



Challenges and Limits of the Participatory Process in the Revision of the Master Plan of Vitória (ES)

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Challenges and limits of the participatory process in the revision of the Master Plan of Vitória (ES)

ABSTRACT

Objective – To analyze the participatory dynamics that shaped the revision process of the Master Plan (Municipal Law No. 6.705/2006) of the municipality of Vitória (ES), with emphasis on the role of the Municipal Council of the Urban Master Plan (CMPDU).

Methodology – The empirical investigation was grounded in a theoretical framework that privileged the analysis of three fundamental aspects: (i) to what extent public debate within participatory institutions influenced the Master Plan and how the trajectory of civil society's political organization conditioned representation; (ii) how participation was absorbed by the State, in this case by the municipal government of Vitória; and (iii) the weight of the institutional framework (Federal Constitution, City Statute, and local legislation) in municipal planning.

Originality/Relevance – The study examines the participatory process of revising Vitória's Master Plan from an approach that incorporates: the impact of different participatory formats and the reaction of the political system, that is, the appropriation and involvement of civil society in the process; the extent to which the local government incorporated the demands and contributions generated by society at different stages of participation; and the influence of federal and municipal legislation on the design and effectiveness of the participatory process.

Results – The analysis highlights the sphere of activity of the Municipal Council of the Urban Master Plan—an advisory body on urban planning and Urban Policy matters—where evidence indicates that debates, content changes, and societal participation were more intense.

Theoretical/Methodological Contributions – The research reinforces the importance of critically analyzing participatory processes of drafting and revising master plans, evaluating their effectiveness given that they are recent and still under construction. In addition, it identifies limits and challenges related to the need to break away from traditional practices of urban management and planning, as well as the promotion of greater capacity-building among society, particularly among more vulnerable groups.

Social and Environmental Contributions – The study underscores the importance of social participation in the process of drafting/revising the Master Plan, which, as the *basic instrument of urban policy*, must incorporate mechanisms for environmental qualification of urban spaces and guarantee the right to *sustainable and democratic* cities.

Keywords: Participation; Master Plan; Vitória.

2

Desafios e limites do processo participativo de revisão do Plano Diretor de Vitória (ES)

RESUMO

Objetivo - Analisar a dinâmica participativa que marcou o processo de revisão do Plano Diretor (Lei Municipal nº 6.705/2006) do município de Vitória (ES), destacando-se a atuação do Conselho Municipal do Plano Diretor Urbano (CMPDU).

Metodologia - A investigação empírica se baseou em marco teórico que privilegiou a abordagem de três aspectos fundamentais: i) em que medida o debate público no âmbito das instituições participativas impactou o Plano Diretor e como a trajetória de organização política da sociedade civil condicionou a representação; ii) como a participação foi absorvida pelo Estado, no caso, pelo governo municipal de Vitória; (iii) qual o peso do marco institucional (Constituição Federal, Estatuto da Cidade e legislação local) no planejamento municipal.

Originalidade/relevância – O estudo analisa o processo participativo de revisão do plano diretor de Vitória (ES) a partir de uma abordagem que incorpora: o impacto dos diferentes formatos participativos e a reação do sistema político, ou seja, a apropriação e o envolvimento da sociedade civil no processo; o alcance admitido pelo governo local às demandas e contribuições produzidas pela sociedade nos diferentes momentos de participação; e, o peso das legislações federal e municipal no formato e na efetividade do processo participativo.

Resultados – A análise destaca a esfera de atuação do Conselho Municipal do Plano Diretor Urbano – órgão consultivo em matéria de natureza urbanística e de Política Urbana –, instância na qual há evidências de que os debates, as mudanças de conteúdos e a participação societária foram mais intensos.



Contribuições teóricas/metodológicas - A pesquisa reforça a importância da análise crítica dos processos participativos de elaboração e revisão dos planos diretores avaliando sua efetividade, por se tratar de um processo recente e em construção. Além disso, identifica limites e desafios relacionados à necessidade de rompimento com as velhas práticas da gestão e planejamento urbano, bem como promoção de maior capacitação da sociedade, em especial dos segmentos mais vulneráveis.

Contribuições sociais e ambientais - O estudo evidencia a importância da participação social no processo de revisão/elaboração do Plano Diretor, que, como “instrumento básico da política urbana” deve incorporar dispositivos de qualificação ambiental dos espaços urbanos, e, garantir o direito às “cidades sustentáveis” e “democráticas”.

PALAVRAS-CHAVE: Participação; Plano Diretor; Vitória.

Desafíos y límites del proceso participativo de la revisión del Plan de Ordenación Urbana de Vitória (ES)

RESUMEN

Objetivo – Analizar la dinámica participativa que marcó el proceso de revisión del Plan de Ordenación (Ley Municipal n.º 6.705/2006) del municipio de Vitória (ES), destacando la actuación del Consejo Municipal del Plan de Ordenación Urbana (CMPDU).

Metodología – La investigación empírica se basó en un marco teórico que privilegió el análisis de tres aspectos fundamentales: i) en qué medida el debate público en el ámbito de las instituciones participativas impactó el Plan de Ordenación y cómo la trayectoria de organización política de la sociedad civil condicionó la representación; ii) cómo la participación fue absorbida por el Estado, en este caso, por el gobierno municipal de Vitória; y iii) cuál fue el peso del marco institucional (Constitución Federal, Estatuto de la Ciudad y legislación local) en la planificación municipal.

Originalidad/relevancia – El estudio analiza el proceso participativo de revisión del Plan de Ordenación de Vitória (ES) a partir de un enfoque que incorpora: el impacto de los diferentes formatos participativos y la reacción del sistema político, es decir, la apropiación y el involucramiento de la sociedad civil en el proceso; el alcance otorgado por el gobierno local a las demandas y contribuciones producidas por la sociedad en los distintos momentos de participación; y la influencia de las legislaciones federal y municipal en el diseño y la efectividad del proceso participativo.

Resultados – El análisis destaca la esfera de actuación del Consejo Municipal del Plan de Ordenación Urbana – órgano consultivo en materia urbanística y de Política Urbana –, instancia en la cual existen evidencias de que los debates, los cambios de contenido y la participación social fueron más intensos.

Aportaciones teóricas/metodológicas – La investigación refuerza la importancia del análisis crítico de los procesos participativos de elaboración y revisión de los planes de ordenación, evaluando su efectividad, ya que se trata de un proceso reciente y aún en construcción. Además, identifica límites y desafíos relacionados con la necesidad de romper con las viejas prácticas de gestión y planificación urbana, así como de promover una mayor capacitación de la sociedad, en especial de los segmentos más vulnerables.

