcement Decree of the Fishery Resources Management Act due to any reasons specified under paragraph (1), facilities, other than buildings, may be additionally established, as prescribed by urban or Gun planning ordinance of the Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Special Self-Governing Province, or Si/Gun, if it discharges pollutants in the same level as, or lower than the level discharged by the existing type of business. <Newly Inserted by Presidential Decree No. 25661, Oct. 15, 2014>

(5) Even when an existing building fails to comply with provisions governing restrictions on construction, building-to-land ratios, or floor area ratios set under Articles 71 through 80, 82 through 84, 84-2, and 85 through 89 hereof, and Article 40 (1) of the Enforcement Decree of the Fishery Resources Management Act due to any reasons specified under paragraph (1), such existing building may be continuously used for the existing purpose, if the existing purpose of such building is verified (including where it is verified that such building is not used for any purpose, other than its existing purpose, after the business for the existing purpose has been closed), as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport (or Ordinance of the Ministry of Oceans and Fisheries in cases of fishery resources protection areas), and the type of business for which such building is used, is not altered. In such cases, where an existing building is a factory or manufacturing establishment that increases air pollutant emissions or wastewater discharges within the limits of air pollutant emissions by each type of business referred to in attached Table 1 to the Enforcement Decree of the Clean Air Conservation Act or wastewater discharges by each type of business referred to in attached Table 13 to the Enforcement Decree of the Water Quality and Aquatic Ecosystem Conservation Act, the existing building shall be deemed used for the existing purpose. <Amended by Presidential Decree No. 26381, Jul. 6, 2015>

(6) Notwithstanding the former part of paragraph (5), where an existing building is a factory or manufacturing establishment, the type of business of the existing building may be altered without changing its existing purpose, as prescribed by urban or Gun planning ordinance, unless air pollutant emissions or wastewater discharges are increased. <Newly Inserted by Presidential Decree No. 26381, Jul. 6, 2015>

(7) Even when an existing building fails to comply with provisions governing restrictions on construction, building-to-land ratios, or floor area ratios set under Articles 71 through 80, 82 through 84, 84-2, and 85

through 89 hereof, and Article 40 (1) of the Enforcement Decree of the Fishery Resources Management Act due to any reasons specified under paragraph (1), its purpose may be changed to any purpose permitted (referring to purposes, excluding limits on the building-to-land ratio, floor area ratio, height, and area) in a special-purpose area, special-purpose district, or special-purpose zone where such existing building is situated. <Newly Inserted by Presidential Decree No. 21625, Jul. 7, 2009; Presidential Decree No. 22128, Apr. 20, 2010; Presidential Decree No. 25661, Oct. 15, 2014>

Article 93-2 (Special Cases on Existing Factories)

Notwithstanding Article 93 (2) and (3), where a factory in a green area or control area (limited to factories, the construction of which were completed as at the time of designation as such special-purpose area) falls under any of the following, the factory may be extended or reconstructed as classified follow: Provided, That the foregoing shall be limited to factories, regarding which an application is filed to obtain permission for extension or reconstruction, by December 31, 2016:

1. Where the existing factory is extended or reconstructed on the existing site: The building-to-land ratio permitted for such building as at the time the first building permit was granted, within 40 percent;
2. Where the existing factory is extended on the additionally acquired site by enlarging the site and meets the following conditions: The building-to-land ratio not exceeding 40 percent. In such cases, limits on the building-to-land ratio of the building to be extended on the additionally acquired site shall only apply to the additionally acquired site:

- (a) The additionally acquired site shall not exceed 3,000 square meters and shall be within 50 percent of the area of the existing site;
- (b) The building shall comply with provisions governing restrictions on construction, and floor area ratios set under Articles 71 through 80, 82, 93, and 85 through 89 hereof, and Article 40 (1) of the Enforcement Decree of the Fishery Resources Management Act;
- (c) The competent Special Metropolitan City Mayor, Metropolitan City Mayor, Metropolitan Autonomous City Mayor, Special Self-Governing Province Governor, or the head of the competent Si/Gun deems that a sufficient site necessary for building infrastructure is secured and such factory is unlikely cause environmental pollution in surrounding areas following deliberation by the relevant urban planning committee.

Article 94 (Criteria for Application to Land Extending over at least Two Special-Purpose Areas, Special-Purpose Districts, or Special-Purpose Zones)

“Size prescribed by Presidential Decree” in the main sentence of Article 84 (1) of the Act means 330 square meters: Provided, That it refers to 660 square meters in cases of a parcel of land extending over commercial areas designated in the shape of a belt on the roadside. <Amended by Presidential Decree No. 18240, Jan. 20, 2004; Presidential Decree No. 23718, Apr. 10, 2012>

Article 95 (Formulation of Phased-Implementation Plans)

(1) When the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun intends to formulate a

phased-implementation plan under Article 85 (1) of the Act, he/she shall hold a prior consultation with the head of the related administrative agency. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(2) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun shall examine every year a second-phase implementation plan under Article 85 (3) of the Act, and may include urban or Gun planning facilities, for which an urban or Gun planning facility project is to be implemented within three years, in the first-phase implementation plan. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(3) Public announcement of a phased-implementation plan under Article 85 (4) of the Act shall be based on the means of publishing in the official report of the relevant local government and if necessary, the means of publishing on nationwide newspapers and daily newspapers having the areas of the relevant local government as their principal diffusion areas may be used concurrently. *<Amended by Presidential Decree No. 23009, Jul 1, 2011>*

(4) "Where minor matters prescribed by Presidential Decree are altered" in the proviso to Article 85 (5) of the Act means cases where a phased-implementation plan is altered due to alterations in an urban or Gun management plan under any subparagraph of Article 25 (3) and (4). *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 96 (Designation of Implementers)

(1) Any person intending to be designated as an implementer of an urban or Gun planning facility project under Article 86 (5) of the Act shall file a written application indicating the following matters, with the Minister of Land, Infrastructure and Transport, a Mayor/Do Governor, or the head of a Si/Gun: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

1. Type and title of a project;
2. Name and domicile of a project implementer (in cases of a corporation, its title and location, and the name and address of its representative);
3. Location, parcel number, land category and size of the land or building, specification of the ownership and rights, other than the ownership, and the name and domicile of the said owner or right holder;
4. Scheduled date for undertaking a project and that of a work completion;
5. Plans for raising funds.

(2) "Requirements prescribed by Presidential Decree" in the part, other than the subparagraphs of Article 86 (7) of the Act, means that the size of land owned by an implementer shall be at least two thirds of land subject to an urban planning facility project (excluding State-owned or public-owned land; hereafter the same shall apply in this paragraph), and that at least half of the total number of landowners shall agree thereto. *<Amended by Presidential Decree No. 20535, Jan. 8, 2008; Presidential Decree No. 21669, Aug. 5, 2009>*

(3) "Public institutions prescribed by Presidential Decree" in Article 86 (7) 2 of the Act means the following institutions: *<Newly Inserted by Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No.*

21744, Sep. 21, 2009; Presidential Decree No. 23535, Jan. 25, 2012>

1. The Korea Agro-Fisheries and Food Trade Corporation under the Korea Agro-Fisheries and Food Trade Corporation Act;
2. The Korea Coal Corporation under the Korea Coal Corporation Act;
3. The Korea Land and Housing Corporation under the Korea Land and Housing Corporation Act;
4. The Korea National Tourism Organization under the Korea National Tourism Organization Act;
5. The Korea Rural Community Corporation under the Korea Rural Community Corporation and Farmland Management Fund Act;
6. The Korea Expressway Corporation under the Korea Expressway Corporation Act;
7. The Korea National Oil Corporation under the Korea National Oil Corporation Act;
8. The Korea Water Resources Corporation under the Korea Water Resources Corporation Act;
9. The Korea Electric Power Corporation under the Korea Electric Power Corporation Act;
10. The Korea Railroad Corporation under the Korea Railroad Corporation Act;
11. Deleted. <by Presidential Decree No. 21744, Sep. 21, 2009>

(4) "Persons prescribed by Presidential Decree" in Article 86 (7) 3 of the Act means the following: <Amended by Presidential Decree No. 18680, Jan. 15, 2005; Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 21641, Jul. 27, 2009; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012>

1. Local corporations and local industrial complexes under the Local Public Enterprises Act;
2. Person designated as an implementer of a project which includes an urban or Gun planning facility project under other Acts;
3. Person intending to install public facilities to be gratuitously reverted to the management office to manage the public facilities under Article 65 of the Act;
4. Person intending to install facilities subject to donation under Article 13 of the State Property Act or Article 7 of the Public Property and Commodity Management Act.

(5) Where the relevant urban or Gun planning facility projects are subject to a license, permission, authorization, etc. under other statutes, a copy of documents attesting that a license, permission, authorization, etc. concerning the implementation of the said projects is granted, shall be appended to the written application under paragraph (1): Provided, That where the designation of an implementer of an urban or Gun planning facility project has been made in other statutes under the conditions for the license, permission, authorization, etc., the said copy may be substituted with a written opinion of the head of the related administrative agency. <Amended by Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012>

Article 97 (Authorization for Implementation Plans)

(1) An implementation plan referred to in Article 88 (1) of the Act (hereinafter referred to as "implementation plan") shall include the following matters:

1. Type and title of a project;
2. Size or scale of a project;
3. Name and domicile of a project implementer (in cases of a corporation, the title and location for said corporation, and the name and domicile of its representative);
4. Scheduled date for undertaking a project and that for completion of works.

(2) Where any implementer of an urban or Gun planning facility project intends to obtain authorization for its implementation plan pursuant to the main sentence of Article 88 (2) of the Act, the implementer designated by the Minister of Land, Infrastructure and Transport shall obtain authorization from said Minister, and other implementers shall obtain authorization from a Mayor/Do Governor or the Mayor of a large city. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014>*

(3) Any person designated as an implementer of urban or Gun planning facility projects shall submit a written application for authorization for the implementation plan stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport by the deadline set as at the time of designation of an implementer, to the Minister of Land, Infrastructure and Transport, a Mayor/Do Governor or the Mayor of a large city, except in extenuating circumstances. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

(4) When any person designated as an implementer of urban or Gun planning facility projects under Article 86 (5) of the Act intends to formulate an implementation plan, he/she shall first hear the opinions of the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(5) When an urban or Gun planning facility project is implemented by dividing it under Article 87 of the Act, its implementation plan may be formulated by each area divided. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(6) "Other matters prescribed by Presidential Decree" in Article 88 (5) of the Act means the following matters: *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 21038, Sep. 25, 2008; Presidential Decree No. 23009, Jul. 1, 2011; Presidential Decree No. 23718, Apr. 10, 2012>*

1. A map of the location for project implementation, and a planned floor plan;
2. Construction design drawings and specifications (in cases of a project for which consultation on construction is to be held under Article 29 of the Building Act, the outline design documents);
3. Location, parcel number, land category and size of the land or building to be expropriated or used, and a specification of ownership and rights, other than ownership, and names and addresses of owners and right-holders;
4. Protocols and drawings of public facilities newly installed by an implementation of urban or Gun planning facility projects or existing public facilities (limited to cases where an administrative agency is a project implementer);

5. Written appraisals issued by at least two appraisers for public facilities, which are disused by an implementation of urban or Gun planning facility projects (limited to cases where a non-administrative person is an implementer): Provided, That cases where a person with authority to grant authorization for an implementation plan of the relevant urban or Gun planning facilities project under paragraph (2) deems that there are no comparable benefits because it is clear that the costs incurred in installing new public facilities are significantly higher than the appraised value of the existing public facilities or where he/she adds a condition to submit written appraisals during the period for implementing the project shall be excluded herefrom;
6. Protocols and drawings of public facilities newly installed by an implementation of urban or Gun planning facility projects and the account statement of installation costs (limited to cases where a non-administrative person is an implementer). In such cases, if the land required for installing a new public facility and that on which existing public facilities have been installed are the same, only the installation costs less the price for the said land shall be calculated;
7. Documents necessary for holding consultations with the heads of related administrative agencies under Article 92 (3) of the Act;
8. Outcomes of hearing the opinions of the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun under paragraph (4).

Article 98 (Performance Security for Urban or Gun Planning Facility Projects)

(1) "Cases prescribed by Presidential Decree" in the part other than each subparagraph of Article 89 (1) of the Act, means the following cases: *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

1. Where an installation of infrastructure, such as roads, water supply facilities, sewage system, etc., is required due to an urban or Gun planning facility project;
2. Where falling under any of Article 59 (1) 2 through 5 due to an urban or Gun planning facility project.

(2) "Public institutions prescribed by Presidential Decree" in Article 89 (1) 2 of the Act means institutions falling under Article 5 (3) 1 or 2 (b) of the Act on the Management of Public Institutions. *<Newly Inserted by Presidential Decree No. 21669, Aug. 5, 2009>*

(3) "Other persons prescribed by Presidential Decree" in Article 89 (1) 3 of the Act means a local corporation and local industrial complex under the Local Public Enterprises Act. *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 21669, Aug. 5, 2009>*

(4) Article 59 (2) through (4) shall apply mutatis mutandis to the computation of deposit amounts, the deposit methods, etc. under Article 89 (2) of the Act. *<Amended by Presidential Decree No. 21669, Aug. 5, 2009>*

Article 99 (Perusal, etc. of Documents)

(1) Public announcements under Article 90 (1) of the Act shall be made by publishing each of the following matters in the Official Gazette or daily newspapers having the nationwide distribution areas in

cases by the Minister of Land, Infrastructure and Transport; and in the official report of the relevant City/Do or large city, or daily newspapers having areas of the relevant City/Do or large city as their principal distribution areas in cases by a Mayor/Do Governor or the Mayor of a large city: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 24443, Mar. 23, 2013>

1. Purport of an application for authorization;
2. Date and venue of perusal.

(2) In cases of alteration in any of the following minor matters, public announcement and perusal under paragraph (1) may be omitted: <Amended by Presidential Decree No. 23009, Jul 1, 2011>

1. Alterations in the details of projects within the scope not accompanying any alteration in the place of project implementation;
2. Alteration in the scheduled date for undertaking a project and that for completion of work: Provided, That cases where the scheduled date for completion of work is extended before the completion of acquisition of the land, etc. (excluding public facilities) necessary for the implementation of a project shall be excluded herefrom;
3. Alteration in the address of an implementer (if an implementer is a corporation, referring to the location of the corporation and the name and address of the representative).

