

## **GOOD PRACTICE OF STATE LAND PLANNING IN THE CASE OF PANEVEŽYS CITY MUNICIPALITY**

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### **Summary**

Currently, the issues of the use and transfer of state land remain quite relevant in Lithuania. According to the data of January 1, 2019, more than 10 percent of the country's territory has not yet been formed and not authorized for use. A large proportion of unauthorized state land is located in major cities in the country. Only a few municipalities in Lithuania have detailed state land use planning. One of them is Panevėžys City Municipality, where, with the help of EU funds, detailed and special plans have been prepared for almost all state land and the municipality is actively looking for ways to encourage residents to become more actively involved in the process of land ownership or use. Detailed territorial planning documents for this municipality were prepared in three stages. Territories near public buildings, apartment buildings, former problem areas were planned. These plans are important for the development and renovation of engineering infrastructure, urban green spaces, management of residential areas, well-being of the population, and so on. Territorial planning documents are an important tool for the sustainable development of territories. The recent adjustment of the detailed plans is based on the principle of continuity. Effective real property management creates good conditions for investors, improvement of infrastructure and living conditions, replenishment of municipal budget and so on.

Keywords: territorial planning and management, state land

### **Introduction**

Territorial planning documents and their timely implementation are one of the most important factors in land administration and ensuring sustainable development of territories. Master plans are prepared for all Lithuanian municipalities and many cities of the country. These plans require special, detailed or land tenures plans, especially in major cities or their suburbs. Their importance is greater in heavily urbanized or urbanized areas. The territorial planning system and its influence on the sustainable development of territories have been discussed by a number of authors (Aleknavičius, 2012; Juknelienė et al., 2017; Pašakarnis et al., 2016; Štreimikienė et al., 2014; ect.). Territorial planning solutions, effective real property management, and sustainable development are highly dependent on the country's legal regulation (Lietuvos Respublikos..., 1999; 2004; 2013; 2014) and land and other real property administration (Obrazcovas et al., 2003; Raišienė, 2003; Vaitkevičius, Birštonas, 2015; Williamson et al., 2006; ect.). Currently, in the course of land reform in Lithuania, the majority of state land is being transferred to private ownership or given for use. Both land transfer and other land management issues are more complex in urban areas.

This article discusses the issue of state land use, which is of interest to both authorities and the public. In Lithuania at the beginning of 2019, state land accounted for 1/4 of the total land area registered in the Real Property Register. In about 12 percent of the territory of the country land, land parcels are not yet formed and not authorized for ownership and use. Only a few cities in Lithuania (out of 103 cities) have detailed or special plans for almost all state land detailing the use of this land. However, most of these areas are unauthorized and not registered in the public register. Land formation and registration should be accelerated.

Formation of unoccupied state land in the country is initiated and implemented by municipal administrations. They are responsible for the preparation and implementation of territorial planning documents in their territories. In addition, municipal administrations carry out maintenance, protection and inventory of infrastructure, green areas, make proposals for declaring natural objects protected, set urban requirements for land use, issue building permits, maintain roads, protect and manage landscapes, established protected areas, etc. There are still a number of problems to be solved in Lithuania in order to legitimize the use of state land, a significant part of which is also located near apartment buildings as well. One of the first administrations that initiated the preparation of such plans for almost all state land is the Panevėžys City Municipality Administration. At the beginning of the year 2019, more than 1/3 of the state land area was registered in the public register. Panevėžys municipality is one of the leading municipalities in Lithuania compared to other major cities. The article discusses good practice of state land management in Panevėžys City Municipality.

**The purpose of this study** is to describe the main features of state land planning and management in Panevėžys City Municipality.

**The object of the research** is the State Land Fund of Panevėžys City Municipality (Panevėžys is the capital of one of the country's ethnographic regions – Aukštaitija. It is located in Northern Lithuania, in the Middle Lowlands, in the valley of the Nevėžis River. The city was extensively developed in the mid to late 20th century).

### Methodology of research and materials

Methods of analysis, synthesis and generalization of interviews, territorial planning documents, other sources and statistical data were used for the research.