Aportaciones sociales y ambientales – El estudio pone de relieve la importancia de la participación social en el proceso de elaboración/revisión del Plan de Ordenación, que, como “instrumento básico de la política urbana”, debe incorporar mecanismos de cualificación ambiental de los espacios urbanos y garantizar el derecho a “ciudades sostenibles” y “democráticas”.

PALABRAS CLAVE: Participación; Plan de Ordenación Urbana; Vitória.



1 INTRODUCTION

The process of democratization in Brazil after 21 years of authoritarian rule was accompanied by several institutional innovations, including a chapter dedicated to Urban Policy in the Federal Constitution (Art. 182 and Art. 183) and its subsequent regulation through Federal Law No. 10,257/2001 (City Statute). Thus, the ideas of urban reform were institutionally consecrated, synthesized in three pillars: adoption of the principle of the social function of property; inclusion and recognition of the tenure rights of the inhabitants of precarious settlements (favelas and peripheries); and democratic planning with the participation of society (Rolnik, 2009).

In this new approach, the Master Plan was declared as a basic instrument of urban development policy in the Federal Constitution (Art. 182) and mandatory for municipalities with more than 20,000 inhabitants, as a responsibility of local governments. Beyond normative principles regarding content, at the procedural level the requirement for democratic management of cities became a central element of urban reform, as it is “based on the search for democratic and participatory management of the city, justice and social equity” (Oliveira; Lopes; Sousa, 2018, p. 325).

The City Statute reinforced this principle by requiring “the promotion of public hearings and debates with the participation of the population and associations representing the various segments of the community” (Brazil, 2001, item I, §4 of Art. 40). These guidelines were reinforced during the first cycle of implementation by the Ministry of Cities (2003–2006), which developed several actions to guide participatory processes for the elaboration or revision of Master Plans, including the training of social actors, shared coordination, transparency, and publicity of discussions (Perioto, 2016).

The new rules of the Brazilian legal-urban system enabled the establishment of participatory practices in several municipalities, such as collegiate bodies of Urban Policy, conferences on issues of urban interest, debates, hearings, and public consultations (Brazil, 2001, Art. 43), aiming to build a model of political practices open to the participation of social actors. In this sense, democratic participation became a guiding principle for city management, allowing the inclusion of new actors in urban planning processes (Cassaniga; Mondini, 2022).

This context of incorporating social participation into decision-making processes — especially the mandatory involvement of social actors in the elaboration, revision, and implementation of Master Plans — has increased concern about evaluating the effectiveness of these participatory processes, since they represent an innovation still in development and experimentation. Consequently, critical analysis of the role of Master Plans has had to incorporate their new substantive and methodological meanings.

Within this context and the new institutional framework of Urban Policy, this article analyzes the participatory dynamics that characterized the revision process of the Master Plan (Municipal Law No. 6,705/2006) of the municipality of Vitória (ES), highlighting the role of the Municipal Council of the Urban Master Plan (CMPDU).

The Plan under revision was originally approved in 2006, five years after the enactment of the City Statute, and incorporated instruments for the democratization of urban management



provided therein, introducing participatory procedures into the exercise of municipal Urban Policy, including the revision of the Master Plan. The revision process adopted a dynamic of public discussions that broadened debate and complied with the procedural requirements of federal and municipal legislation.

The article is structured into four additional sections beyond this Introduction. The next section summarizes the methodological procedures of the research. The following section presents an overview of how the participatory process of revising the Master Plan was established. The subsequent section explores the centrality of the Municipal Council of the Urban Master Plan, understood as the privileged arena of debate and societal representation. The final section discusses the main findings and formulates explanatory hypotheses regarding the limits and challenges of the participatory process.

2 METHODOLOGICAL PROCEDURES AND THEORETICAL FRAMEWORK

The results presented here derive from qualitative research that mobilized different fields of knowledge (Creswell, 2007). Accordingly, the study was supported by a multidisciplinary theoretical framework involving multiple areas of knowledge due to its thematic scope. In addition to Urbanism and Urban and Regional Planning, the research also incorporated contributions from Political Science and Public Policy, Urban Sociology, and Urban Law.

The initial stages consisted of a literature review and an urban and socioeconomic characterization of Vitória. Subsequently, archival research was conducted to collect materials documented by the Municipality of Vitória, including urban legislation, minutes, and records related to the Master Plan revision process, particularly those produced within the Municipal Council of the Urban Master Plan (CMPDU).

At the theoretical level, three key analytical dimensions were considered for the evaluation of the case study (Avritzer, 2008):

- (i) the extent to which public debate within participatory institutions influenced the Master Plan and how the trajectory of political organization within civil society conditioned representation;
- (ii) how participation was incorporated by the State, in this case by the municipal government of Vitória; and
- (iii) the influence of the institutional framework (Federal Constitution, City Statute, and local legislation) on municipal planning.

The first dimension allowed the identification of institutionalized representative forms (councils and conferences) as well as more open forms of participation (hearings, public meetings, and territorial assemblies), following the typology proposed by Avritzer (2008). It also enabled the analysis of the reaction of the political system to participatory formats involving professional associations, community movements, unions, NGOs, and other organizations. As highlighted by Goulart, Terci, and Otero (2017, p. 113), “a stronger associative tradition and a greater capacity for mobilization tend to produce more expressive participatory results.”

The second dimension evaluated the extent to which the local government incorporated demands and contributions presented during the different stages of public



participation and discussion. In other words, it examined the degree to which societal proposals were incorporated into urban regulations.