(3) Expenses incurred in relation to public announcement under paragraph (1) shall be borne by the implementer of an urban or Gun planning facility project. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

Article 100 (Public Announcement of Implementation Plans)

(1) Public announcement of an implementation plan under Article 91 of the Act shall be made by publishing each of the following matters in the Official Gazette in cases by the Minister of Land, Infrastructure and Transport, and in the official report of the relevant City/Do or large city in cases by a Mayor/Do Governor or the Mayor of a large city: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 24443, Mar. 23, 2013>

1. Location for the place of project implementation;
2. Type and title of a project;
3. Size or scale;
4. Name and domicile of an implementer (in cases of a corporation, the title and address of the said corporation, and the name and domicile of its representative);
5. Scheduled date for undertaking a project and that for completion of work;
6. Location, parcel number, land category and size of the land and building to be expropriated or used, and a specification of ownership and rights, other than ownership, and names and addresses of such owners and right-holders;
7. Matters for the reversion and transfer of public facilities, etc. under Article 99 of the Act.

(2) When the Minister of Land, Infrastructure and Transport, a Mayor/Do Governor or the Mayor of a large city has publicly announced an implementation plan under paragraph (1), he/she shall notify the head of the related administrative agency of the details thereof. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 24443, Mar. 23, 2013>

Article 101 (Service by Public Notice)

When a non-administrative implementer of an urban or Gun planning facility project intends to render a service by public notice under Article 94 (1) of the Act, he/she shall obtain approval from the Minister of Land, Infrastructure and Transport, the competent Mayor/Do Governor or the Mayor of the competent large city. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

Article 102 (Public Announcement, etc. of Work Completion)

(1) Where an inspection on work completion, authorization for work completion, etc. under other statutes have been obtained for an urban or Gun planning facility project, a work completion inspection under Article 98 (2) of the Act may be omitted for the said portion. In such cases, a Mayor/Do Governor or the Mayor of a large city may request the head of an agency which has performed the work completion inspection, work completion authorization, etc. under other statutes to notify him/her of the details of the said work completion inspection, work completion authorization, etc. <Amended by Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012>

(2) Public announcement of the work completion under Article 98 (3) and (4) of the Act shall be made by publishing in the Official Gazette in cases by the Minister of Land, Infrastructure and Transport, and in the official report of the relevant City/Do or large city in cases by a Mayor/Do Governor or the Mayor of a large city. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 24443, Mar. 23, 2013>

Article 103 (Disposal of Created Sites, etc.)

When the State or a local government intends to dispose of assets belonging to its possession, among sites and structures created by an urban or Gun planning facility project under Article 100 of the Act, it shall give public notice of the following matters in the Official Gazette in cases by the State, and in the official report of the relevant local government in cases by a local government: <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

1. Purport that the disposal is made by a preferential order under each subparagraph of Article 100 of the Act;
2. Location and size of the site or structure intended for a disposal.

Article 104 (Cost Bearing by Local Governments)

(1) Total sum of costs to be borne under Article 102 (1) of the Act shall not exceed 50 percent of costs incurred in implementing the relevant urban or Gun planning facility project. In such cases, such costs incurred in implementing an urban or Gun planning facility project shall not include the expenses incurred in relation to survey, measurement, design and management for the relevant urban or Gun planning facility

project. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(2) When the Minister of Land, Infrastructure and Transport or a Mayor/Do Governor intends to impose the costs under Article 102 (1) of the Act on a City/Do or a Si/Gun benefited from an urban or Gun planning facility project, he/she shall forward notice stating the specification of total sum of costs incurred in implementing an urban or Gun planning facility project and the amount to be borne to the relevant Mayor/Do Governor or the head of the relevant Si/Gun. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

(3) Paragraphs (1) and (2) shall apply mutatis mutandis to cases where the head of a Si/Gun intends to impose some of the costs incurred in implementing an urban or Gun planning facility project on another local government, pursuant to Article 102 (3) of the Act. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 105 (Cost Bearing by Managers of Public Facilities)

(1) Total sum of costs to be borne under Article 103 of the Act shall not exceed one third of the costs incurred in implementing relevant urban or Gun planning facility project: Provided, That where consolidation of other public facilities constitutes the principal nature of the said urban or Gun planning facility project, the total sum of said cost bearing may be made in whole or partly by up to half of costs incurred in implementing the relevant urban planning facility project. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(2) In cases falling under paragraph (1), costs incurred in implementing an urban or Gun planning facility project shall not include expense incurred in relation to survey, measurement, design and management for the relevant urban planning facility project. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(3) Article 104 (2) shall apply mutatis mutandis to cost bearing under paragraph (1).

Article 106 (Subsidies or Loans)

(1) Costs incurred in conducting a basic investigation and preparing topographic drawings under Article 104 (1) of the Act may be subsidized by the State budget within not more than 80 percent of such costs.

(2) Any urban or Gun planning facility project implemented by an administrative agency under Article 104 (2) of the Act may be subsidized or loaned by the State budget within not more than 50 percent of the costs incurred in implementing the relevant urban or Gun planning facility project (referring to the compensation which includes the engineering costs excluding the expenses incurred in relation to survey, measurement, design and management, and the appraisal costs; hereafter the same shall apply in this paragraph), and any urban or Gun planning facility project implemented by a person who is not an administrative agency may be subsidized or loaned by the State or local government within not more than one third of the costs incurred in implementing the relevant urban or Gun planning facility project. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 107 (Supports to Settlement District)

Projects which may be implemented or supported under Article 105 of the Act by the State or local government for the convenience of living and welfare promotion, etc. of the residents within a settlement

district, shall be as follows:

1. Collective settlement district: It shall be governed by the Act on Special Measures for Designation and Management of Development Restriction Zones and the relevant statutes;
2. Natural settlement district:
 - (a) Consolidation of roads, water supply facilities, sewage system, etc. either located within a natural settlement district or connected with a natural settlement district;
 - (b) Installation or consolidation of children's playgrounds, parks, green areas, parking lots, schools, village halls, etc.;
 - (c) Installation or improvement of waste treatment facilities, sewage treatment facilities, etc.;
 - (d) Installation or improvement of facilities for preventing disasters, such as riparian consolidation;
 - (e) New construction or improvement of houses.

Article 108 (Operation of Central Urban Planning Committee)

- (1) When deemed necessary, the Central Urban Planning Committee may request the heads of related administrative agencies to furnish necessary data, and hear the explanations from persons with profound academic knowledge in urban or Gun planning. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*
- (2) The head of the relevant central administrative agency, the Mayor/Do Governor or the head of a Si/Gun may attend the Central Urban Planning Committee, and voice his/her opinions on matters pertaining to urban or Gun planning of the relevant central administrative agency or local government. *<Amended by Presidential Decree No. 23009, Jul. 1, 2011; Presidential Decree No. 23718, Apr. 10, 2012>*
- (3) An executive secretary of the Central Urban Planning Committee shall prepare minutes each time a meeting is held, report them to the next meeting, and keep them in custody.

Article 109 (Subcommittees of Central Urban Planning Committee)

- (1) Subcommittees to be established under the Central Urban Planning Committee under Article 110 of the Act and their competent duties shall be as follows: *<Amended by Presidential Decree No. 18240, Jan. 20, 2004>*
 1. First subcommittee:
 - (a) Designation of zones, etc. relating to land utilization plans under Article 8 (2) of the Act;
 - (b) Deliberation on matters concerning modified plans for a special-purpose area, etc. under Article 9 of the Act;
 - (c) Deliberation on matters concerning development activities under Article 59 of the Act;
 2. Second subcommittee: Deliberation on matters delegated by the Central Urban Planning Committee;
 3. Deleted. *<by Presidential Decree No. 18260, Jan. 20, 2004>*
- (2) Each subcommittee shall consist of not less than five, but not more than 17 members, including one chairperson. *<Amended by Presidential Decree No. 18240, Jan. 20, 2004; Presidential Decree No. 19036, Sep. 8, 2005>*
- (3) Members of each subcommittee shall be elected by the Central Urban Planning Committee from among its members, and members of the Central Urban Planning Committee may become the members of

two or more subcommittees.

(4) The chairperson of each subcommittee shall be elected from among members of the subcommittee.

(5) The chairperson of the Central Urban Planning Committee may coordinate some of the duties allotted to subcommittees, if necessary for efficient examination, notwithstanding paragraph (1). <Newly Inserted by Presidential Decree No. 20535, Jan. 8, 2008>

Article 110 (Affairs of Local Urban Planning Committees)

(1) A City/Do urban planning committee may perform the following affairs pursuant to Article 113 (1) 4 of the Act: <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

1. Counsel to the Mayor/Do Governor on the enactment and amendment of urban or Gun planning ordinance of the relevant Si/Gun;
2. Deliberation on permission for development activities under Article 55 (3) 3-2.

(2) A Si/Gun/Gu urban planning committee may perform the following affairs pursuant to Article 113 (2) 4 of the Act: <Amended by Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25090, Jan. 14, 2014>

1. Counsel to the head of a Si/Gun/Gu on the enactment and amendment of urban or Gun planning ordinance of the relevant Si/Gun/Gu (referring to an autonomous Gu; hereinafter the same shall apply);
2. Deliberation on permission for development activities under Article 55 (3) 3-2 (limited to an urban planning committee established in a large city);
3. Counsel to the head of a Si/Gun (including the head of a Gun/Gu where the authority of the Special Metropolitan City Mayor or a Metropolitan City Mayor to grant permission for development activities is delegated to the head of a Gun/Gu by municipal ordinance pursuant to Article 139 (2) of the Act) on permission for development activities;
4. Counsel to the head of a Si/Gun/Gu on the establishment of a plan for a model city project pursuant to Article 128 (1).

Article 111 (Members and Operation of City/Do Urban Planning Committees)

(1) Each City/Do urban planning committee shall consist of at least 25, but not more than 30 members, including one chairperson and one vice chairperson, respectively. <Amended by Presidential Decree No. 21625, Jul. 7, 2009>

(2) The chairperson of a City/Do urban planning committee shall be appointed or entrusted by the relevant Mayor/Do Governor from among its members, and the vice chairperson shall be elected from among its members. <Amended by Presidential Decree No. 20535, Jan. 8, 2008>

(3) Members of a City/Do urban planning committee shall be appointed or commissioned by the relevant Mayor/Do Governor from among any of the following persons. In such cases, the number of members falling under subparagraph 3 shall be at least two thirds of all members, and in cases of a City/Do that should take the cancellation of an agricultural promotion area or the cancellation of designation of a preserved mountainous district into deliberation by the City/Do urban planning committee pursuant to Article 8 (7) of the Act because it needs to change an urban or Gun management plan, public officials in

the field of agriculture and forestry, and experts in the field of agriculture and forestry shall be at least two persons, respectively: <Amended by Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 25090, Jan. 14, 2014>

1. Members of the council of the relevant City/Do;
 2. Public officials of the relevant City/Do and of an administrative agency relating to urban or Gun planning;
 3. Persons with academic knowledge and experience in the field relating to an urban or Gun plan, such as land utilization, construction, housing, traffic, environment, prevention of disasters, culture, agriculture and forestry, information and communications, etc.
- (4) The term of office for a member falling under paragraph (3) 3 shall be two years but they may be reappointed or recommissioned: Provided, That the term of office for the supplementary member shall be the remainder of that for his/her predecessor.
- (5) The chairperson of a City/Do urban planning committee shall exercise overall control of the functions of the committee, and convene its meetings, and preside over them.
- (6) A meeting of a City/Do urban planning committee shall be held with the attendance of a majority of all incumbent members (a majority of the members present shall be those falling under paragraph (3) 3), and resolutions shall require the consent of a majority of those present. <Amended by Presidential Decree No. 21625, Jul. 7, 2009>
- (7) A City/Do urban planning committee may have one executive secretary and a few assistant secretaries, and the executive secretary and assistant secretaries shall be appointed by the chairperson.
- (8) The executive secretary of a City/Do urban planning committee shall deal with administrative affairs upon orders from the chairperson, and the assistant secretaries of such committee shall assist the executive secretary.