To evaluate the state land planning and management works in municipality, an interview-conversation plan was prepared and 5 main questions were asked. They are as follows:

1. What funds have been used for territorial planning, management, landscape protection and other projects?
2. How are the areas planned in the neighborhoods of apartment buildings adjacent to residential buildings districts?
3. How do municipalities prepare territorial planning documents, organize and implement territorial planning work related to the formation and administration of unoccupied state land territories, infrastructure objects, greenery maintenance and protection, inventory
4. The response of the municipality to the needs and emerging problems. Perhaps there are areas to be redesigned, for what reasons?
5. Are land formation and redevelopment projects under development? Who should be the organizer of these projects?

Municipal administration specialists who have been working in the Territorial planning and Architecture departments for several years have been selected as experts. The average age of the expert is 49 years and the average work experience is 16.5 years. Territorial planning documents prepared in the municipality and presented on the official website of the municipality, in the e-maps, in the information system of the Territorial planning and Land use planning documents were also analyzed.

### Discussions and results

The topic of state land use is relevant both to the authorities and the public. In Lithuania at the beginning of 2019, state land accounted for nearly 25 percent of the total area of land registered in the Real Property Register. In the analyzed Panevėžys District Municipality the state land accounted for more than 1/3 of the total registered area in this municipality (see Table 1).

**Table 1**

Distribution of Land Fund according to the principle purpose of land use in Panevėžys City Municipality

Main land uses	2014 01 01 thou. ha		Registered in RPR* until 2019 01 01		of which state land	
	total area	of which state land	thou. ha	percent**	thou. ha	percent**
Agriculture land	1.231	0.218	0.961	78.067	0.02	2.08
Forestry land	0.032	0.027	0.005	15.625	0	0
Aquaculture land	0.088	0.088	0	0	0	0
Land for conservation purposes	0.005	0.005	0.002	40.000	0.002	100
Land for other purposes	3.57	2.387	2.541	71.176	1.249	49.15
The fund of unoccupied state land	0.085	0.085	0	0		0
Total	5.010	2.810	3.510	70.060	1.271	36.210

Explanation: \* - in the Real Property Register, \*\* - of the total area of land intended for that purpose as of 01.01.2014, \*\*\* - of the total area of that land registered in the Register of 01.01.2019

Source: Statistical summaries of SE Center of Registers

The directions and conditions for the use of the land shall be determined in particular in the territorial planning documents. After the preparation and approval of the Panevėžys City Territory Master Plan (2008), it became necessary for the city to specify the solutions of the Master Plan and to establish regulations for the management and use of the territories. It was decided to create shared public spaces, green spaces, and to balance the interests of natural and legal persons with regard to land use. In order to elaborate the solutions of the Panevėžys City Master Plan, the Panevėžys City Municipality Administration was looking for ways to find out the possibilities of using unoccupied state land and to create a coherent and harmonious urban system of the planned territories. The Panevėžys City Municipality Administration, using the European Union structural funds, has prepared the main territorial planning documents, which are necessary for the proper administration of state land. These territory planning documents were prepared in 3 stages.

During the implementation of Phase I of Panevėžys City Territory Planning Documents, from March of 2009 preparation of "Detailed plans of territories near apartment buildings and unoccupied state land in Panevėžys city" was started. The detailed plan solutions formed about 377 ha of land use of multi-storey residential houses of Panevėžys industrial free-planning construction, dividing the territory into separate parcels of land in such a way as to create preconditions for the development of a full-fledged living environment. Director of Panevėžys City Municipality Administration by Order No. A-177 of March 9, 2012 approved the concept of detailed plan of Territories near multi-storey residential houses and unoccupied state land in Panevėžys, where 19 territories are planned. The planning phase was completed in March of the year 2013. Exactly 4 years passed before the apartment buildings and some unoccupied state land parcels were registered in the Real Property Register. Panevėžys City and a large part of its territory are implementing master plan solutions, because at the moment there are detailed planned territories located in the areas of apartment houses. These solutions include engineering corridor infrastructures, green spaces, parking lots, and boundaries to existing apartment buildings. The boundaries formed around the apartment buildings significantly changed the established order (especially the territorial boundaries of maintenance, cleaning, mowing). The planned urban area is divided into blocks. Owners of apartment buildings and associations carry out cadastral surveys of land parcels at their own expense. Municipal experts commented that cadastral surveys have so far been made on about 20 parcels of land, and the communities of these houses have leases in place. Unfortunately other cadastral surveys of land parcels near apartment buildings are inactive; the reason for this is that there is so far little motivation for communities to validate their land parcels. Land tenure would be calculated when land use is legalized. Municipal administrations are looking for ways to accelerate this process.