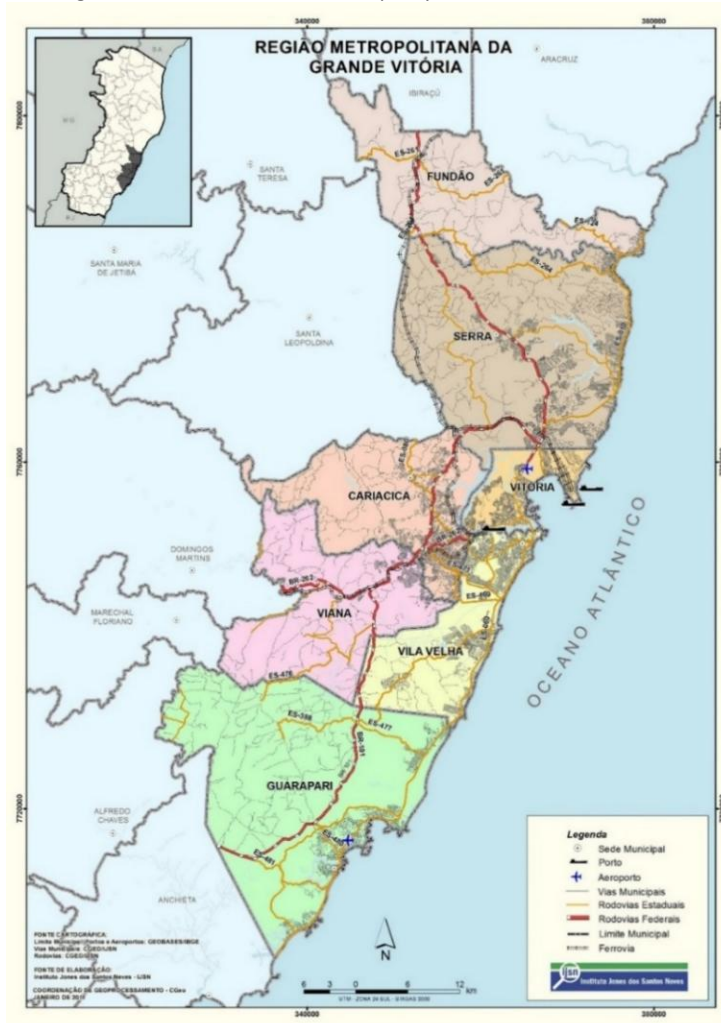
Finally, the third dimension made it possible to understand the influence and impact of federal and municipal legislation on the effectiveness of the participatory process, both through its contribution to the Master Plan—via the incorporation of its instruments, guidelines, and policies—and through the application of its participatory framework.

Based on these analytical categories, the study sought, on the one hand, to evaluate the effectiveness of the participatory process involved in the revision of the Master Plan of Vitória and, on the other hand, to identify the advances and limitations of this experience.

3 THE MUNICIPALITY OF VITÓRIA, THE MASTER PLAN AND THE PARTICIPATORY PROCESS

The municipality of Vitória is the capital and administrative center of the state of Espírito Santo and forms part of the Metropolitan Region of Greater Vitória (RMGV), which includes the municipalities of Cariacica, Fundão, Guarapari, Serra, Viana, Vila Velha, and Vitória (Figure 1). According to the Brazilian Institute of Geography and Statistics (IBGE), the capital of Espírito Santo has a territorial area of 97.123 km², an estimated population of 343,378 inhabitants (2025), and a Municipal Human Development Index (MHDI) of 0.845 (2010). Data from the Jones dos Santos Neves Institute indicate that the total housing deficit in 2023 was approximately 11,300 housing units, equivalent to 8.5% of the population, (including precarious housing, family cohabitation, excessive rent burden, and excessive household density).

Figure 1 – Location of the Municipality of Vitória and the RMGV



Source: Jones dos Santos Neves Institute (2011).

The intra-urban structure of Vitória reveals a territory strongly marked by socio-spatial segregation. Lower-income populations tend to be concentrated in areas characterized as part of the “informal city,” where irregular occupation and self-built housing prevail, often with high demographic densities. These patterns result from land occupation processes that occur outside formal territorial planning regulations. In contrast, higher-income populations are concentrated in neighborhoods resulting from formal urban planning, subdivisions, and significant public investments, which provide urban infrastructure, services, and public facilities.

The first Master Plan of the municipality (Municipal Law No. 3,158, of October 2, 1984) was enacted before the approval of the Federal Constitution and the constitutional requirement that municipalities with more than 20,000 inhabitants adopt Master Plans. In terms of participation, the 1984 Master Plan established the Municipal Council of the Urban Master Plan (CMPDU), defined as “an advisory body to the Municipal Mayor in the general coordination and administrative integration of municipal urban planning activities” (Vitória, 1984, Art. 7).

The second Master Plan (Municipal Law No. 4,197 of December 27, 1994) maintained the CMPDU, defining it as an advisory body of the Executive Branch responsible for analyzing



and proposing measures related to the implementation of Urban Policy and monitoring the execution of the Master Plan's guidelines. The law also provided mechanisms to ensure participation in urban planning through the representation of community entities and associations within working groups, commissions, and collegiate bodies (Vitória, 1994).

The third Master Plan (Municipal Law No. 6,705 of October 10, 2006) was approved during the National Campaign for Participatory Master Plans led by the Ministry of Cities (Maricato, 2012). This plan incorporated the main Urban Policy instruments established by the City Statute, including Compulsory Parceling, Building or Use (PEUC), Progressive Property Tax (IPTU) over time, the Onerous Grant of the Right to Build (OODC), Transfer of Development Rights (TDC), Urban Consortium Operations (OUC), Neighborhood Impact Studies (EIV), and the Right of Preemption. It also incorporated "democratic management of the city" as a fundamental principle of Urban Policy (Vitória, 2006).

The Municipal System of Urban Planning and Management (SMPGU) was also created, establishing democratic and participatory structures intended to enable the development of a continuous, dynamic, and flexible planning process (Vitória, 2006, Art. 35). The system includes instruments of urban management—such as the Municipal Conference on Urban Policy (City Meeting), Territorial Assemblies, the City Forum, the Municipal Council of the Urban Master Plan, and Participatory Budgeting—as well as instruments of popular participation, including public hearings, debates, consultations, legislative initiatives by citizens, plebiscites, and referenda.

The dynamics of the revision of the Master Plan relied on several participatory mechanisms, including public hearings, consultations with regional and sectoral groups, a collaborative website¹, thematic seminars, round tables, territorial assemblies, meetings of the CMPDU, and finally the Municipal Conference on Urban Policy (City Meeting). These mechanisms aimed to foster an environment conducive to the social construction of the city by transforming individual interests into collective values in the face of conflicting demands (Mendes; Pasquotto; Salcedo, 2025).

The public hearings (regional and sectoral), the collaborative website, and the Thematic Seminars and Round Table were moments dedicated to listening and to collecting demands and contributions from civil society and productive sectors. During the Thematic Seminars, topics related to democratic management, the characterization of the city, and the construction of the PDU were addressed. In addition, lectures were offered on the urban policy instruments established by the Statute, particularly the Onerous Grant of the Right to Build. Notably, this public event marked the first and only occasion on which this instrument was publicly discussed.

