

INTISARI

Peraturan zonasi di Indonesia merupakan instrumen pengendalian pemanfaatan ruang yang relatif masih baru sejak diberlakukannya UU Penataan Ruang Nomor 26 Tahun 2007. Peraturan zonasi yang digunakan Indonesia saat ini mengadopsi peraturan zonasi dari negara lain yaitu Amerika Serikat. Ada keraguan apakah peraturan zonasi Indonesia dalam bentuknya sekarang ini mampu berjalan baik karena kondisi negara Indonesia (sistem pemerintahan dan penataan ruang) berbeda dengan kondisi Amerika Serikat. Ada tiga sistem pengendalian pemanfaatan ruang yang berkembang di dunia, yaitu *regulatory system*, *discretionary system* dan *moderate system* (gabungan *regulatory system* dan *discretionary system*)

Penelitian ini bertujuan untuk membangun suatu model konseptual peraturan zonasi di Indonesia. Tujuan utama ini dicapai dengan terlebih dahulu mengkaji perbandingan peraturan zonasi dan konteks sistem pemerintahan dan penataan ruang di beberapa negara lain (Amerika Serikat, Jepang, Jerman dan negara lainnya), mengkaji peraturan zonasi yang telah digagas oleh pemerintah Indonesia dan dilaksanakan di beberapa kota saat ini dan mengkaji perbandingannya dengan peraturan zonasi di beberapa negara tersebut di atas. Model konseptual dibangun dengan menggunakan metode simulasi dan pemodelan. Metode ini diawali dengan pengembangan model awal yang dibangun melalui: (1) kajian teori terkait zonasi, (2) kajian *best practices* zonasi di beberapa negara; dan (3) model deskriptif hasil induksi dari sistem zonasi di Indonesia. Pengujian model awal melalui *focus group discussion* sebanyak dua kali hingga diperoleh model akhir konseptual peraturan zonasi di Indonesia.

Hasil penelitian berupa tiga alternatif Model Konseptual Peraturan Zonasi di Indonesia. Faktor kelembagaan, peraturan zonasi, sumber daya manusia dan teknologi menjadi faktor dalam membangun ketiga model ini. Perbedaan ketiga model ini pada berbedanya sistem pengendalian pemanfaatan ruang yang diakomodasi setiap model. Model alternatif pertama merupakan model yang mengakomodasi *moderate system*, model alternatif kedua mengakomodasi *regulatory system* dan model ketiga mengakomodasi *discretionary system*. Model Konseptual Peraturan Zonasi di Indonesia ini memperkaya teori hukum pemanfaatan ruang dan pengendalian pemanfaatan ruang, memperkuat teori implementasi, teori administrasi pembangunan dan teori pemerintahan.

Kata kunci: model konseptual, peraturan zonasi, *moderate system*, *regulatory system*, *discretionary system*

ABSTRACT

Zoning regulations in Indonesia is an instrument for land use control which is relatively new since the enactment of Spatial Planning Regulation No. 26 of 2007. The zoning regulation used in Indonesia nowadays is adopted from the United States. There is any doubt whether the zoning regulation currently used in Indonesia can run well due to the conditions of Indonesia (the government system and spatial arrangement) that is different from the conditions of United States. There are three land use systems developed in the world, namely regulatory system, discretionary system and moderate system (the combination of regulatory and discretionary systems).

This study aims to develop a conceptual model of zoning regulation in Indonesia. The above main purpose is achieved by first reviewing the comparison of the zoning regulations, context of government system, and land use among several other countries (USA, Japan, Germany and other countries), reviewing zoning regulations which have been arranged by the Indonesian government and implemented in several cities today and reviewing its comparison with the zoning regulations used in some countries above mentioned. The conceptual model was developed through simulation and modelling methods. This process begins with the development of early models which were built through: (1) theoretical study regarding zoning; (2) study of zoning best practices in some countries; and (3) descriptive model inducted from the zoning system in Indonesia. The testing of early models through focus group discussions (FGD) was conducted twice in order to obtain a final conceptual model for zoning regulation in Indonesia.

This study resulted in three alternatives of Conceptual Model of Zoning Regulation in Indonesia. Institutional, zoning regulation, human resources and technology become factors in developing this model. The differences in these three models are related to the land use system which accommodated in every model. The first alternative model is a model that accommodates the moderate system; the second alternative model accomodates the regulatory system; and the third model accomodates the discretionary system. The Conceptual Model of Zoning Regulation in Indonesia gives contribution for land use law and land use control theory, implementation theory, development administration theory and governance theory.

Key words: conceptual model, zoning regulation, regulatory system, discretionary system, moderate system