In Phase I, in 2013, a special plan for residential areas of Panevėžys City (Patvirtinti specialieji..., 2015) covering eight territories was prepared (Figure 1).



**Figure 1.** Excerpt from Panevėžys City residential area special plan (Teritorijų planavimo ..., 2018)

There were about 776 hectares of residential areas in the area with parcels of land with infrastructure parcels – a passage between parcels and recreational green areas.

Due to historical conditions, in several former villages (which are now part of Panevėžys City), landowners have restored the ownership rights to their former land in accordance with the methodology for returning land in the linear villages. The land parcels formed in these territories do not comply with the concept of urban development and current planning principles. Therefore, according to special territorial planning documents, about 776 hectares of land were planned as separate residential territories, forming land parcels near buildings, infrastructure and recreational green areas.

The projects developed during Phase II (detailed plan of unoccupied state land and problem areas in Panevėžys City and preparation plans of land parcels of Panevėžys City areas to budget institutions comparable to detailed plans) aimed at detailed formation of unoccupied state land and problem territories, and regulations. Land parcels on unoccupied state land (according to Panevėžys City Scheme) have been formed or submitted proposals for the possibilities of using a part of unoccupied state land, regulations for the management and use of territories have been established. Existing detailed plans were also corrected, the solutions of which did not correspond to the solutions of the current master plan or their land use disputes arose. Detailed plans of unoccupied state land and problem areas in Panevėžys City (59 units), plans of land parcels of Panevėžys City territories near budgetary institutions, comparable to detailed plans (30 units) as well as other relevant territorial planning documents were prepared. In the concept of solutions, the planned territories were approved in 2013. Prepared and approved territorial planning documents are necessary for the implementation of the solutions of the master plan of the city, development and renovation of engineering infrastructure, green areas of the city, well-being of apartment buildings. Plans of land parcels of Panevėžys City territories near budget institutions allow to perform cadastral surveys of parcels, to register parcels of land in the State Enterprise Center of Registers, thus enabling to complete the procedure of legalization of land parcel. In 2012, Panevėžys City Municipality conducted a survey on the attractiveness of public spaces to residents, the results of which showed the need to address the problem of parking shortages.



**Figure 2.** Detailed plan of apartment buildings and unoccupied state land in Panevėžys City Area at Independence Square, Katedros, Sodų, Ramygalos, Vysk. K. Paltaroko Streets (Teritorijų planavimo..., 2018)

During the III<sup>rd</sup> stage, the municipality organized the preparation of detailed plans for the unoccupied state land and problem areas in Panevėžys. The purpose of the planning is to plan the unoccupied state land and problem areas in detail, to form land parcels, to determine the regimes and regulations of territory management. In addition to the aforementioned detailed plans, the municipality has implemented several other projects, such as "Map of the boundaries of the streets in the territories of Panevėžys City Gardens "Ažuolas", „Šermutas“, „Klevas“ and the detailed Territorial Planning Document" plan, etc. In 2014, the detailed plan at a scale M 1:500 of unoccupied state land and problem areas in Panevėžys City, which consists of 50 territories of different size (Fig. 2), located in different parts of Panevėžys City, was started to be prepared (topographic plan of about 140 ha at a scale M 1:500 was prepared). The total area – about 158.5 ha.

The land parcels are formed according to the boundaries of the already registered parcels of land and according to the detailed plan of Skaistakalnis Park, the red lines of the planned street, the rules of land parcel formation, the existing pledge, etc. Where possible, distances of 3 m from structures to the boundary of the site were maintained and the need for separate greenery was taken into account. Efforts were also made to maintain normative indicators of the density and intensity of the building. Land uses are selected according to the main uses of the buildings and the Panevėžys City Master Plan. The planned territory No. 1 (in detailed plan) (Fig. 3) falls into the territory of Panevėžys City center.



**Figure 3.** Detailed plan of unoccupied state land and problem areas in the City of Panevėžys. Drawing of solutions. Planned territory No.1 (Teritorijų planavimo komisijos..., 2015)

31 land parcel (area of 10.517 ha) are formed on unoccupied state land managed by detailed plan. All land parcels formed are classified as land for other purposes, and land use patterns are different. As many as eight formed areas have been offered dual land use patterns.