The Territorial Assemblies, organized according to the municipality's nine Administrative Regions (ARs), played an important role in the process. In these assemblies, the guiding principles of the legislation were presented, the main proposed changes were discussed, and delegates representing each region at the City Meeting were elected².

¹ The collaborative site "www.minhavitoria.com.br" has been retired and is no longer available.

² The municipality is made up of 80 neighborhoods distributed in 9 Administrative Regions (Municipal Law No. 8,611/2014), namely: (1) Downtown; (2) Saint Anthony; (3): Jucutuquara; (4) Maruípe; (5) Praia do Canto; (6) Guava trees; (7) St. Peter; (8) Camburi Garden; and (9) Jardim da Penha. AR 1 is characterized by a mix of formal and informal



The CMPDU played a central role in the participatory process at two key moments: monitoring the participatory process and analyzing, proposing, and approving changes to the Master Plan law before they were submitted to the Municipal Conference on Urban Policy (Vitória, 2006, Art. 47).

At first, the CMPDU followed the public events and participated in Round Table meetings, which consisted of presentations of the results of the community reading and the technical reading, encompassing the analytical assessment of the content of the current Master Plan, as well as the socioeconomic and technical-thematic diagnoses.

The second stage was characterized by an extensive discussion of the draft Bill. At this point, the analysis of the proposal was deepened, and the council members gained access to the full content of the law (text and annexes). Considering that, until then, the draft had been publicly presented only through highlights of its main innovations, changes, and guidelines, the importance of the CMPDU in the drafting of the Master Plan law becomes evident. This process constitutes an authentic experience of “power sharing” (Avritzer, 2008) between the Municipal Executive and civil society.

The City Meeting marked the final stage of the public discussions of the Bill. With the formalization and election of delegates³, the municipality made the draft Bill available on the collaborative website so that the population could review it and submit requests for changes or additional contributions, which would later be debated and voted on during the event.

According to Avritzer (2008), the analysis of different modalities of participatory designs that emerged during the democratization process — such as Participatory Budgeting, collegiate bodies/public policy management councils, and Master Plans — allows for the identification of different formats of participatory institutions. For this author, participatory institutions are “differentiated forms of incorporation of citizens and civil society associations in policy deliberation” (Avritzer, 2008, p. 45).

Avritzer distinguishes three forms of participation. The first is “bottom-up participation,” which includes Participatory Budgeting, whose main characteristic is openness to the participation of any citizen. The second is “power sharing,” which encompasses collegiate bodies and public policy management councils, bringing together actors from both the public authorities and civil society. These bodies are characteristically representative, as they “presuppose selective participation based on the transfer of prerogatives and the selection of representatives” (Goulart, 2020, p. 7).

The third format is “public ratification.” In this model, society does not participate directly in the decision-making process; that is, it is not invited to elaborate or define the public policy to be implemented. Instead, due to legal requirements, the population is invited to

occupation, with a concentration of average income. RAs 2 and 4 and 9 are the portions of the territory predominantly occupied by low-income population and where the territories of greatest social and environmental vulnerability are formed. RA 3 mixes planned neighborhoods where the middle to high income population resides. The regions with very high concentrations of income and that cover the areas of formal planning are RAs 5, 6 and 8. RAs 6, 8 and 9 occupy the continental portion, and the others are distributed on the island.

³ The representativeness at the City Meeting was similar to that of the CMPDU, consisting of two-thirds representatives of civil society (entities and residents according to the Administrative Regions – RAs) and one-third representatives of the public authorities.



publicly endorse a previously formulated proposal. Master Plans would fit within this model (Avritzer, 2008).

It can be observed that, in the participatory process for the revision of the Master Plan of Vitória, instruments were adopted that simultaneously reflected different participatory designs, such as public hearings and territorial assemblies (“bottom-up participation”), Urban Policy collegiate bodies (“power sharing”), and conferences and the City Meeting (“public ratification”), since the Executive branch maintained control over the agenda. Finally, it can be stated that the process took place under a strong influence of institutional norms.

4 THE PARTICIPATORY DYNAMICS IN THE CMPDU

Established in the 1984 Master Plan (PD), the CMPDU was maintained and further developed in the subsequent Master Plans of 1994 and 2006. The changes introduced in 2006 were the most significant, including the expansion of its competencies and the restructuring of its composition. The number of members increased from 15 to 24⁴, taking as a reference the territorial division of the municipality into Administrative Regions (RAs)⁵. The council thus came to be composed of two-thirds representatives of civil society (entities and residents) and one-third representatives of the public authorities.

The CMPDU constitutes an authentically representative body within the “power-sharing” format (Avritzer, 2008), which presupposes the shared participation of government representatives and representatives of various segments of civil society, such as associations, professional entities, unions, NGOs, public agencies, community associations, and social movements. The 2006 Master Plan (PDU) increased the proportion of civil society members and expanded the number of popular representatives, who had previously been represented only by a single nominee through the Popular Council of Vitória.

The relevance of these changes is associated with the context in which the 2006 PDU was formulated, occurring after the promulgation of the City Statute (2001) and amid the broader institutionalization of participatory mechanisms in Brazil (Lavalle, 2011). Therefore, understanding the composition and internal dynamics of the CMPDU makes it possible to grasp the weight of the political organization of the represented groups in the formulation of the new Master Plan.

In this regard, it is important to highlight that—unlike the representatives of residents, who were incorporated into discussions related to municipal Urban Policy only in 2006—representatives of civil society organizations had been part of the CMPDU since its creation in 1984. These included representatives from the Institute of Architects of Brazil – Espírito Santo

⁴ The composition of the CMPDU includes: eight representatives (incumbents and their respective alternates) from the Administrative Regions of the municipality, elected by residents of each region in territorial assemblies; another eight representatives (incumbents and their respective alternates) from municipal secretariats, the City Council, and the state government; and, finally, eight representatives (full members and their respective alternates) from civil society, including professional entities related to urban planning, the real estate sector, commerce and industry, and universities.

⁵ Until 2006, the municipality was composed of eight RAs. With the approval of Municipal Law No. 8,611/2014, the administrative division was expanded to nine RAs. This change led to the expansion of the number of CMPDU members in the current Master Plan (Municipal Law No. 9,271/2018).