Article 112 (Organization and Operation of Si/Gun/Gu Urban Planning Committees)

- (1) Each Si/Gun/Gu urban planning committee shall consist of not less than 15, but not more than 25 members, including one chairperson and one vice chairperson, respectively: Provided, That where a Si/Gun/Gu urban planning committee is jointly established in two or more Sis/Guns/Gus, the number of its members may be up to 30 persons.
- (2) The chairperson of a Si/Gun/Gu urban planning committee shall be appointed or entrusted by the head of the relevant Si/Gun/Gu from among its members, and the vice chairperson shall be elected from among its members: Provided, That the chairperson of a Si/Gun/Gu urban planning committee to be jointly established in two or more Sis/Guns/Gus shall be determined by consultations among the heads of relevant Sis/Guns/Gus. <Amended by Presidential Decree No. 18680, Jan. 15, 2005; Presidential Decree No. 20535, Jan. 8, 2008>
- (3) Members of a Si/Gun/Gu urban planning committee shall be appointed or commissioned by the head of a Si/Gun/Gu from among the following persons. In such cases, the number of members falling under subparagraph 3 shall be not less than 50 percent of the total number of members: <Amended by Presidential

Decree No. 23718, Apr. 10, 2012>

1. Members of the council of the relevant Si/Gun/Gu;
 2. Public officials of the relevant Si/Gun/Gu and of an administrative agency relating to urban or Gun planning;
 3. Persons with academic knowledge and experience in the field relating to urban or Gun planning, such as land utilization, construction, housing, traffic, environment, prevention of disasters, culture, agriculture and forestry, information and communications, etc.
- (4) Article 111 (4) through (8) shall apply mutatis mutandis to Si/Gun/Gu urban planning committees.
- (5) Notwithstanding paragraphs (1) and (3), a Si/Gun/Gu urban planning committee which is an urban planning committee established in a large city shall consist of not less than 20, but not more than 25 members, including one chairperson and one vice chairperson, respectively, and the number of members falling under paragraph (3) shall be at least two thirds of the total number of the members. *<Newly Inserted by Presidential Decree No. 21625, Jul. 7, 2009>*

Article 113 (Subcommittees of Local Urban Planning Committees)

"Matters prescribed by Presidential Decree" in Article 113 (3) of the Act means the following matters:

1. Matters concerning plans for modifying a special-purpose area, etc. under Article 9 of the Act;
2. Matters concerning determination or alteration of a district unit planning zone and district unit planning zone under Article 50 of the Act;
3. Matters concerning deliberation on development activities under Article 59 of the Act;
4. Matters concerning a raising of objection under Article 120 of the Act;
5. Matters referred by a local urban planning committee.

Article 113-2 (Reasons for Exclusion, etc. of Local Urban Planning Committee Members)

(1) "Cases prescribed by Presidential Decree" in Article 113-3 (1) 4 of the Act means the following cases: *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

1. Where any member provides services on an issue which he/she reviewed or on which he/she provided consulting, or is directly involved in such issue by other means;
2. Where a member becomes a direct privy in an issue which he/she reviewed or on which he/she provided consulting.

(2) through (4) Deleted. *<by Presidential Decree No. 21669, Aug. 5, 2009>*

Article 113-3 (Disclosure of Meeting Minutes)

(1) "Period prescribed by Presidential Decree" in the main sentence of Article 113-2 of the Act means six months upon completion of deliberation in cases of the Central Urban Planning Committee, and a period set by urban or Gun planning ordinance of the relevant local government by up to six months, in cases of a local urban planning committee. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

(2) The disclosure of meeting minutes pursuant to the main sentence of Article 113-2 of the Act shall be made by public perusal.

(3) "Personal identity information, including names, resident registration numbers, etc. which is prescribed by Presidential Decree" in the proviso to Article 113-2 of the Act means information, such as a name, resident registration number, position, address, etc. with which a specific person can be identified.

Article 114 (Detailed Rules of Operation)

The following matters necessary for the operation of the Central Urban Planning Committee and its subcommittees shall be determined by the Minister of Land, Infrastructure and Transport and the following matter necessary for the operation of local urban planning committees and their subcommittees shall be determined by urban or Gun planning ordinance of the relevant local government: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 22703, Mar. 9, 2011; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 24593, Jun. 11, 2013>

1. Criteria for qualification, appointment, commission and dismissal of members;
2. Matters on the operation of meetings, such as methods of holding a meeting, and quorum;
3. Matters on the subject matter of the deliberation and counselling for the committee and its subcommittees and the classification of their affairs;
4. Matters on exclusion and evasion of and challenge to members;
5. Matters on the period for handling an agenda and placing restrictions on repeated deliberation;
6. Matters on hearing opinions of interested persons, specialists, etc.;
7. Matters on the organization and operation of a permanent urban or Gun planning group under Article 116 of the Act.

Article 115 (Allowances and Travel Expenses)

Allowances may be paid and travel expenses may be reimbursed under Article 115 of the Act to the members and expert members of the Central Urban Planning Committee within budgetary limits, as stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 116 (Designation of Permitted Zones)

(1) "Area prescribed by Presidential Decree" in Article 117 (1) of the Act means any of the following: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014>

1. An area for which a land utilization plan, such as a metropolitan plan, urban or Gun master plan, or urban or Gun management plan, is newly formulated or amended;
2. An area for which limitations on activities in relation to land utilization are leniently applied or revoked by the enactment, amendment, or repeal of statutes or public notification or announcement thereby;
3. An area for which a development project under statutes is in progress or scheduled, and its neighboring areas;
4. Other areas for which the Minister of Land, Infrastructure and Transport or a Mayor/Do Governor deems that speculation is anticipated, and an area for which the head of a related administrative agency

makes a request to the Minister of Land, Infrastructure and Transport or the Mayor/Do Governor, deeming that particular prevalence of speculations is anticipated.

(2) Upon designating an area subject to permission for land transactions pursuant to Article 117 (1) of the Act (hereinafter referred to as "permitted zone"), the Minister of Land, Infrastructure and Transport or a Mayor/Do Governor shall publicly announce the following matters pursuant to Article 117 (3) of the Act: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014; Presidential Decree No. 26381, Jul. 6, 2015>*

1. A period for designation of the permitted zone;
2. Location, lot number, land category, and the area of land, and special-purpose of the permitted zone;
3. Topographic map of the permitted zone (at a scale of 1:50,000 or 1:25,000);
4. The area of land exempt from permission under Article 118 (1).

Article 117 (Procedures for Permission for Land Transaction Contracts)

(1) Parties intending to conclude a land transaction contract under Article 118 (1) of the Act shall jointly submit a written application for permission indicating the following matters, accompanied with documents stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport, to the head of a Si/Gun/Gu having jurisdiction over the said land: *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 19130, Nov. 11, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

1. Names and addresses of the parties (in cases of a corporation, the title and location of the corporation and the name and address of its representative);
2. Parcel number, land category, size, current status of utilization and of creation of rights of land;
3. Matters concerning the structures, engineering works, standing trees, etc. fixed in land;
4. Kind of rights intended for transfer or creation;
5. Amount of scheduled contract;
6. Plans for land utilization;
7. Plans for raising funds required for acquisition of land.

(2) The head of a Si/Gun/Gu in receipt of the submission of a written application for permission under paragraph (1) shall promptly perform necessary investigations.

Article 118 (Size, etc. of Land Exempted from Permission for Land Transaction Contracts)

(1) Size of land exempted from permission for a land transaction contract pursuant to Article 118 (2) of the Act shall be as follows: Provided, That where the Minister of Land, Infrastructure and Transport or the Mayor/Do Governor has separately stipulated and publicly notified the size of land within the limit of at least 10 percent up to 300 percent of the relevant standard size, deeming that the following sizes are unreasonable for each area, in view of the actual conditions, etc. of transactions in the relevant area at the time of designating the permitted area, such size shall apply: *<Amended by Presidential Decree No. 18680, Jan. 15, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21038, Sep. 25, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014>*

1. A residential area: Not more than 180;
2. A commercial area: Not more than 200;
3. An industrial area: Not more than 660;
4. A green area: Not more than 100;
5. An area for which no designation exists concerning a special-purpose area under each subparagraph of Article 30 within an urban area: Not more than 90;
6. Areas, other than an urban area: Not more than 250: Provided, That in cases of farmland, it shall be not more than 500, and in cases of the forest, it shall be not more than 1,000.

(2) In computing the size under paragraph (1), where a land transaction contract has been re-concluded for the whole or part of a group of land within one year after concluding a land transaction contract for the utilization of a group of land, it shall be deemed a transaction for the whole of such group of land. *<Amended by Presidential Decree No. 21625, Jul. 7, 2009>*

(3) Where the land exceeding the size stipulated in paragraph (1) at the time of designation of a permitted zone has been divided after such designation, the transaction contract for such divided land shall be deemed a transaction contract for the land exceeding the size stipulated in paragraph (1), limited to the first transaction after division. The same shall also apply where the relevant land is traded as jointly-owned shares after designation of a permitted zone.

(4) In cases falling under paragraph (3), if causes for dividing land are based on public purposes, such as the implementation of urban or Gun planning projects, and the size of said land is that of land exempted from permission under paragraph (1), paragraph (3) shall not apply. *<Amended by Presidential Decree No. 23718, Apr. 10, 2012>*

Article 119 (Criteria for Permission)

(1) "Those prescribed by Presidential Decree" in subparagraph 1 (c) of Article 119 of the Act means the following persons: *<Amended by Presidential Decree No. 18680, Jan. 15, 2005; Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 19130, Nov. 11, 2005; Presidential Decree No. 19400, Mar. 23, 2006; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21847, Nov. 26, 2009; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24155, Oct. 29, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

1. A farmer or fisherman under subparagraph 2 of Article 3 of the Framework Act on Agriculture and Fisheries, Rural Community, and Food Industry, or a forestry business operator under subparagraph 2 of Article 2 of the Forestry and Mountain Villages Development Promotion Act (hereafter referred to as "farmer, etc." in this Article), and who intends to transfer or establish proprietary rights or superficies, or the right for acquiring proprietary rights or superficies of the land (hereafter referred to as "acquisition of land" in this Article and Article 124) located in the Special Metropolitan City, Metropolitan City (excluding Guns located within the competent districts of a Metropolitan City), Special Self-Governing City, Special Self-Governing Province or Si/Gun (including Guns located within the competent districts of a Metropolitan City) in which he/she resides;

2. A farmer, etc. intending to acquire land located within 30 from his/her residence: Provided, That where any of the following persons intends to acquire farmland to substitute for the farmland which has been transferred through consultations or expropriated within three years from the date of the said transfer through consultations, or expropriation, he/she may acquire farmland located within 80 from his/her residence. In such cases, excluding cases where the head of any administrative agency specifies a subject and mediates the acquisition of substitution farmland pursuant to related statutes, the value of newly-acquired farmland (referring to the value based upon the publicly-announced land price) shall be the same as the previous land value or lower:

(a) Any person (limited to an actual farmer) who has transferred farmland under subparagraph 1 of Article 2 of the Farmland Act through consultations or whose farmland has been expropriated for public works projects under the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects and other statutes;

(b) Any person who has rented or cultivated, by obtaining permission for use, the farmland falling under item (a) and has received compensation for losses in farming under the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects;

3. A person not falling under subparagraphs 1 and 2, but satisfying the requirements stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport, such as place of residence and period of residence.

(2) "Where the land is intended to be utilized for the use prescribed by Presidential Decree" in subparagraph 1 (g) of Article 119 of the Act means the following cases: *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 19130, Nov. 11, 2005; Presidential Decree No. 19400, Mar. 23, 2006; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21625, Jul. 7, 2009; Presidential Decree No. 24443, Mar. 23, 2013>*

1. Where a person who has transferred land, other than the farmland under subparagraph 1 of Article 2 of the Farmland Act, through consultations or whose land has been expropriated for public works projects under the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects and other statutes, intends to acquire land to substitute for the land which has been transferred through consultations or expropriated within the relevant permitted zone within three years from the date of the said transfer through consultations, or expropriation. In such cases, the value of newly-acquired land (referring to the value based upon the publicly-announced land price) shall be the same as previous land value or lower;

2. Where any person intends to acquire land for maintaining the current status for the land in which development or utilization has been limited or prohibited under the related statutes, and which is stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport;

3. Where a person entitled to engage in rental business under the relevant statutes, including a rental business operator, etc. under subparagraph 4 of Article 2 of the Rental Housing Act acquires a building and land annexed thereto for the rental business.

Article 120 (Scope, etc. of Public Institutions, etc.)

(1) "Public institutions or organizations prescribed by Presidential Decree" in Article 121 (1) of the Act means the following institutions or organizations: <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 21835, Nov. 20, 2009; Presidential Decree No. 24593, Jun. 11, 2013; Presidential Decree No. 25090, Jan. 14, 2014; Presidential Decree No. 25279, Mar. 24, 2014>

1. Public institutions referred to in Article 96 (3) 1 through 10;
2. Forestry cooperatives and the National Forestry Cooperatives Federation under the Forestry Cooperatives Act;
3. Agricultural cooperatives, livestock industry cooperatives and the National Agricultural Cooperatives Federation under the Agricultural Cooperatives Act;
4. Fisheries cooperatives and the National Federation of Fisheries Cooperatives under the Fisheries Cooperatives Act;
5. The Small and Medium Business Corporation under the Small and Medium Enterprises Promotion Act;
6. The Bank of Korea under the Bank of Korea Act;
7. Local corporations and local industrial complexes under the Local Public Enterprises Act;
8. The Government Employees Pension Service under the Public Officials Pension Act;
9. The Incheon International Airport Corporation under the Incheon International Airport Corporation Act;
10. Deleted; <by Presidential Decree No. 23073, Aug. 11, 2011>
11. The National Pension Service under the National Pension Act;
12. The Korea Teachers' Pension under the Pension for Private School Teachers and Staff Act;
13. The Korea Asset Management Corporation under the Act on the Efficient Disposal of Non-Performing Assets, etc. of Financial Companies and the Establishment of Korea Asset Management Corporation (hereinafter referred to as the "Korea Asset Management Corporation");
14. A port authority under the Port Authority Act.