Section (IAB/ES), the Espírito Santo Society of Engineers, the Federation of Industries of the State of Espírito Santo (FINDES), and the Commercial Association of Vitória. Such representatives, already familiar with the dynamics of implementation, monitoring, and regulation of the Master Plan, accumulated a trajectory of experience and technical knowledge.

In addition, it is important to consider the technical training, the privileged economic conditions, and the professional performance of these social actors—generally architects, urban planners, engineers, managers of construction companies, entrepreneurs, or professionals working in the real estate market—who possess a deeper understanding of the content and impacts of urban legislation.

Likewise, representatives of the public authorities had been part of the CMPDU since its creation. In addition, they were technical staff members of municipal administrative bodies responsible for areas related to urban legislation, such as urban planning, environment, housing, public works, and mobility, and they participated in the debates surrounding the preparation of the draft Bill for the revision of the Master Plan. It is also worth highlighting the participation of a representative from the Legislative Branch and the Jones dos Santos Neves Institute (IJSN), a state government agency responsible for developing studies and diagnoses in several areas in order to support the formulation of public policies.

The competencies assigned to the CMPDU by the 2006 Master Plan gave it a hybrid operational character, since, while it functions as an advisory body, it is also deliberative with regard to most of its attributions⁶.

Under the terms of the 2006 Master Plan, the discussion of the draft Bill within the scope of the CMPDU constituted a fundamental step both for the legitimacy of the process and for the definition of the final proposal, since the council was assigned the role of analyzing the Bill, proposing amendments, and approving it. In this sense, the council assumed a dual character, both consultative and deliberative.

However, it should be noted that “the deliberations of the CMPDU regarding amendments to the legislation may be vetoed by the Executive Branch” (Vitória, 2006, §5 of art. 45). This provision highlights the significant weight of the State in decision-making processes, since it ultimately falls to the local government to incorporate—partially or entirely—the content formulated within participatory arenas through an act of ratification. Moreover, the Municipal Executive retained control over the presidency of the CMPDU through a representative of the City Development Secretariat (SEDEC), revealing the decisive importance of the variable related to “the way in which the State relates to participation”, as well as the public ratification character of the institutional design of the Master Plan (Avritzer, 2008).

The stage dedicated to discussing the draft Bill within the CMPDU was mandatory and took place between July 2016 and June 2017. In total, 64 ordinary and extraordinary meetings were held. The dynamics established by the council members allowed for a detailed examination of the draft Bill, the proposal of amendments to the text, and, finally, deliberation on the highlights and contributions presented by the council members through voting.

⁶ Municipal Law No. 6,705/2006, when defining the CMPDU's attributions, employs verbs such as “analyze,” “propose,” “approve,” “adjust,” “manage,” “convene,” and “deliberate,” indicating binding competencies.

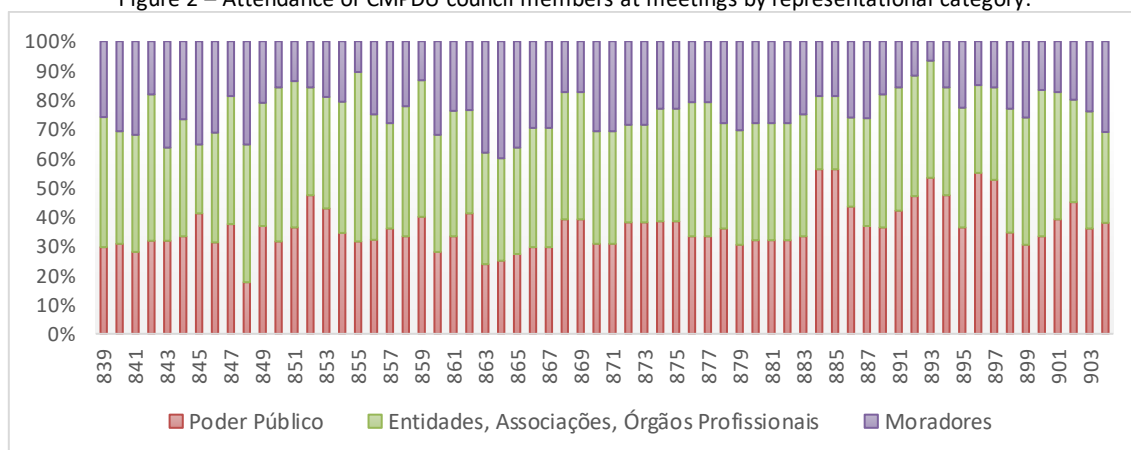
The Bill for the revision of the Master Plan was submitted to the council in an incomplete form, as most of its instruments were not self-applicable and therefore required subsequent regulation. Nevertheless, the draft introduced important advances in territorial planning, land use and occupation, and urban mobility, including: the definition of height zoning, with provisions restricting building heights around rocky outcrops in order to preserve the urban landscape; the incorporation of a Landscape Preservation Plan for the central area (Historic Center), ensuring that future development would be compatible with the historical and landscape characteristics of the site; the adjustment of land use and densification along the main road corridors, particularly those served by public transport; and the inclusion of future road projects, a cycling plan, and regulations concerning road alignments, aimed at making urban occupation compatible with the demands for improvements in urban mobility.

Since the draft had been prepared through a participatory process, following stages of technical and community assessment and public discussions, the debate within the CMPDU inevitably involved a process of collective construction of the legislation. In this sense, the diversity and plurality of representatives from civil society (residents, professional entities, associations, and unions) and from the public authorities constituted a positive element, as it broadened the debate and potentially strengthened social control over the decision-making process.

Furthermore, the monitoring of public events—such as hearings, seminars, round tables, and regional consultations—and the feedback meetings held with the CMPDU allowed the council to follow the participatory process closely and recognize its legitimacy.

An analysis of the data reveals a higher level of participation among representatives of civil society organizations, as well as a significant number of contributions from this segment. This pattern was expected, given the long-standing relationship between these actors and the CMPDU over more than 30 years, their familiarity with the content of urban legislation and technical terminology, and their strong interest in issues related to real estate dynamics, land use regulations, and urban mobility. Indeed, it is through the definition of building potential, urban occupation models, and structural urban improvements that these actors operate in the real estate market and define their strategies in different areas of the city.

Figure 2 – Attendance of CMPDU council members at meetings by representational category.



Source: Prepared by the authors, based on the attendance lists of the CMPDU meetings (2016 and 2017).



The participation of council members representing the public authorities was also active and intense (Figure 2). In terms of attendance, most meetings were closely monitored, and in terms of contributions, these representatives not only presented technical notes but also assisted SEDEC in clarifying doubts and deepening the discussion of specific issues during the debates. Their role included defending the maintenance of the key provisions introduced in the draft Bill, which were grounded in both technical assessments and community consultations.

The participation of representatives of civil society (residents) was less intense compared to that of the other segments. Representatives from some Administrative Regions (RAs)—3: Bento Ferreira; 5: Praia do Canto; 6: Jardim da Penha; 8: Jardim Camburi; and 9: Goiabeiras—demonstrated significant participation both in terms of attendance and contributions, most often addressing issues related to the urban quality of their territories, such as the control of building height and size, the implementation of activities within neighborhoods, and improvements in urban drainage and mobility.

Despite their relatively recent inclusion in discussions on urban planning, these council members experienced a form of informal training due to the intense real estate development occurring in these Administrative Regions. Extensive debates surrounding projects approved in the municipality enabled them to participate more actively both within the CMPDU and in public events. It is worth noting that these RAs correspond to the areas of the municipality with the best infrastructure, where settlement patterns and land use and occupation are predominantly regular.

By contrast, representatives from other Administrative Regions characterized by informal urban occupation, such as hillsides and mangrove areas, limited infrastructure, higher population density, and lower income levels—1: Centro; 2: Santo Antônio; 4: Maruípe; and 7: São Pedro—were those with the lowest levels of participation, both in terms of attendance and in the submission of proposals and contributions.

Among the democratic management instruments provided for in the City Statute, collegiate bodies were the most widely incorporated by Master Plans throughout Brazil (Santos Jr.; Montandon, 2011). In the case of Vitória, the 2006 Master Plan (PDU) restructured the CMPDU, granting it broader and more multisectoral attributions and enabling discussions on Urban Policy to become more comprehensive, encompassing the full content of the Master Plan.

From this perspective, analyzing the content of the discussions held within the CMPDU makes it possible to understand how debates in this arena unfolded, based on the identification of the topics discussed and the performance of the different social actors participating in the council.

The topic that generated the most discussion was Land Use and Occupation (UOS). Throughout the revision process, this theme stood out prominently. An examination of the stages of public discussions revealed that participants in different events and locations frequently expressed concerns related to building height and verticalization, criteria for the implementation of activities, zoning regulations, the delimitation of urban parameters, and densification, among other highly sensitive issues.



An analysis of the minutes of the council meetings reveals that considerable attention was devoted to the Neighborhood Impact Study (EIV) and to the applicability of urban control indices, particularly the permeability rate. This issue gained importance due to the incorporation of studies from the Municipal Urban Drainage Plan, which led to the adoption of more rigorous criteria in the application of this index. Another topic that generated constant debate was verticalization in the city's neighborhoods. The draft revision of the 2006 PDU introduced an innovation by proposing Height and Elevation Zoning, including rules regulating the surroundings of rocky outcrops that shape the city's landscape, height control within certain neighborhoods, and the relaxation of height limits along public transport corridors, among other provisions.

Regarding Urban Policy Instruments, the most significant debate concerned the Onerous Grant of the Right to Build (OODC). During the preparation of the draft Bill, there was an intention to regulate this instrument. However, the trajectory of the representatives of civil society organizations, combined with their knowledge of urban regulations and their political articulation capacity, enabled them to weaken the regulation of this instrument. The controversy ultimately culminated in the municipal mayor's decision to remove most of the OODC regulation from the Bill.

As a result of this decision, only the proposal concerning the formula for calculating the grant and the characterization of the basic Floor Area Ratio (CA) and maximum CA was submitted to the CMPDU. During the debates within the council, entities linked to the real estate market supported the proposal to remove the OODC calculation formula from the draft Bill, receiving support from representatives of industry, commerce, the City Council, and two Administrative Regions (6: Jardim da Penha and 9: Goiabeiras). Conversely, representatives of the public authorities, professional councils, and most of the resident representatives supported maintaining the text originally included in the draft.

The vote ended in a tie, and the president of the CMPDU (then the Secretary of City Development) exercised the casting vote in favor of removing the formula, positioning herself against the proposal prepared by SEDEC technicians and the position held by most representatives of the municipal public administration. This episode reveals a convergence between the CMPDU presidency and the municipal mayor in retreating from the inclusion of provisions that would enable the application of the OODC, even if its implementation would depend on subsequent regulation. Consequently, the definitions of the basic CA and maximum CA, originally included in the draft, lost strength and were ultimately removed from the Bill.

The non-application of the OODC generates significant losses in a context of intense urbanization and verticalization. Without this instrument, there is no restitution of urban capital gains, nor the promotion of urban development aligned with municipal planning objectives. In other words, there is no fair distribution of the burdens and benefits of urbanization. In this scenario, the speculative and predatory logic of the real estate market is maintained, allowing it to benefit from the collective construction of the city without providing adequate compensation in exchange for the building potential granted by the government. As a result, the fulfillment of the central role of the Master Plan, as established in the Federal Constitution and the City



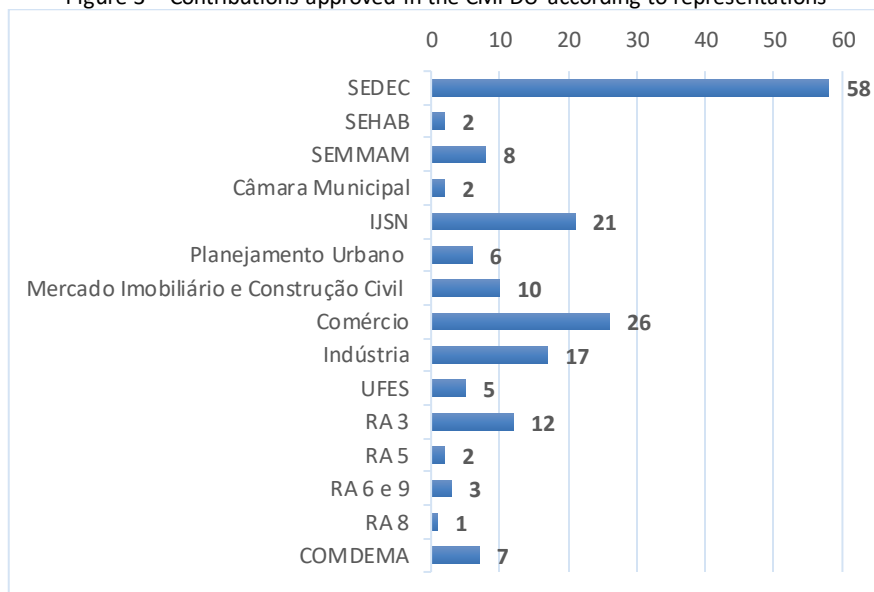
Statute—namely strengthening the democratic management of cities and promoting their social function—is compromised.