(2) "Public institutions or organizations prescribed by Presidential Decree" in Articles 122 (1) and 123 (2) of the Act means the public institutions referred to in Article 96 (3) 1 through 10. <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 21669, Aug. 5, 2009>

(3) Where the State property is acquired or disposed of under Article 9 of the State Property Act, if it has been acquired or disposed of in the manner compatible with standards for permission under Article 119 of the Act, and thereafter the head of a Si/Gun/Gu has been notified of such details, it shall be deemed to have held a consultation under Article 121 (1) of the Act. <Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 21641, Jul. 27, 2009>

Article 121 (Cases where Provisions on Permission System of Land Transactions are not Applied)

Cases in which Article 118 of the Act is not applicable as provided for in Article 121 (2) of the Act shall be as follows: <Amended by Presidential Decree No. 18044, Jun. 30, 2003; Presidential Decree No. 18146, Nov. 29,

2003; Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 19422, Mar. 29, 2006; Presidential Decree No. 19463, Apr. 28, 2006; Presidential Decree No. 20585, Jan. 31, 2008; Presidential Decree No. 21019, Sep. 18, 2008; Presidential Decree No. 21038, Sep. 25, 2008; Presidential Decree No. 21565, Jun. 26, 2009; Presidential Decree No. 21625, Jul. 7, 2009; Presidential Decree No. 21641, Jul. 27, 2009; Presidential Decree No. 21887, Dec. 15, 2009; Presidential Decree No. 22703, Mar. 9, 2011; Presidential Decree No. 23297, Nov. 16, 2011; Presidential Decree No. 25279, Mar. 24, 2014>

1. Acquisition through consultations, expropriation, or use of land under the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects, and a barter under Article 91 of the same Act;
2. Public auction under the Civil Execution Act;
3. Where the State property is disposed of by a general public tender pursuant to a State property management plan under Article 9 of the State Property Act;
- 3-2. Where public property is disposed of through ordinary competitive bidding according to a public property management plan under Article 10 of the Public Property and Commodity Management Act;
4. Selling in lots and selling reserved land, etc. pursuant to a plan for control disposal under Article 48 of the Act on the Maintenance and Improvement of Urban Areas and Dwelling Conditions for Residents;
5. Supplying land pursuant to a plan for supplying created land, etc. under Article 26 of the Urban Development Act, designating land scheduled for substitution under Article 35 of the same Act, taking disposition, such as land substitution under Article 40 of the same Act, and selling development recompense land, etc. under Article 44 of the same Act;
6. Supplying sites created by obtaining approval of a project plan under Article 16 of the Housing Act, and supplying housing (including appurtenant facilities and welfare facilities, and facilities which are not housing where housing and facilities, other than housing, are constructed in one building, and such building is supplied) under Article 38 of the same Act;
7. Supplying sites under Article 18 of the Housing Site Development Promotion Act;
8. Where the land created by an industrial complex development project under subparagraph 9 of Article 2 of the Industrial Sites and Development Act or a project for developing a quasi-industrial complex under subparagraph 12 of Article 2 of the same Act is parcelled out by a project operator under Article 16 of the same Act (including the Korea Industrial Complex Management Corporation entrusted with the affairs concerning parcelling-out by a project operator under Article 38 of the same Act);
9. Granting of substituted land, and an exchange, division or merger of farmland, etc. pursuant to a plan for land substitution under Articles 25, 26, 42 and 43 of the Rearrangement of Agricultural and Fishing Villages Act;
10. Purchasing farmland by a project implementer for a rearrangement of agro-fishery villages under the Rearrangement of Agricultural and Fishing Villages Act;
11. Transferring or creating rights by obtaining permission for the court pursuant to the procedures under Sections 10 and 11 of Chapter IV of Part III of the Commercial Act, or the Debtor Rehabilitation

and Bankruptcy Act;

12. Disposition on default of national taxes and local taxes, or compulsory execution;

13. Transferring or creating the rights by the State or local governments for devising emergency measures required for the occasions of urgent disasters pursuant to the provisions of statutes;

14. Trading, exchange and division of farmland by the Korea Rural Community Corporation under the Korea Rural Community Corporation and Farmland Management Fund Act;

15. Filing a report on land acquisition or obtaining permission for land acquisition by foreign governments or international organizations under Article 4 of the Foreigner's Land Acquisition Act;

16. Acquiring land or selling it by undergoing a public tender by the Korea Asset Management Corporation under Article 4 or 5 of the Act on the Efficient Disposal of Non-Performing Assets, etc. of Financial Companies and the Establishment of Korea Asset Management Corporation, and selling land that failed in bidding in spite of public auctions on three or more occasions by entrustment of sale to the Korea Asset Management Corporation;

16-2. Acquiring land for which a request for purchase is made under Article 47 of the Act or Article 17 of the Act on Special Measures for Designation and Management of Development Restriction Zones;

16-3. Supplying housing sites or houses built under the Special Act on the Construction of a Multifunctional Administrative City in Yeongi-Gongju Area for Follow-up Measures for New Administrative Capital, the Special Act on the Construction and Support of Innovation Cities Following Relocation of Public Agencies or the Special Act on the Development of Enterprise Cities;

16-4. Selling a building under the Act on Sale of Building Units;

16-5. Selling a knowledge industry center in lots pursuant to Article 28-4 of the Industrial Cluster Development and Factory Establishment Act;

17. Making a payment in land for taxes, public shares, etc. under other statutes.

Article 122 (Consultation on Advance Sale)

Any person designated as an advance-sale purchaser under Article 122 (2) of the Act shall notify the land owner of a document indicating the conditions for advance sale, such as the price, etc. within 15 days from the date of the said designation and hold a consultation on the advance sale with, and submit the protocol of advance sale consultation to the head of a Si/Gun/Gu within 30 days from the date of the said designation, as prescribed by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 123 (Application for Purchasing Land)

Any person intending to make an application for purchase to the head of a Si/Gun/Gu under Article 123 (1) of the Act shall submit to the head of a Si/Gun/Gu a written application for land purchase indicating the type and details of rights on the land, size of the said land, and other matters stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 124 (Obligation, etc. to Utilize Land)

(1) "Ground prescribed by Presidential Decree" in Article 124 (1) of the Act means any of the following cases: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21038, Sep. 25, 2008; Presidential Decree No. 21625, Jul. 7, 2009; Presidential Decree No. 22703, Mar. 9, 2011; Presidential Decree No. 24443, Mar. 23, 2013>

1. Where it is impracticable to utilize land as intended due to a restriction on activities under the Act or related statutes, as a plan for utilization and management of land, such as a special-purpose area, has been amended under the Act or related statutes after acquiring such land;
2. Where the State or a local government imposes a restriction on permission, authorization, etc. for a specific period due to reasons provided for by Ordinance of the Ministry of Land, Infrastructure and Transport, while an application has been filed for permission, authorization, etc. under the related statutes for land utilization, it remains within the relevant restriction period;
3. Where the original purpose of use is changed to comply with the standards for permission under Article 119 of the Act, with approval from the head of a Si/Gun/Gu;
- 3-2. Where changing the original purpose of use to comply with the standards for permission under Article 119 of the Act upon obtaining permission for activities under other Acts, and the permit-granting authority for relevant activities has consulted with the head of a Si/Gun/Gu on the change of the purpose of use;
4. Where making an emigration under Article 6 of the Emigration Act;
5. Where joining the army under Article 18 of the Military Service Act;
6. Where it is impracticable to attain the permitted purposes due to a disaster defined in subparagraph 1 of Article 2 of the Countermeasures against Natural Disasters Act;
7. Where it is impracticable to utilize land for the permitted purposes due to reasons not imputable to a person granted permission for a contract for land transaction, such as implementation of a public works project;
- 7-2. Where a person who has acquired any of the following buildings and actually uses it, rents out part of the relevant building:
 - (a) A detached house referred to in subparagraph 1 of attached Table 1 to the Enforcement Decree of the Building Act (excluding multi-user houses and missions);
 - (b) A multi-unit house referred to in subparagraph 2 of attached Table 1 to the Enforcement Decree of the Building Act (excluding dormitories);
 - (c) Type I neighborhood lifestyle facilities referred to in subparagraph 3 of attached Table 1 to the Enforcement Decree of the Building Act;
 - (d) Type II neighborhood lifestyle facilities referred to in subparagraph 4 of attached Table 1 to the Enforcement Decree of the Building Act;
- 7-3. Where a person who has acquired a factory defined in subparagraph 1 of Article 2 of the Industrial Cluster Development and Factory Establishment Act and actually uses it, rents out part of the relevant

factory;

8. Other cases where a Si/Gun/Gu urban planning committee deems that a person granted permission for a contract for land transaction is unable to utilize land for the permitted purpose due to inevitable causes.

(2) "Period prescribed by Presidential Decree" in Article 124 (1) of the Act means a period classified as follows: <Amended by Presidential Decree No. 26027, Jan. 6, 2015; Presidential Decree No. 26381, Jul. 6, 2015>

1. Where permission is granted for the purpose provided for in subparagraph 1 (a) of Article 119 of the Act, two years from the time of acquisition of land;
2. Where permission is granted for the purpose provided for in subparagraph 1 (b) of Article 119 of the Act, two years from the time of acquisition of land;
3. Where permission is granted to run the farming business under subparagraph 1 (c) of Article 119 of the Act, two years from the time of acquisition of land;
4. Where permission is granted to run the livestock, forestry, or fishery business under subparagraph 1 (c) of Article 119 of the Act, two years from the time of acquisition of land;
5. Where permission is granted for the purpose provided for in subparagraph 1 (d) through (f) of Article 119 of the Act, four years from the time of acquisition of land: Provided, That the same shall not apply to sales in lots after undertaking development of land permitted for the purpose of sales in lots;
6. Where permission is granted to acquire substitute land under Article 119 (2) 1, two years from the time of acquisition of land;
7. Where permission is granted to acquire land with the purpose of maintaining the current status under Article 119 (2) 2, five years from the time of acquisition of land;
8. In cases, other than subparagraphs 1 through 7, five years from the time of acquisition of land.

Article 124-2 (Bounties for Report)

(1) Bounties under Article 124 (3) of the Act shall be 500,000 won per report, and shall be paid within budgetary limits. In such cases, a report or an accusation on the land en masse acquired for the same purpose shall be deemed one case.

(2) The head of a Si/Gun/Gu shall pay a bounty under paragraph (1) in any of the following cases:

1. Where any person reports or accuses another person falling under Article 124 (3) 1 of the Act with the head of a Si/Gun/Gu or an investigative agency before an administrative agency or an investigative agency prosecutes, and the prosecutor decides on indictment or suspension of indictment with regard to the report or case of accusation;
2. Where any person reports or accuses another person falling under Article 124 (3) 2 of the Act with the head of a Si/Gun/Gu or an investigative agency before an administrative agency prosecutes, and the head of a Si/Gun/Gu issues an order for compliance with regard to the report or case of accusation.

(3) Where an investigative agency accepts a case of accusation falling under paragraph (2) 1 or decides to indict or suspend indictment, it shall promptly inform the head of a Si/Gun/Gu thereof.

(4) Where two or more persons receive a bounty under paragraph (1), methods for distribution, other methods for payment, procedures, etc. shall be determined by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 124-3 (Imposition of Charge for Compelling Compliance)

(1) An order of compliance to the usage obligation under the main sentence of Article 124-2 (1) of the Act shall be issued in written by specifying a period not exceeding three months.

(2) "Grounds prescribed by Presidential Decree" in the proviso to Article 124-2 (1) of the Act means cases where a charge for compelling the compliance under Article 65 of the Farmland Act is imposed by violating any of Article 10 (1) 1 through 4 of the same Act.

(3) "Amount prescribed by Presidential Decree" in Article 124-2 (2) of the Act means the following amounts:

1. An amount equivalent to 10/100 of the acquisition value of land in cases where a person who obtained permission for a land transaction contract and acquired land fails to use the land for the initial purpose and idles it;

2. An amount equivalent to 7/100 of the acquisition value of land in cases where a person who obtained permission for a land transaction contract and acquired land fails to use the land at first hand and rents it out;

3. An amount equivalent to 5/100 of the acquisition value of land in cases where a person who obtained permission for a land transaction contract and acquired land modifies the initial purpose of usage and uses the land without obtaining approval thereof from the head of a Si/Gun/Gu under Article 124 (1) 3;

4. An amount equivalent to 7/100 of the acquisition value of land in cases, other than those under subparagraphs 1 through 3.

(4) The acquisition value of land under each subparagraph of paragraph (3) shall be the actual trade price: Provided, That where an actual trade price is not confirmed, it shall be the lately published announced land price as of the date of acquisition.

(5) Before imposing a charge for compelling compliance under Article 124-2 (2) of the Act, the head of a Si/Gun/Gu shall give written notice of the intention to impose and collect the charge for compelling compliance in advance.

(6) Where a charge for compelling compliance is imposed pursuant to Article 124-2 (2) of the Act, it shall be made by the written statement indicating the amount, the reason for imposition, the payment due, and the collecting agency of the charge for compelling such compliance, the method of raising objections, the agency for raising objections, etc. <Amended by Presidential Decree No. 19647, Aug. 17, 2006>

(7) Where any person whom a charge for compelling compliance is imposed on pursuant to paragraph (6) intends to raise an objection under Article 124-2 (6) of the Act, he/she shall do so within 30 days from the day of receiving the notice of imposition.

Article 125 (Investigations into Trend of Land Prices, etc.)

(1) The Minister of Land, Infrastructure and Transport shall investigate a fluctuation ratio of nation-wide land prices at least once per year pursuant to Article 125 of the Act, and he/she may require the President of the Korea Appraisal Board referred to in the Article 2 of the Enforcement Decree of the State Property Act to submit the trend of land prices, status of land transactions, and other necessary data at least once per month, if deemed necessary. In such cases, expenses incurred in investigating the trend of land prices and the status of land transactions, and preparing data, etc. may be subsidized by the State budgets, within the limits of expenses actually incurred. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21744, Sep. 21, 2009; Presidential Decree No. 23502, Jan. 6, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

(2) Each Mayor/Do Governor shall frequently investigate the trend of land prices and the status of land transactions within his/her jurisdiction, and, as a result of the said investigation, if he/she deems it necessary to designate, reduce, or revoke a permitted area pursuant to Article 117 (1) of the Act, he/she may request the Minister of Land, Infrastructure and Transport to designate, reduce, or revoke the said area. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

(3) The Minister of Land, Infrastructure and Transport shall provide electronic data on land prices with an input of publicly announced land prices and respective publicly-announced land prices under the Public Notice of Values and Appraisal of Real Estate Act to the Minister of the Interior. *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21214, Dec. 31, 2008; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25751, Nov. 19, 2014>*

(4) The Minister of Land, Infrastructure and Transport may request the Minister of the Interior to furnish the data referred to in Article 70 (2) of the Act on Land Survey, Waterway Survey and Cadastral Records, where necessary, and in such cases, the Minister of Interior shall comply therewith, except in extenuating circumstances. *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 20722, Feb. 29, Dec. 2008; Presidential Decree No. 21214, Dec. 31, 2008; Presidential Decree No. 21881, Dec. 14, 2009; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25751, Nov. 19, 2014>*

(5) The Minister of Land, Infrastructure and Transport shall build the electronic data network for land transactions by integrating the data on permissions for land transaction contracts and the data on approval seals of contracts referred to in Article 3 of the Act on Special Measures for the Registration of Real Estate, and supplement it on demand. *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 126 (Designation of Model Cities)

(1) "Other fields prescribed by Presidential Decree" in Article 127 (1) of the Act means the fields of education, safety, traffic, economic revitalization, urban consolidation and climate change. *<Amended by Presidential Decree No. 21625, Jul. 7, 2009>*

(2) Each model city shall comply with each of the following standards: *<Amended by Presidential Decree No. 21625, Jul. 7, 2009>*

1. Designation of a model city shall be able to contribute to improvement in the competitiveness and specialized development of cities, and the balanced development of regions;
 2. Designation of a model city shall highly appeal to residents;
 3. Residents shall be able to take part in the projects required for achieving the purpose of designating a model city (hereinafter referred to as "model city project");
 4. Plans for raising financial resources for a model city project shall be proper and feasible.
- (3) The Minister of Land, Infrastructure and Transport may set the detailed standards for designating a model city by field under Article 127 (1) of the Act. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*
- (4) When the head of the related central administrative agency or a Mayor/Do Governor intends to request the Minister of Land, Infrastructure and Transport to designate a model city under Article 127 (1) of the Act, he/she shall hear opinions from the head of the related local government, after hearing opinions from residents through the questionnaire and public perusal, etc. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*
- (5) When a Mayor/Do Governor intends to request the Minister of Land, Infrastructure and Transport to designate a model city under Article 127 (1) of the Act, he/she shall first obtain advice from the relevant City/Do urban planning committee. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*
- (6) When the head of the related central administrative agency or a Mayor/Do Governor intends to request for a designation of a model city under Article 127 (1) of the Act, he/she shall submit the following documents to the Minister of Land, Infrastructure and Transport: *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*
1. Document explaining the conformity with the standards for designation referred to in paragraphs (2) and (3);
 2. Details of the budget and manpower, etc. which may be provided to a model city directly by the head of the related central administrative agency or a Mayor/Do Governor requesting designation;
 3. Outcomes from hearing the opinions of residents under paragraph (4), and the opinions of the head of the related local government;
 4. Outcomes from advices given by the City/Do urban planning committee under paragraph (5).
- (7) When the Minister of Land, Infrastructure and Transport intends to designate a model city, he/she shall undergo deliberation thereon by the Central Urban Planning Committee. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 24443, Mar. 23, 2013>*
- (8) When the Minister of Land, Infrastructure and Transport has designated a model city, he/she shall publish the purpose of designation, areas designated, cities subject to designation, etc. in the Official Gazette, and notify the heads of related administrative agencies thereof. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 127 (Public Invitation for Model Cities)

(1) When deemed necessary to directly designate a model city under Article 127 (1) of the Act, the Minister of Land, Infrastructure and Transport may publicly invite the cities subject to such designation, as stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

(2) Persons eligible to apply for public invitation under paragraph (1) shall be the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, and the head of a Si/Gun/Gu. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(3) When deemed necessary to smoothly perform the affairs relating to the public invitation, evaluation, etc. of a model city, the Minister of Land, Infrastructure and Transport may either seek advice from specialized institutions, or entrust them to conduct a survey or research. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>

Article 128 (Formulation and Implementation of Plans for Model City Projects)

(1) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu having jurisdiction over a model city shall formulate and implement a plan for implementing a model city project (hereinafter referred to as "plan for a model city project") according to the following classifications: <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

1. Where a model city is confined to the jurisdictional area of a Si/Gun/Gu: The head of the competent Si/Gun/Gu shall formulate and implement the plan;
2. Other cases: The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, or the Governor of a Special Self-Governing Province shall formulate and implement the plan.

(2) Plans for a model city project shall include the following matters: <Amended by Presidential Decree No. 21625, Jul. 7, 2009; Presidential Decree No. 23718, Apr. 10, 2012>

1. Matters for the objectives, strategy and specialized development plan of a model city project, and for a system of promotion;
2. Matters for the adjustment and consolidation of related plans, such as urban or Gun planning, required for implementing a model city project;
3. Matters for urban or Gun planning projects required for implementing a model city project;
4. Matters for raising financial resources required for implementing a model city project;
- 4-2. Matters concerning a system for cooperation with communities, such as residents' participation;
5. Other matters necessary to smoothly implement a model city project.

(3) When the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu intends to formulate a plan for a model city project under paragraph (1), he/she shall first hear the opinions of

residents through the questionnaire and public perusal, etc. <Amended by Presidential Decree No. 23718, Apr. 10, 2012>

(4) When the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu intends to formulate a plan for a model city project, he/she shall hold a prior consultation with the Minister of Land, Infrastructure and Transport (referring to an agency which has requested a designation, in cases of a model city designated upon a request from the head of the related central administrative agency or a Mayor/Do Governor). <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

(5) When the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu has formulated a plan for a model city project pursuant to paragraph (1), he/she shall publish its principal contents in the official report of the relevant local government, and thereafter forward a copy thereof to the Minister of Land, Infrastructure and Transport. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>

(6) Paragraphs (3) through (5) shall apply mutatis mutandis to the alteration of a plan for a model city project.

Article 129 (Standards for Supporting Model City)

(1) The Minister of Land, Infrastructure and Transport or the head of the related central administrative agency may render a subsidy or loan to a model city within the following limits pursuant to Article 127 (2) of the Act: <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 24443, Mar. 23, 2013>

1. Not more than 80 percent of expenses incurred in formulating a plan for a model city project;
2. Not more than 50 percent of costs incurred in implementing a model city project (excluding the compensation).

(2) A Mayor/Do Governor may render a subsidy or loan to a model city within the limits stipulated in each subparagraph of paragraph (1) pursuant to Article 127 (2) of the Act. <Newly Inserted by Presidential Decree No. 21669, Aug. 5, 2009>

(3) When the head of the related central administrative agency or a Mayor/Do Governor has supported the budget, human resources, etc. for a model city under Article 127 (2) of the Act, he/she shall notify the Minister of Land, Infrastructure and Transport of the details of such support. <Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 24443, Mar. 23, 2013>

(4) The head of a Si/Gun/Gu may determine the following matters by urban or Gun planning ordinance, where necessary for an implementation of a model city project: <Newly Inserted by Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012>

1. Matters concerning the execution of a budget for a model city project;
2. Matters concerning residents' participation.

Article 130 (Assessment and Adjustment of Model City Projects)

(1) The Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu having jurisdiction over a model city shall submit the actual promotion records of a plan for a model city project for the relevant year to the Minister of Land, Infrastructure and Transport, and the head of the related central administrative agency or a Mayor/Do Governor requesting a designation of the relevant model city, by no later than the end of each year. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013>*

(2) When deemed necessary by the Minister of Land, Infrastructure and Transport, the head of the related central administrative agency, or a Mayor/Do Governor, as a result of analyses of the actual promotion records submitted under paragraph (1), he/she may take measures, such as a request for an adjustment of a plan for a model city project, reduction or expansion of the details of support, etc. *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

Articles 131 and 132 Deleted. *<by Presidential Decree No. 19503, Jun. 7, 2006>*

Article 133 (Delegation and Entrustment of Authority)

(1) The Minister of Land, Infrastructure and Transport (referring to the Minister of Oceans and Fisheries in cases of a fishery-resource protection zone under Article 40 of the Act; hereafter the same shall apply in this Article) shall delegate his/her authority on the following matters to Mayors/Do Governors, pursuant to Article 139 (1) of the Act: *<Amended by Presidential Decree No. 19036, Sep. 8, 2005; Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 20941, Jul. 28, 2008; Presidential Decree No. 21669, Aug. 5, 2009; Presidential Decree No. 23718, Apr. 10, 2012; Presidential Decree No. 24443, Mar. 23, 2013; Presidential Decree No. 25090, Jan. 14, 2014>*

1. Deleted; *<by Presidential Decree No. 25090, Jan. 14, 2014>*

2. Deleted; *<by Presidential Decree No. 21669, Aug. 5, 2009>*

3. Decision on an urban or Gun management plan, which concerns a designation and alteration of zones falling short of 1 among urban or Gun management plans falling under Article 29 (2) 4 of the Act;

4. Deleted. *<by Presidential Decree No. 25090, Jan. 14, 2014>*

(2) Deleted. *<by Presidential Decree No. 19503, Jun. 7, 2006>*

(3) When a Mayor/Do Governor has performed duties delegated under paragraph (1), he/she shall file a report thereon with the Minister of Land, Infrastructure and Transport, as stipulated by Ordinance of the Ministry of Land, Infrastructure and Transport (referring to Ordinance of the Ministry of Oceans and Fisheries in cases of a fishery-resource protection zone under Article 40 of the Act). *<Amended by Presidential Decree No. 20722, Feb. 29, 2008; Presidential Decree No. 20941, Jul. 28, 2008; Presidential Decree No. 24443, Mar. 23, 2013>*

Article 133-2 (Review of Regulations)

(1) The Minister of Land, Infrastructure and Transport shall review the validity of the following matters every three years (referring to the date immediately before the three yearly anniversary from the base date) from the following base date, and take measures, such as improvements: <Amended by Presidential Decree No. 25840, Dec. 9, 2014>

1. Standards for permission for development activities under Article 56: January 1, 2014;
2. Scope, etc. of strengthening development density under Article 62: January 1, 2014;
3. Criteria for designation of, and methods for management of, development density control areas under Article 63: January 1, 2014;
4. Cost bearing by managers of public facilities under Article 105: January 1, 2014.

(2) The Minister of Land, Infrastructure and Transport shall review the validity of the following matters every two years (referring to the date immediately before the two yearly anniversary from the base date) from the following base date, and take measures, such as improvements: <Amended by Presidential Decree No. 25840, Dec. 9, 2014>

1. Expenses incurred in installing utility tunnels under Article 38: January 1, 2015;
2. Performance guarantee for permission for development activities under Article 59 (1): January 1, 2015;
3. Restrictions on permission for development activities under Article 60: January 1, 2015;
4. Limitations, etc. on activities in non-subdivided special-purpose areas under Article 86: January 1, 2015.

Article 134 (Standards for Imposition of Administrative Fines)

(1) Standards for imposing administrative fines under Article 144 (1) and (2) of the Act shall be as stipulated in attached Table 28.

(2) The Minister of Land, Infrastructure and Transport (referring to the Minister of Oceans and Fisheries in cases of a fishery-resource protection zone under Article 40 of the Act), a Mayor/Do Governor, or the head of a Si/Gun/Gu may aggravate or mitigate administrative fines by up to half the amounts stipulated in attached Table 28, in consideration of the motive, consequence, frequency, etc. of the violation in question. <Amended by Presidential Decree No. 24443, Mar. 23, 2013>

(3) Even where an aggravated administrative fine is imposed pursuant to paragraph (2), the amount of the administrative fine imposed shall not exceed the following amounts:

1. In cases falling under Article 144 (1) of the Act: Ten million won;
2. In cases falling under Article 144 (2) of the Act: Five million won.

ADDENDA

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2003.

Article 2 (Abrogation of other Enforcement Decrees)

The Enforcement Decree of the Act on the Utilization and Management of the National Territory and that of the Urban Planning Act are hereby abrogated, respectively.

Article 3 (Applicability to Facilities not being Structures)

@Article 83 (4) and Article 9 (6) of the Addenda shall apply starting from the first facilities not being the structures, installed after this Decree enters into force.

Article 4 (Special Cases on Installation of Waste Treatment Facilities)

Waste treatment facilities to be installed by a person liable to obtain a license for the business of intermediate waste treatment under Article 5 (2) of the Addenda of the amended Wastes Control Act (Act No. 5865), in conformity with the relevant licence requirements, may be installed without any urban planning decision by not later than July 1, 2003, notwithstanding Article 35 (1).

Article 5 (Special Cases on Building Volume Ratio within Natural Parks)

In cases where a park plan has been publicly announced under Article 16 of the Natural Parks Act as at the time this Decree enters into force, the building volume ratio within the relevant natural parks may follow the conditions set by the relevant park plans by not later than December 31, 2005, notwithstanding Article 85 (3) 3.

Article 6 (Special Cases on Designation of Class II District Unit Planning Zone)

"Requirements prescribed by the Presidential Decree" in Article 9 of the Addenda of the Act means the requirements falling under each subparagraph of Article 44 (1).

Article 7 (Special Cases on Limitations on Activities within District Unit Planning Zone)

(1) Where a district unit plan has been determined under the previous Urban Planning Act and the relevant statutes, and a supply of land has been approved under the related statutes, in areas under Article 51 (1) 3 and 5 of the Act as at the time this Decree enters into force, any limitation on construction, a building-to-land ratio, and a building volume ratio, etc. within the said areas may be governed by the conditions set by the relevant district unit plan, notwithstanding Chapter VI.

(2) A district unit plan falling under paragraph (1) may be altered within the limit of the building-to-land ratio and building volume ratio under the relevant district unit plan, and of the usage, type, size, etc. permitted under Article 46 (4).