Territorial inclusion and the reduction of inequalities, expressed in most Brazilian cities through land tenure irregularities, socio-spatial segregation, and environmental degradation. (...) This implies opposition to the asymmetrical logic between center and periphery, since, while central areas receive constant public investment and present consolidated and legalized urbanization, peripheral areas—beyond the numerous socio-spatial conflicts they experience—are marked by a lack of public investment and precarious urbanization (Santos Jr.; Montandon, 2011, p. 14).

Several additional proposals submitted by business-sector representatives generated intense debates regarding important aspects of the draft and required mediation by representatives of the public authorities. When the contributions of this segment contradicted aspects previously agreed upon during public discussions or issues considered relevant to the municipal administration, the maintenance of the original text of the draft was ensured through voting alliances between representatives of civil society (residents) and representatives of the public authorities.

It is important to note that the trajectory of these council members linked to business-sector interests, their activism around issues of particular concern to them, their technical mastery of the agenda, and their familiarity with procedural rules gave them a prominent role in the discussions and, at times, resulted in delaying strategies. Representatives of this segment, on several occasions, repeatedly requested the reconsideration of topics that had already been debated and decided upon, particularly when the outcomes were contrary to their interests. There were also requests for formal review of the administrative process, clearly configuring a strategy to “gain time” in order to defend private interests.

Figure 3 – Contributions approved in the CMPDU according to representations



Source: Prepared by the authors, based on the minutes of the CMPDU meetings (2016 and 2017).



Regarding the content of the discussions, representatives of the public authorities were responsible for providing technical guidance and for reformulating or adapting several provisions, which were subsequently submitted to the plenary for consideration and voting in defense of the Master Plan Bill. In the end, SEDEC was responsible for the largest number of contributions approved by the CMPDU (Figure 3), which generally consisted of specific, corrective, and technical adjustments, without substantive modifications to the original proposal.

In addition to aligning with the government in the defense of important agendas, representatives of civil society (residents) played a relevant role in discussions concerning land use and occupation patterns in their neighborhoods. However, not all representatives were able to participate effectively, due to difficulties in assimilating the technical content of the legislation and inserting themselves into the debate.

As an instance of “power sharing,” the CMPDU constituted a space of representation that incorporated different interests from both the public authorities and civil society—often heterogeneous, it should be noted. Several contributions were presented, culminating in the approval of 180 amendments to the text and annexes of the draft Bill. These amendments incorporated important provisions related to territorial planning, landscape preservation, and improvements in urban mobility. During the debates and voting processes, different interests were at stake. At times, consensus was achieved among the representatives, while in other situations, when consensus proved impossible, majority decisions prevailed.

In fact, the most intense participatory dynamics surrounding the revision of the Master Plan took place within the CMPDU, without disregarding the importance of the numerous other participatory arenas registered throughout the process (meetings, plenary sessions, consultations, the collaborative website, among others). Such intensity was made possible by the institutional design of the CMPDU itself, which brought together all the actors involved—public authorities and different segments of civil society—and whose internal dynamics enabled a more exhaustive examination of the controversial issues surrounding urban regulation.

Despite being configured as an instance of “power sharing,” it was observed that the CMPDU also played a hybrid role, assuming characteristics associated with the institutional design of “public ratification,” given the control exercised by the Municipal Executive over the Bill and the limited number of substantive modifications introduced.

Despite the relevance of the participatory dynamics, the core of the Master Plan never escaped the control of the Municipal Executive. This occurred both because its technical staff was responsible for the systematization and formulation of the Bill and because, in situations of impasse, the municipal government ultimately made the fundamental political decisions, as illustrated in the emblematic case of the fragile regulation of the OODC. All these elements reinforce the “public ratification” character of the Master Plan.

It is worth considering that “in cases where the ‘bottom-up’ institutional design [in the case of Participatory Budgeting] is successful, the design of sharing [Councils] is also successful” (Avritzer, 2008, p. 54). This interpretation applies to the case of Vitória, as it was possible to observe that the regions demonstrating greater engagement in discussions and public events (the “bottom-up” pattern) maintained this same profile in the debates that took place within



the CMPDU (the “power-sharing” format). Moreover, the same author emphasizes that social participation in participatory institutions is variable and depends on the prior organization of social actors and on how participation is structured across different territories.

The analysis showed that the trajectory of different civil society segments influenced the participation of their representatives, with greater protagonism among those segments whose socioeconomic status, professional trajectory, and technical experience enabled greater appropriation of the subject. Consequently, it becomes evident that the institutionalization and expansion of participation in decision-making processes proved insufficient to include the portion of society that has historically remained at the margins of the main decisions concerning municipal Urban Policy.

The low participation of resident representatives resulted in a relative weakening of the debate regarding the construction of mechanisms capable of addressing the legitimate interests of the diverse social realities and groups within the city, particularly those located at the lower levels of the social hierarchy.

Thus, it can be argued that the sectors that most require a transformative Urban Policy remained more distant from the decision-making process surrounding the revision of the PDU. Several hypotheses may explain the limited participation of these groups: lack of credibility in the participatory process; the persistent absence of public facilities and infrastructure, generating a perception that their demands are neglected; limited familiarity with the technical language of the legislation, which may inhibit participation; and the insufficiency of the training phase. In addition, potential economic and logistical difficulties—such as transportation costs and inconvenient meeting times and locations—should also be considered.

In this sense, the urban reform ideals enshrined in the City Statute, particularly the principle of popular participation as a means of breaking with the clientelist and exclusionary pattern of urban policies, were not fully realized. This dialectic between continuities and changes in the definition of Urban Policy is complex and does not follow a linear trajectory. Nevertheless, it is clear that more inclusive transformations would enable a more effective confrontation of the socio-spatial inequalities generated by the private appropriation of the urbanization process and by real estate speculation (Santos Jr.; Montandon, 2011).

In the case of Vitória, it can be inferred that, despite legislative advances toward the institutionalization of participatory arenas—aimed at democratizing urban management, incorporating marginalized sectors of society into debates on urban public policies, and attempting to build a deliberative participatory process—the participatory process remained clearly limited.