Article 8 (General Transitional Measures)

Determinations, dispositions, procedures and other activities under the previous Enforcement Decree of the Act on the Utilization and Management of the National Territory or the Enforcement Decree of the Urban Planning Act as at the time, or after this Decree enters into force, shall be deemed to have been performed under this Decree.

Article 9 (Transitional Measures for General Residential Areas)

(1) A general residential area (excluding an area designated as a residential environment improvement area under Article 3 of the Act on Temporary Measures for the Improvement of Dwelling and Other Living Conditions for Low-Income Urban Residents), a Class-I general residential area, a Class-II

general residential area or a Class-III general residential area as of July 1, 2000 is not subdivided and designated as a Class-I general residential area, a Class-II general residential area or a Class-III general residential area, or is not altered and designated as other special-purpose areas by not later than June 30, 2003, the said areas shall be deemed a Class-II general residential area designated under Article 30, starting from July 1, 2003.

(2) By not later than the time a general residential area (excluding an area designated as a residential environment improvement area under Article 3 of the Act on Temporary Measures for the Improvement of Dwelling and Other Living Conditions for Low-Income Urban Residents) as of July 1, 2000 is subdivided and designated under paragraph (1) as a Class-I general residential area, a Class-II general residential area or a Class-III general residential area, or is altered and designated as other special-purpose areas, attached Table 18 of the amended Enforcement Decree of the Urban Planning Act (Presidential Decree No. 16891), shall apply to limitations on construction within the relevant areas, and a building-to-land ratio and a building volume ratio shall be governed by urban planning ordinance of the Special Metropolitan City, a Metropolitan City, or a Si/Gun not exceeding 60 percent and of not more than 400 percent, respectively.

(3) By not later than the time a Class-I general residential area, a Class-II general residential area or a Class-III general residential area as of July 1, 2000 is subdivided and designated under paragraph (1) as a Class-I general residential area, a Class-II general residential area or a Class-III general residential area, or is altered and designated as other special-purpose areas, the provisions for a Class-I general residential area, a Class-II general residential area and a Class-III general residential area under the amended Enforcement Decree of the Building Act (Presidential Decree No. 16284), shall apply to the limitations on construction, the building-to-land ratio and the building volume ratio within the relevant areas.

(4) In cases where an area designated as a residential environment improvement area under Article 3 of the Act on Temporary Measures for the Improvement of Dwelling and Other Living Conditions for Low-Income Urban Residents prior to December 31, 2004 (limited to an area deemed a general residential area under Article 5 of the same Act; hereafter the same shall apply in this paragraph and paragraph (5)), is not subdivided and designated as a Class-I general residential area, a Class-II general residential area or a Class-III general residential area under Article 30, or is not altered and designated as other special-purpose areas by not later than December 31, 2004, the relevant area shall be deemed a Class-III general residential area designated under Article 30, starting from January 1, 2005.

(5) By not later than the time an area designated as a residential environment improvement area under Article 3 of the Act on Temporary Measures for the Improvement of Dwelling and Other Living Conditions for Low-Income Urban Residents prior to December 31, 2004 is not subdivided and designated as a Class-I general residential area, a Class-II general residential area or a Class-III general residential area under paragraph (4), or is altered and designated as other special-purpose areas, attached Table 18 of the amended Enforcement Decree of the Urban Planning Act (Presidential Decree No.

16891), shall apply to the limitations on construction within the relevant area.

(6) Matters for structures under paragraphs (2), (3) and (5) shall apply to the limitations on the usage, type, size, etc. of facilities which are not structures within areas under paragraphs (2), (3) and (5).

Article 10 (Transitional Measures for Previous Special-Purpose Districts)

(1) A scenic district under Article 33 (1) 1 of the previous Urban Planning Act shall be deemed to have been subdivided and designated as a scenic district under each item of Article 31 (2) 1, as stipulated by urban planning ordinance of a City/Do, or a scenic district subdivided additionally by urban planning ordinance under the latter part of paragraph (3) of the same Article.

(2) A settlement district, industry promotion district, and facility site district under each item of subparagraph 1 of Article 7 of the previous Enforcement Decree of the Act on the Utilization and Management of the National Territory, shall be deemed subdivided and designated as a development promotion district under each item of Article 31 (2) 7, as stipulated by urban planning ordinance of a City/Do.

Article 11 (Transitional Measures for Facilities Installed within Previous Facility Site Districts)

(1) In cases where a facility site district under subparagraph 1 (e) of Article 7 of the previous Enforcement Decree of the Act on the Utilization and Management of the National Territory, under Article 14 (2) of the Addenda of the Act, being that designated for installing facilities listed in the right column of the following Table, and the said facilities fall under one of the following subparagraphs, it shall be deemed, starting from the enforcement date of this Decree, to have been determined and publicly announced as urban planning facilities, being infrastructure listed in the left column of the following Table: Provided, That where the boundaries for the said facilities are obscure, they shall be confirmed by the public announcement of topographical maps:

1. Where the relevant facilities are managed by the administrative office;
2. Infrastructure listed in the left column, which corresponds to the relevant facilities, does not fall under any subparagraph of Article 35 (1).

(2) For facilities which do not fall under paragraph (1) and which are located in a facility site district listed in the right column of the Table of paragraph (1), where topographical maps have been publicly announced pursuant to Article 32 (4) of the Act, such facilities shall be deemed determined and publicly announced as urban planning facilities, being infrastructure listed in the left column of the Table of paragraph (1). *<Newly Inserted by Presidential Decree No. 18240, Jan. 20, 2004>*

(3) Notwithstanding paragraphs (1) and (2), if a facility site district involving two or more facilities falls under any subparagraph of paragraph (1), it shall comply with the following standards: *<Amended by Presidential Decree No. 18240, Jan. 20, 2004>*

1. Where two or more facilities listed on the right column of the Table of paragraph (1) have been installed within a facility site district, they shall be deemed urban planning facilities, determined and publicly announced respectively, being infrastructure listed in the left column of the said Table: Provided, That where the boundary of each facility is obscure, they shall be deemed infrastructure

corresponding to the principal facilities, which have been determined and publicly announced as urban planning facilities;

2. Where facilities listed on the right column of the Table of paragraph (1) have been installed concurrently with those not listed in the same column within a facility site district, they shall be deemed urban planning facilities and development promotion district, which have been determined and publicly announced respectively: Provided, That where the boundary of a facility is obscure, it shall be deemed infrastructure corresponding to the principal facilities along by them, which have been determined and publicly announced as urban planning facilities and development promotion district.

Article 12 (Transitional Measures for Previous Urban Planning Facilities, etc.)

(1) Among urban planning facilities under the previous Urban Planning Act, scenic squares shall be deemed determined and publicly announced as general squares or scenic squares, as stipulated by urban planning ordinance of a City/Do.

(2) Among urban planning facilities under the previous Urban Planning Act, observation towers shall lose their effect of designation as urban facilities, starting from the date this Decree enters into force.

(3) Among urban planning facilities falling under the previous Urban Planning Act, sports grounds (excluding composite sports grounds) shall be deemed determined and publicly announced as athletic facilities, starting from the date this Decree enters into force.

(4) Where public facilities or public structures listed in the right column of the following Table, which have been established under Article 20 of the previous Act on the Utilization and Management of the National Territory or its location has been publicly announced, under Article 15 (2) of the Addenda of the Act, fall under any of the following subparagraphs, they shall be deemed infrastructure listed in the left column of the following Table, which have been determined and publicly announced as urban planning facilities, starting from the date this Decree enters into force: Provided, That where the boundaries of the said facilities are obscure, they shall be confirmed by public announcement of topographic map:

1. Where the relevant public facilities or public structures are managed by an administrative office;
2. Where the infrastructure listed in the left column which correspond to the relevant public facilities or public structures do not fall under any subparagraph of Article 35 (1).

(5) Where a topographic map under Article 32 (4) of the Act has been publicly announced with regard to public facilities or public structures listed in the right column of the Table under paragraph (4), which do not fall under the said paragraph, the relevant public facilities or public structures shall be deemed determined and publicly announced as urban planning facilities, being infrastructure listed in the left column of the said Table.

(6) Provisions for limitations on activities within a special-purpose area, special-purpose district, or special-purpose zone, in which the relevant public facilities or public structures are located, shall apply to public facilities or public structures excluding public facilities or public structures, which are deemed determined and publicly announced by urban planning facilities under paragraph (4) or (5).

Article 13 (Limitations on Activities within Management Areas)

(1) Attached Table 18 shall apply to the limitations on construction within management areas by not later than the time the management areas are subdivided under Article 18 (3) of the Addenda of the Act.

<Amended by Presidential Decree No. 20535, Jan. 8, 2008>

(2) The building-to-land ratio and building volume ratio within management areas shall be governed by urban planning ordinance of the Special Metropolitan City, a Metropolitan City, or a Si/Gun not exceeding 20 percent and 80 percent respectively, by not later than the time the management areas are subdivided under Article 18 (3) of the Addenda of the Act.

<Amended by Presidential Decree No. 20535, Jan. 8, 2008>

Article 14 (Transitional Measures for Hearing Opinions of Do Construction Comprehensive Planning Deliberation Committee)

Hearing the opinions of the Do urban planning committee may substitute for the matters subject to hearing of opinions of the Do construction comprehensive planning deliberation committee under the previous Act on the Utilization and Management of the National Territory after this Decree enters into force.

Article 15 (Transitional Measures for Matters Delegated to Urban Planning Ordinances)

(1) Municipal ordinances enacted under Articles 14 (4), 22 (5), 36 (6), 38 (4) and subparagraph 7 of Article 40 of the previous Enforcement Decree of the Urban Planning Act shall respectively apply by not later than the time urban planning ordinances are enacted under Articles 12 (4), 22 (5), 39 (7), 41 (5) and 43 (1) 7.

(2) Municipal ordinances enacted under Article 24 (4) 2 of the previous Enforcement Decree of the Urban Planning Act shall apply, to the extent they do not conflict with Article 25, to the matters among a district unit plan, which may be exempted from a joint deliberation by the construction committee and the urban planning committee, by not later than the time urban planning ordinances are enacted under Article 25 (4).

(3) Municipal ordinances enacted under Article 47 of the previous Enforcement Decree of the Urban Planning Act shall apply, to the extent they do not conflict with Article 53, to the minor activities which may be dispensed with permission for development activities, by not later than the time urban planning ordinances are enacted under Article 53.

(4) Municipal ordinances enacted under attached Table 1 of the previous Enforcement Decree of the Urban Planning Act shall apply, to the extent they do not conflict with Article 58 of the Act and attached Table 1 of this Decree, to the criteria for permission for development activities, by not later than the time urban planning ordinances are enacted under attached Table 1.

(5) Municipal ordinances enacted under Article 48 (3) of the previous Enforcement Decree of the Urban Planning Act shall apply, to the extent they do not conflict with Article 60 of the Act and Article 59 (2) of this Decree, to the computation of performance guarantee and its deposit method, by not later than the time urban planning ordinances are enacted under Article 59 (2).

(6) Municipal ordinances enacted under attached Tables 2 through 17 of the previous Enforcement Decree of the Urban Planning Act shall apply, to the extent they do not conflict with Article 76 of the Act and Article 71 of this Decree, to the structures allowed to be built under urban planning ordinance in the relevant special-purpose area, by not later than the time municipal ordinances are enacted under attached Tables 2 through 17.

(7) Structures allowed to be built by urban planning ordinance under attached Tables 18 through 23 and 27 shall be prohibited from being built within the relevant specific area or natural settlement district, by not later than the time urban planning ordinances are enacted under attached Tables 18 through 23 and 27.

(8) Notwithstanding paragraph (7), structures falling under each item of subparagraph 2 of attached Table 27 may be built by not later than June 30, 2003: Provided, That general restaurant falling under items (b) and (c) of the same subparagraph and structures falling under item (i) may be built within the limit of the municipal ordinance enacted under Article 14 (1) 4 of the previous Enforcement Decree of the Act on the Utilization and Management of the National Territory.

(9) Municipal ordinances enacted under Articles 52, 53, 55 through 57, and 60 of the previous Enforcement Decree of the Urban Planning Act shall respectively apply to the limitations on construction by special-purpose district, to the extent they do not conflict with Article 76 of the Act and Articles 72, 73, 75 through 77, and 82 of this Decree, by not later than the time urban planning ordinances are enacted under Articles 72, 73, 75 through 77, and 82.

(10) In cases of urban areas, municipal ordinances enacted under Articles 62 and 63 of the previous Enforcement Decree of the Urban Planning Act, and Article 7 (2) of its Addenda shall respectively apply to a building-to-land ratio and a building volume ratio, to the extent they do not conflict with Article 77 and 78 of the Act and Articles 84 and 85 of this Decree, by not later than the time urban planning ordinances are enacted under Articles 84 and 85, and Article 9 (2) of the Addenda.

(11) In cases of areas, other than an urban area, the maximum limit on a building-to-land ratio and a building volume ratio stipulated in Articles 84 (1) and 85 (1), and Article 13 (2) of the Addenda shall respectively apply to a building-to-land ratio and a building volume ratio, by not later than the time urban planning ordinances are enacted under Articles 84 (1), (3) and (6), and 85 (1) and (3), and Article 13 (2) of the Addenda.

(12) Municipal ordinances enacted under Article 86 of the previous Enforcement Decree of the Urban Planning Act shall apply to the matters necessary for the operation of local urban planning committees to the extent they do not conflict with Articles 113 through 115 of the Act and Articles 110 through 113 of this Decree, by not later than the time urban planning ordinances are enacted under Article 114.

(13) Municipal ordinances enacted under Article 90 (4) of the previous Enforcement Decree of the Urban Planning Act shall apply to the procedures for collection of administrative fines to the extent they do not conflict with Article 144 of the Act and Article 134 of this Decree, by not later than the time urban planning ordinances are enacted under Article 134 (4): Provided, That where no municipal

ordinance is enacted under the same Enforcement Decree, municipal ordinance enacted under Article 59 (4) of the previous Enforcement Decree of the Urban Planning Act shall apply.

Article 16 Omitted.

Article 17 (Relations with other Statutes)

(1) In cases where the previous Enforcement Decree of the Act on Utilization and Management of the National Territory or the previous Enforcement Decree of the Urban Planning Act, and its provisions are quoted in other statutes as at the time this Decree enters into force, if any corresponding provisions exist in this Decree, this Decree and the corresponding provisions in this Decree shall be deemed quoted in lieu of the previous provisions.

(2) In cases where urban planning zones under the previous Urban Planning Act are quoted in other statutes as at the time this Decree enters into force, zones falling under urban planning zones under the previous Urban Planning Act shall be deemed quoted, and after the urban management plan has been consolidated, urban areas shall be deemed quoted.

(3) In cases where a legal fiction is established for the alteration or determination of urban plans under the previous Urban Planning Act in other statutes as at the time this Decree enters into force, the relevant legal fiction shall be deemed to have established the alteration or determination of an urban management plan formulated for urban areas among urban management plans.

(4) In cases where the alteration or determination of the national territory utilization plans under the previous Act on the Utilization and Management of the National Territory has been legally deemed in other statutes as at the time this Decree enters into force, the relevant legal fiction shall be deemed to have established the alteration or determination of an urban management plan formulated for an area, other than urban areas among urban management plans.

ADDENDA <Presidential Decree No. 18044, Jun. 30, 2003>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2003.

Articles 2 through 13 Omitted.

ADDENDA <Presidential Decree No. 18108, Sep. 29, 2003>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 1, 2003.

Articles 2 through 7 Omitted.

ADDENDA <Presidential Decree No. 18146, Nov. 29, 2003>

Article 1 (Enforcement Date)

This Decree shall enter into force on November 30, 2003. (Proviso Omitted.)

Articles 2 through 15 Omitted.

ADDENDA <Presidential Decree No. 18240, Jan. 20, 2004>

- (1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.
- (2) (Applicability concerning Handling Procedures of Written Proposal for Devising Urban Management Plans) The amended provisions of Article 20 (1) shall apply from the first portion of proposed devising of an urban management plan after this Decree enters into force.
- (3) (Transitional Measures for Factory Construction within Management Area) The effect of permission for development activities obtained under the amended provisions of Article 56 of the Act and of subparagraph 1 (f) of attached Table 27 (excluding cases where the factory whose construction works were completed before December 31, 2002 is extended or remodeled within existing factory sites), shall expire in cases where failing to file a report on undertaking the works under Article 16 of the Building Act within one year after this Decree enters into force.

ADDENDUM <Presidential Decree No. 18312, Mar. 17, 2004>

This Decree shall enter into force on the date of its promulgation.

ADDENDUM <Presidential Decree No. 18680, Jan. 15, 2005>

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of subparagraph 1 (f) of attached Table 27 shall take effect on February 1, 2005.

ADDENDA <Presidential Decree No. 18978, Jul. 27, 2005>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 28, 2005.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 19036, Sep. 8, 2005>

- (1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.
- (2) (Applicability concerning Hearing Opinions of Residents on Urban Management Plans) The amended provisions of Article 22 (2) shall apply starting from the first hearing of opinions of residents on devising an urban management plan, after this Decree enters into force.
- (3) (Applicability concerning Criteria for Permit of Land Transactions) The amended provisions of Article 119 (1) 1 shall apply starting from the first portion of applying for a permit for land transaction contracts, after this Decree enters into force.
- (4) (Transitional Measures for Deposit Amount of Performance Guarantee of Permit for Development Activities) Notwithstanding the amended provisions of Article 59 (2), the previous provisions shall govern the deposit of performance guarantee on the persons who have already received a permit for development

activities as at the time this Decree enters into force.

ADDENDA <Presidential Decree No. 19073, Sep. 30, 2005>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 1, 2005. (Proviso Omitted.)

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 19130, Nov. 11, 2005>

(1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation.

(2) (Applicability concerning Submission of Written Plans for Raising Funds and Land Use Obligation) The amended provisions of Articles 117 (1) 7 and 124 (2) shall apply starting from the first application for permission for land transaction made after this Decree enters into force.

(3) (Transitional Measures for Existing City Natural Parks) Notwithstanding the amended provisions of Article 45 (2) 2, the previous provisions shall govern the city natural parks under Article 6 of the Addenda to the Act on Urban Parks, Greenbelts, Etc.

ADDENDA <Presidential Decree No. 19239, Dec. 30, 2005>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2006.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 19400, Mar. 23, 2006>

Article 1(Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Article 2 (Applicability concerning Relaxation of Building-to-Land Ratio, etc. within Class-I District Unit Planning Zone)

The amended provisions of Articles 46 (1) shall apply starting from the first hearing on the opinions of residents held in order to establish a Class-I district unit plan after this Decree enters into force.

Article 3 (Applicability concerning Permission Criteria for Land Transactions)

The amended provisions of Article 119 (1) and (2) shall apply starting from the first application for permission for land transaction made after this Decree enters into force by any person who has transferred land through consultation or has been subjected to expropriation for public works projects under the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects and other statutes, and intends to acquire land to substitute for the land transferred through consultation or expropriated within three years from the date of the said transfer through consultation, or expropriation.

Article 4 (Applicability concerning Establishment of Senior Welfare Facilities)

The amended provisions of subparagraphs 1 (f) and 2 (f) of attached Table 14 shall apply starting from the first senior welfare facilities whose application for permission for housing construction project plan is filed under the Housing Act after this Decree enters into force.

Article 5 (Transitional Measures for Permission for Development Activities)

Notwithstanding the amended provisions of subparagraph 5 of Article 51 and subparagraph 2 (d) (i) of attached Table 1, the previous provisions shall govern where an application for land split or an application for permission for development activities with regard to the land split within green zones has been made under Article 19 of the Cadastral Act before this Decree enters into force.

ADDENDA <Presidential Decree No. 19422, Mar. 29, 2006>

Article 1 (Enforcement Date)

This Decree shall enter into force on April 1, 2006.

Article 2 Omitted.

ADDENDA <Presidential Decree No. 19463, Apr. 28, 2006>

Article 1 (Enforcement Date)

This Decree shall enter into force on April 30, 2006.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 19586, Jun. 30, 2006>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 19639, Aug. 4, 2006>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 5, 2006.

Articles 2 through 6 Omitted.

ADDENDUM <Presidential Decree No. 19647, Aug. 17, 2006>

This Decree shall enter into force on the date of its promulgation.

ADDENDUM <Presidential Decree No. 20009, Apr. 19, 2007>

This Decree shall enter into force on April 20, 2007.

ADDENDA <Presidential Decree No. 20535, Jan. 8, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 13 of Addenda of the Enforcement Decree of the National Land Planning and Utilization Act (Presidential Decree No. 17816) shall enter into force on January 1, 2009.

Article 2 (Applicability concerning Composition of Urban Planning Committee)

The amended provisions of Article 111 (2) and 112 (2) shall apply to members who are newly appointed or entrusted under Articles 111 (3) and 112 (3) on or after the date this Decree enters into force.

Article 3 (Transitional Measures for Restrictions on Activities within Not Yet Subdivided Management Area)

Notwithstanding the amended provisions of Article 13 of Addenda of the Enforcement Decree of the National Land Planning and Utilization Act (Presidential Decree No. 17816), the previous provisions shall apply to the portion for which an application for permission, etc. for construction is under way or for which permission, etc. for construction was granted under the previous provisions within a management area that has not yet been subdivided as at the time this Decree enters into force.

ADDENDA <Presidential Decree No. 20585, Jan. 31, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Article 2 (Applicability to Cases where Provisions concerning Permission System of Land Transactions are not Applied)

The amended provisions of subparagraph 15 of Article 121 shall apply to a land transaction contract which is concluded under Article 118 (1) of the Act on or after the date this Decree enters into force.

ADDENDA <Presidential Decree No. 20647, Feb. 22, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 20722, Feb. 29, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 20791, May 26, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 20941, Jul. 28, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 21019, Sep. 18, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on September 22, 2008. (Proviso Omitted.)

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 21038, Sep. 25, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on September 29, 2008.

Article 2 (Repeal of other Statutes)

The Enforcement Decree of the Infrastructure Charges Act is hereby repealed.

Article 3 (Applicability to Cases where Provisions pertaining to Land Transaction Contract Permission System are not Applied)

The amended provisions of subparagraphs 3-2, 16-2 and 16-3 of Article 121 shall apply, starting from the first land transaction contract established after this Decree enters into force.

Article 4 (Special Cases on Publication of Standard Infrastructure Costs)

Notwithstanding the amended provisions of Article 68, the Minister of Land, Transport and Maritime Affairs shall publish standard infrastructure costs as of January 1, 2008 within ten days from the date this Decree enters into force.

ADDENDA <Presidential Decree No. 21052, Sep. 30, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 21098, Oct. 29, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 21214, Dec. 31, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 21231, Dec. 31, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2009.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 21445, Apr. 21, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 and 3 Omitted.

ADDENDUM <Presidential Decree No. 21488, May 13, 2009>

This Decree shall enter into force on the date of its promulgation.

ADDENDA <Presidential Decree No. 21565, Jun. 26, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 30, 2009. (Proviso Omitted.)

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 21625, Jul. 7, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 111 (1) and 112 (5) shall enter into force on August 1, 2009.

Article 2 (Period of Validity)

The amended provisions of Article 93 (4) shall remain valid for two years from the date this Decree enters into force.

Article 3 (Applicability)

The amended provisions of subparagraphs 6 and 16-4 of Article 121 shall also apply where permission for a land transaction contract has been obtained before this Decree enters into force.

Article 4 (Transitional Measures)

Matters delegated to municipal ordinance pursuant to Article 84 (5) 2 and 3, paragraph (7) of the same Article, the proviso to Article 93 (2), and subparagraph 2 (1) of attached Table 20 shall be governed by

the previous provisions until the relevant municipal ordinance is enacted or amended.

ADDENDA <Presidential Decree No. 21629, Jul. 16, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 21641, Jul. 27, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 31, 2009. (Proviso Omitted.)

Articles 2 through 15 Omitted.

ADDENDA <Presidential Decree No. 21665, Aug. 5, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 7, 2009.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 21669, Aug. 5, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 7, 2009.

Article 2 (Transitional Measures)

Matters delegated to municipal ordinance pursuant to Article 84 (3) shall be governed by the previous provisions until the relevant municipal ordinance is enacted or amended.

ADDENDA <Presidential Decree No. 21744, Sep. 21, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on October 1, 2009.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 21807, Nov. 2, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 21835, Nov. 20, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on November 22, 2009.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 21847, Nov. 26, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on November 28, 2009.

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 21881, Dec. 14, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 7 Omitted.

ADDENDA <Presidential Decree No. 21887, Dec. 15, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 12 Omitted.

ADDENDA <Presidential Decree No. 22128, Apr. 20, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on April 23, 2010. (Proviso Omitted.)

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 22142, Apr. 29, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Article 2 (Applicability)

The amended provisions of Article 55 (4) 5 shall apply beginning with the first application filed for permission for development activities after this Decree enters into force.

Article 3 (Transitional Measures concerning Delegated Matters to Urban Planning Ordinances)

Matters delegated to municipal ordinance under the amended provisions of Article 55 (5) 3 shall be governed by the previous provisions until the relevant municipal ordinance is enacted or amended.

ADDENDA <Presidential Decree No. 22151, May 4, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on May 5, 2010.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 22224, Jun. 28, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2010.

Articles 2 through 5 Omitted.

ADDENDUM <Presidential Decree No. 22264, Jul. 9, 2010>

This Decree shall enter into force on the date of its promulgation.

ADDENDA <Presidential Decree No. 22273, Jul. 12, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 13, 2010.

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 22420, Oct. 1, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 22467, Nov. 2, 2010>

This Decree shall enter into force on the date of its promulgation.

ADDENDA <Presidential Decree No. 22703, Mar. 9, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Article 2 (Applicability to Lenient Application of Building-to-Land, etc. within Class-I District Unit Planning Zone)

The amended provisions of Article 46 (1) 2 and 3 shall apply beginning with the first installation and offering of public facilities, etc. after the municipal ordinance under the amended provisions of Article 46 (1) 2 and 3 enters into force.

Article 3 (Applicability to Deliberation by Urban Planning Committee on Development Activities)

The amended provisions of Article 57 (1) 1-2 and Article 57 (4) 3 (a) shall apply beginning with the first application filed for permission for development activities after this Decree enters into force.

Article 4 (Applicability to Cases where Provisions for Permission System of Land Transaction are not Applied)

The amended provisions of subparagraph 8 and subparagraph 16-5 of Article 121 shall also apply where permission for land transaction contract was granted before this Decree enters into force.

Article 5 (Applicability to Relaxation of Land Use Obligation)

The amended provisions of Article 124 (1) 7-2 and 7-5 shall also apply where permission for land transaction contract was granted before this Decree enters into force.

Article 6 (Applicability to Amendment to Standards for Permission for Development Activities)

The amended provisions of subparagraph 1 (e) (iii) of attached Table 1-2 shall apply beginning with the first application filed for permission for development activities after this Decree enters into force.

Article 7 (Applicability to Matters Entrusted to Urban Planning Ordinance)

The matters entrusted to urban planning ordinance in accordance with the amended provisions of Article 57 (1) 1-2 (c) and (d) shall be governed by the provisions determined by municipal ordinance pursuant to the previous provisions of Article 55 (5) 3 and 5 until the relevant municipal ordinance is enacted or amended.