From a procedural standpoint, the local government complied with the formal participatory requirements. The adopted procedures demonstrate that the legal norms (both federal and municipal legislation) were respected, particularly the 2006 Master Plan, which established the instruments for structuring the participatory process for the revision of the Master Plan through the SMPGU. This regulatory framework enabled the formal implementation of democratic management practices in the municipality through the combination of different institutional designs of participation, particularly “power sharing” (CMPDU) and “public ratification,” since it ultimately remained the responsibility of the public



authorities to formulate a proposal that would later be submitted for approval and sanction through representative institutions (Avritzer, 2008).

The structuring of this participatory process was only possible after the transformation in the character of popular participation established by the Federal Constitution of 1988, which, by introducing new forms of participation, expanded “the possibilities for representation in contemporary societies that do not usurp representative government nor conflict irreconcilably with it” (Lavalle; Vera, 2011). In other words, participatory mechanisms do not conflict with representative democracy.

By incorporating social participation into decision-making processes, legislation imposed new forms of public oversight over governmental action. However, the existence of legal norms alone is insufficient to guarantee the effectiveness of participation, since participatory processes may be conducted merely as formal procedures. This hypothesis does not invalidate the importance of legislation establishing democratic management systems and their implementation in municipalities, but it highlights the need for greater awareness among civil society—particularly among representatives of vulnerable social groups—regarding their right to participate effectively and influence decision-making processes.

It is therefore necessary to recognize that institutional advances in participatory governance do not emerge fully formed. They require the gradual establishment of routines, regulations, procedures, and competencies, ensuring that participatory bodies remain active within the framework of democratic urban governance. This process gradually promotes the insertion of civil society representatives (both organizations and residents) into political society, through training and greater involvement of actors from different sectors and territories. As Lavalle (2011, p. 16) observes, “participatory arenas do not operate as a ‘one-shot game’; rather, they allow learning processes and the development of strategies.” Participation, therefore, has a pedagogical dimension, through which actors learn by participating and participatory arrangements are continually reinvented.

The discussions held within the CMPDU, despite their “power-sharing” character, were unable to fully promote the effective inclusion of civil society, mainly due to the lack of training and the fragile capacity for self-organization among certain social actors. The participatory incentives established throughout the process were insufficient to overcome this reality, despite the innovations introduced by the 2006 Master Plan.

Finally, while the public authorities, as coordinators of the decision-making process, demonstrated technical capacity in drafting legislation that ultimately produced limited but important advances for the urban planning of Vitória, they avoided introducing certain key issues into the debate—such as the effective implementation of the instruments of the City Statute. Nor did they promote the necessary training for all resident representatives, which would have ensured their effective right to participate.

4 FINAL CONSIDERATIONS

The participation of society in urban management remains a process under construction. Twenty-four years after the enactment of the City Statute, both the literature and



empirical observations indicate that we are still at the beginning of this path, and the obstacles and challenges remain significant (Fernandes, 2021).

An analytical reading of the Master Plans of Vitória allows us to infer an evolution from the perspective of democratic management within the municipality's Urban Policy. With the enactment of the City Statute, the 2006 Master Plan (PD) advanced in the incorporation of democratic management instruments, as it outlined the participatory structure that guided the process of revising the Master Plan. This process reflected, on the one hand, compliance with federal and municipal legislation and, on the other, the growing importance of the institutionalization of participation.

The results of the research indicate that, despite these advances, the attempt to establish a deliberative revision process remained partial, limited, and incomplete. The organization of various public events to discuss the draft Bill, adopting different formats and institutional designs, proved insufficient to include the entire population in the decision-making process, including within the CMPDU, whose "power-sharing" format would theoretically allow a deeper understanding of the content of the legislation and, consequently, greater participation in the debate.

Thus, the low participation of the most vulnerable segments and those most dependent on public policies remains a critical issue. This demonstrates that the participatory process did not fully fulfill its pedagogical function of empowering and training the popular strata. In contrast, the prominent participation of representatives of the real estate sector stood out, whose professional trajectory and familiarity with the legislation enabled greater effectiveness in the discussions and in the defense of their interests.

The strong control of the process by the local government, together with the hybrid character of the CMPDU—which approved most of the content of the Bill without substantive modifications—reinforced the "public ratification" character of the Master Plan (Avritzer, 2008).

It should be emphasized, however, that the opening of participatory channels, even if still incipient, made it possible for residents to act within the process. In alliance with representatives of the public authorities, they defended important agendas for the municipality's Urban Policy, contributing to the preservation of the few, yet significant, advances included in the draft Bill.

Nevertheless, numerous challenges remain for the effective implementation of democratic urban governance in the municipality of Vitória. These challenges require the local government to move beyond technocratic approaches and the persistent logic of consolidated social and territorial inequalities, seeking instead to promote the social function of the city and property and to ensure that all segments of civil society can appropriate the benefits of urban development—in other words, the Right to the City.

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STATEMENTS

CONTRIBUTION OF EACH AUTHOR

- **Conception and Design of the Study:** Maressa Correa Pereira Mendes and Jefferson Oliveira Goulart.
 - **Data Curation:** Maressa Correa Pereira Mendes.
 - **Formal Analysis:** Maressa Correa Pereira and Jefferson Oliveira Goulart.
 - **Acquisition of Financing:** none.
 - **Investigation:** Maressa Correa Pereira Mendes.
 - **Methodology:** Jefferson Oliveira Goulart.
 - **Writing - Initial Draft:** Maressa Correa Pereira Mendes.
 - **Writing - Critical Review:** Jefferson Oliveira Goulart.
 - **Revision and Final Editing:** Jefferson Oliveira Goulart and Maressa Correa Pereira Mendes.
 - **Supervision:** Jefferson Oliveira Goulart.
-

DECLARATION OF CONFLICTS OF INTEREST

We, **Maressa Correa Pereira Mendes and Jefferson Oliveira Goulart**, declare that the manuscript entitled "**Challenges and limits of the participatory process in the revision of the Master Plan of Vitória (ES)**":

1. **Financial Ties:** We do not have financial ties that could influence the results or interpretation of the work. No institution or funding entity was financially involved in the development of this study.
 2. **Professional Relationships:** We do not have professional relationships that may impact the analysis, interpretation or presentation of the results.
 3. **Personal Conflicts:** We have no personal conflicts of interest related to the content of the manuscript.
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