ADDENDA <Presidential Decree No. 22815, Apr. 1, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on April 1, 2011.

Articles 2 through 10 Omitted.

ADDENDA <Presidential Decree No. 23009, Jul. 1, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Article 2 (Transitional Measures concerning Reduction of Period for Processing Written Proposal)

Where a proposal for devising urban management plans under Article 26 (1) of the Act is received before this Decree enters into force, notwithstanding the amended provisions of Article 20, the previous provisions shall apply.

Article 3 (Applicability to Matters Entrusted to Urban Planning Ordinance)

The matters entrusted to urban planning ordinance in accordance with the amended provisions of subparagraph 1, other than each item, and subparagraph 2, other than each item, of attached Table 5 shall be governed by the previous provisions of subparagraph 1, other than each item, and subparagraph 2, other than each item, of attached Table 5 until the relevant municipal ordinance is enacted or amended.

ADDENDA <Presidential Decree No. 23073, Aug. 11, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on August 19, 2011.

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 23148, Sep. 16, 2011>

This Decree shall enter into force on the date of its promulgation.

ADDENDA <Presidential Decree No. 23297, Nov. 16, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.).

Article 2 Omitted.

ADDENDA <Presidential Decree No. 23356, Dec. 8, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 8, 2011. (Proviso Omitted.).

Article 2 Omitted.

ADDENDA <Presidential Decree No. 23502, Jan. 6, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 125 (1) shall enter into force on February 1, 2012.

Article 2 (Applicability to Standards for Formulation of Metropolitan City Planning)

The amended provisions of subparagraph 6 of Article 10 shall apply, beginning with the formulation of the first Metropolitan City planning after this Decree enters into force.

Article 3 (Applicability to Standards for Formulation of Urban Master Plans)

The amended provisions of subparagraph 9 of Article 16 shall apply, beginning with the formulation of the first urban master plan after this Decree enters into force.

Article 4 (Applicability to Standards for Formulation of Urban Management Plans)

The amended provisions of subparagraph 11 of Article 19 shall apply, beginning with the formulation of the first urban management plan after this Decree enters into force.

Article 5 (Applicability to Relaxed Application of Building-to-Land Ratio in Class I District Unit Planning Areas)

The amended provisions of Article 46 (1) shall apply, beginning with the construction of the first public sewage works after this Decree enters into force.

Article 6 (Applicability to Deliberation, etc. on Development Activities by Urban Planning Committee)

The amended provisions of Article 57 (1) 1-2 shall apply, beginning with the first application for permission for development activities after this Decree enters into force.

ADDENDA <Presidential Decree No. 23529, Jan. 25, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 26, 2012.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 23535, Jan. 25, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 26, 2012.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 23718, Apr. 10, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on April 15, 2012: Provided, That the amended provisions on a Special Self-Governing City and the Mayor thereof shall enter into force on July 1, 2012.

Article 2 (Applicability to Exceptions to Restrictions on Change of Urban or Gun Management Plans under other Acts)

The amended provisions of the proviso to Article 6 (1) shall apply, beginning with the first application for permission, authorization, approval or determination of a plan in which details that may assume a fact of the determination of an urban or Gun management plan are included pursuant to other Acts after this Decree enters into force.

Article 3 (Applicability to Designation of District Unit Planning Zones and Areas subject to Designation)

The amended provisions of Articles 42-2 and 43 (1) through (3), subparagraphs 1 and 5 of Article 44 and the latter part of Article 45 (2) shall apply, beginning with the first designation of a district unit planning zone or the first determination of a district unit plan after this Decree enters into force.

Article 4 (Applicability to Permission for Development Activities)

The amended provisions of Articles 51 (2) and 52 (1) 4, subparagraph 1 of Article 53, Article 56 (2) and (3), subparagraphs 2 (d) (i) (d) and 3 of attached Table 1-2 shall apply, beginning with the first application for permission for development activities after this Decree enters into force.

Article 5 (Applicability to Special Cases on Existing Buildings)

The amended provisions of Article 93 (1) shall apply, beginning with the first application for reconstruction, major repairs, extension and remodeling of a building pursuant to the Building Act after this Decree enters into force.

Article 6 (Applicability to Organization and Operation of City/Do Urban Planning Committee)

The amended provisions of the latter part of Article 111 (3) shall apply, beginning with the appointment or commission of new members pursuant to Article 111 (3) after this Decree enters into force.

Article 7 (General Transitional Measures)

- (1) "Urban planning", "urban master plan", "urban management plan", "urban planning facilities", "urban planning facilities project", "urban planning project", and "urban planning project operator" under the previous provisions as at the time this Decree enters into force shall be deemed "urban or Gun planning", "urban or Gun master plan", "urban or Gun management plan", "urban or Gun planning facilities", "urban or Gun planning facilities project", "urban or Gun planning project", and "urban or Gun planning project operator", respectively.
- (2) "Class I district unit plan" and "Class II district unit plan" under the previous provisions as at the time this Decree enters into force shall be deemed "district unit plan".

Article 8 (Transitional Measures concerning Industrial Development Promotion Districts and Distribution Development Promotion Districts)

- (1) An area designated as an industrial development promotion district or distribution development promotion district in accordance with the previous provisions as at the time this Decree enters into force shall be deemed an industrial and distribution development promotion district designated in accordance with the amended provisions of Article 31.
- (2) Where the procedures for making a determination on an industrial development promotion district or distribution development promotion district is in progress in accordance with the previous provisions as at the time this Decree enters into force, the procedures for making a determination on an industrial and distribution development promotion district shall be deemed in progress.

Article 9 (Transitional Measures concerning District Unit Planning Zones Designated in Areas other than Urban Areas)

Where it is impracticable for the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, the Governor of a Special Self-Governing Province, or the head of a Si/Gun to make a collective report under Article 42 (2) on urban or Gun planning facilities, etc. unexecuted for a long time in his/her jurisdiction as at the time this Decree enters into force, notwithstanding the amended provisions of Article 42 (2), he/she may report on urban or Gun planning facilities, etc. unexecuted for a long time by dividing proportionally by March 31, 2015.

Article 10 (Transitional Measures concerning District Unit Planning Zones Designated in Areas other than Urban Areas)

- (1) A zone in which the core functions of a district unit planning zone are designated as an industrial type or distribution type in an area other than an urban area in accordance with the previous provisions as at the time this Decree enters into force shall be deemed a zone in industrial and distribution type designated in accordance with the amended provisions of Article 42-2 (2) 10.
- (2) Where the procedures for making a determination is in progress to designate as an industrial type of distribution type in accordance with the previous provisions as at the time this Decree enters into force, the procedures for making a determination as an industrial and distribution type district unit plan shall be deemed in progress.

Article 11 (Transitional Measures concerning Cultural Resource Preservation Districts)

An area designated as a cultural resource preservation district in accordance with the previous provisions as at the time this Decree enters into force shall be deemed a historic and cultural environment preservation district designated in accordance with the amended provisions of subparagraph 1 of Article 76.

Article 12 (Transitional Measures concerning Floor Area Ratio in Specific Use Areas)

Notwithstanding the amended provisions of Article 85 (5) 3, the previous provisions shall apply to the floor area ratio in a park area with villages close together and park area with collective facilities determined by park planning pursuant to Natural Parks Act as at the time this Act enters into force.

Article 13 (Transitional Measures concerning Matters Delegated to Urban Planning Ordinance)

The previous provisions shall apply to matters delegated to urban planning ordinance in accordance with the amended provisions of subparagraph 2 (c) of attached Table 2, subparagraph 2 (h) of attached Table 16, subparagraph 2 (j) of attached Table 17, subparagraph 2 (i) of attached Table 19 and subparagraph 2 (a) of attached Table 22 until the relevant urban planning ordinance is enacted or amended.

Article 14 Omitted.

Article 15 (Relationships with other Statutes)

Where the previous provisions of the Enforcement Decree of the National Land Planning and Utilization Act are cited by other statutes as at the time this Decree enters into force, if the provisions corresponding thereto exist in this Decree, the relevant provisions of this Decree shall be deemed cited in lieu of the previous provisions.

ADDENDA <Presidential Decree No. 23755, Apr. 27, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Article 2 Omitted.

ADDENDA <Presidential Decree No. 23966, Jul. 20, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 22, 2012. (Proviso Omitted.)

Articles 2 through 6 Omitted.

ADDENDUM <Presidential Decree No. 24008, Jul. 31, 2012>

This Decree shall enter into force on August 2, 2012.

ADDENDA <Presidential Decree No. 19206, Dec. 28, 2005>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2006.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 24443, Mar. 23, 2013>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 24593, Jun. 11, 2013>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Article 2 (Transitional Measures concerning Matters Delegated to Urban or Gun Planning Ordinance)

The previous provisions shall apply to matters delegated to urban or Gun planning ordinance in accordance with the amended provisions of subparagraph 2 (f) of attached Table 16 and subparagraph 2 (j) of attached Table 20 until the relevant ordinance is enacted or amended.

ADDENDA <Presidential Decree No. 25090, Jan. 14, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 17, 2014: Provided, That the amended provision of Article 31 (5) 1 shall enter into force on August 14, 2014, and matters delegated to City or Gun planning ordinance pursuant to the amended provisions of Article 71 (1) 6 through 10, 13 and 19, and attached Tables 7 through 11, 14, 20 and 23 shall enter into force six months after the date of their promulgation.

Article 2 (Applicability to Alteration of Criteria for Formulation and Rearrangement of Urban or Gun Management Plan)

The amended provisions of subparagraph 9 of Article 19 and Article 29 (1) shall apply beginning with an urban or Gun management plan formulated after this Decree enters into force.

Article 3 (Transitional Measures concerning Matters Delegated to City or Gun Planning Ordinance)

The former provisions shall apply to matters delegated to City or Gun Planning Ordinance pursuant to the amended provisions of Article 71 (1) 6 through 10, 13 and 19, and attached Tables 7 through 11, 14, 20 and 23 until the relevant City or Gun Planning Ordinance is enacted or amended.

Article 4 (Transitional Measures concerning Alteration of Buildings Subject to Relaxation of Building-to-Land Ratios in Fire Prevention Districts)

Where a person applies for or obtains approval or permission under this Decree or other Acts and subordinate statutes as at the time this Decree enters into force, notwithstanding the amended provision of Article 84 (5) 1, the former provision shall apply thereto.

Article 5 (Transitional Measures concerning Relaxation of Building-to-Land Ratios when Enlarging Existing Factories on Existing Sites in Green Areas)

Where a person applies for or obtains approval or permission under this Decree or other Acts and subordinate statutes before July 6, 2013, notwithstanding the amended provisions of Article 93 (4), the former provisions shall apply thereto.

Article 6 (Transitional Measures concerning Authority to Determine Urban or Gun Management Plans for Designation or Alteration of Urbanization Coordination Zones in Connection with State Plans)

Notwithstanding the amended provision of Article 133 (1) 3, the former provision shall apply where the procedure for determining an urban or Gun management plan for designation or alteration of an urbanization coordination zone is proceeding pursuant to the former provision as at the time this Decree enters into force.

ADDENDA <Presidential Decree No. 25273, Mar. 24, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That Article 4 (2) of Addenda (limited to the amended provision of subparagraph 2 (d) of attached Table 20 of the partially amended Enforcement Decree of the National Land Planning and Utilization Act, Presidential Decree No. 25090) shall enter into force on July 15, 2014.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 25279, Mar. 24, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 25339, Apr. 29, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Articles 2 and 3 Omitted.

ADDENDUM <Presidential Decree No. 25432, Jun. 30, 2014>

This Decree shall enter into force on July 1, 2014.

ADDENDA <Presidential Decree No. 25456, Jul. 14, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 15, 2014.

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 25483, Jul. 16, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 25652, Oct. 14, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 4 Omitted.

ADDENDUM <Presidential Decree No. 25661, Oct. 15, 2014>

This Decree shall enter into force on the date of its promulgation.

ADDENDA <Presidential Decree No. 25718, Nov. 11, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 70-7 (1) and (4) shall enter into force three months after the date of its promulgation.

Article 2 (Applicability to Payment of Infrastructure Installation Costs)

The amended provisions of Article 70-7 (1) and (4) shall begin to apply from the first infrastructure installation cost imposed after the enforcement date referred to in the proviso to Article 1 of Addenda.

ADDENDA <Presidential Decree No. 25751, Nov. 19, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of a Presidential Decree, promulgated before this Decree enters into force, but the date they are to enter into force, has not yet arrived, among Presidential Decrees amended pursuant to Article 5 of Addenda, shall enter into force on the date the relevant Presidential Decree enters into force, respectively.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 25773, Nov. 24, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 25840, Dec. 9, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2015.

Articles 2 and 16 Omitted.

ADDENDUM <Presidential Decree No. 26027, Jan. 6, 2015>

This Decree shall enter into force on the date of its promulgation.

ADDENDA <Presidential Decree No. 26096, Feb. 10, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Article 2 (Applicability to Determination of Urban or Gun Management Plans)

The amended provisions of Article 25 (3) 6-2 shall also apply where procedures for determination of an urban or Gun management plan are in progress as at the time this Decree enters into force.

ADDENDUM <Presidential Decree No. 26142, Mar. 11, 2015>

This Decree shall enter into force on the date of its promulgation.

ADDENDA <Presidential Decree No. 26302, Jun. 1, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 4, 2015.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 26316, Jun. 15, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 29, 2015. (Proviso Omitted.)

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 26381, Jul. 6, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 16-2 and 21 (2) shall enter into force on July 7, 2015.

Article 2 (Applicability to Details of District Unit Plans)

The amended provisions of Article 45 (4) 7 shall begin to apply from the first district unit plan formulated after this Decree enters into force.