Panevėžys City Municipality endeavored to participate actively in the greenery and plantation management, creation and planting program for 2013–2017, which developed the concept of Panevėžys City Greenery Special Plan. The shrinking green space for recreational purposes is a challenge to preserve the urban landscape. The preparation of territorial planning documents as one of the most effective tools contributes to the gradual improvement of the quality of the landscape, the strengthening of its ecological, social and economic functions and to the conditions for sustainable development. Changing the master plan took a long time. It has been delayed due to court proceedings (designation of heritage territories), in addition to the changes in the master plan (from January 1, 2014) the Law on Territorial Planning and others. The amendment to this master plan was only approved on November 24, 2016, but it is very comprehensive. Panevėžys City Municipality has also prepared special plans for water supply and wastewater management infrastructure, limits and management of the historic city, urban sources (Patvirtinti specialieji..., 2015). A special plan for urban greenery management was

approved in Panevėžys City, which analyzed in detail all green areas and green spaces in the city, the boundaries of these territories and the principle purpose of land use.

Recently, the municipality has been making significant changes to the detailed plans of the unoccupied state land and problem areas in Panevėžys City (approved by Panevėžys City Municipality Council in 2013-2016). In many cases, the purpose of proofreading territorial planning documents is to change the area and construction boundaries of the parcel of land, to supplement the boundaries of the engineering communications corridors and to adjust the layout of communications, etc. The adjustment shall be made during the preparation of the technical project for construction of the building, in accordance with the Regulations for complex territorial planning documents (Order of the Minister of Environment of January 2, 2014, order No. D1-8, chapter VI, section 6) in accordance with the cases of changing and correcting detailed plan solutions provided in paragraph 8 of article 28 “Complex territorial planning document solutions”.

The municipality responds to emerging problems or needs. Panevėžys Municipality has a Territorial Planning Commission. Regular meetings are attended by NLS (National Land Service) representatives, specialists in architecture, infrastructure departments, lawyers, etc. The TP Commission constantly reviews problematic issues of residents, solutions of detailed plans of unoccupied state land and problem areas, ect. The joint involvement of interested parties in the territorial planning process allows for a higher quality of decisions – from site selection, task formation, tentative decisions, even to project implementation, exploitation and monitoring.

The municipality has a 3D model of the city and is developing it (Panevėžio ..., 2019). The 3D model facilitates and accelerates decision making, reasoned interpretation, alternative decision making and so on. According to experts, using this system significantly speeds up decision-making speed. The 3D reality model serves as a starting point for disagreements or for the evaluation of competitive projects, which greatly facilitates the work of the specialists of different departments. Web site (GIS ..., 2019) contains solutions for various territories (city limits, general plan, historical part of the city, detailed plans (Teritorijų ..., 2019), points of interest, bicycle tracks, noise maps, etc.).

Panevėžys City Municipality organizes preparation of land parcel formation and redevelopment projects as provided by the legal acts of the Republic of Lithuania, which aims to ensure harmonious development of territories and rational urbanization, urban quality, preserving valuable landscapes, biodiversity, as well as natural and cultural heritage values.

Table 2 shows the land parcel formation and rearrangement projects approved in Panevėžys City Municipality during the period of 2014-2018.

**Table 2**

Approved land parcel formation and rearrangement projects for 2014-2018 ([Patvirtinti žemės..., 2018](#))

Year	Number, in units	Notes on State Land (SL) parcels
01.07.2018	32	Of these: 5 new SL parcels are formed; land parcels formed for exploitation of existing structures – 9; Interconnection of intervening SL parcel with other (used for other purposes) – 6, connection of SL parcels – 1.
2017	36	Of these: 7 new land parcels are formed; land parcels for exploitation of existing structures – 14; Interconnection of the intervening SL parcel with other (used for other purposes) land parcel – 1.
2016	44	Of these: 6 new SL parcels are formed; land parcels formed for exploitation of existing structures – 13; Interconnection of the intervening SL parcel with other (used for other purposes) land – 3.
2015	31	Of these: Land parcels for existing structures were formed – 17; Interconnection of the intervening SL parcel with other (used for other purposes) land – 4.
2014	13	Of these: 5 parcels were formed for exploitation of existing structures.

Panevėžys City Municipality territorial planning, implementation of these plans, real estate formation and management experience is a good example for other municipal administrations and other institutions administering real property, residents, investors, because the issues of real property formation, management and legalization of property or its use are rationalized. When state land is managed responsibly, public space management, communications and other work are better addressed, the municipal budget is supplemented with collected taxes.

## Conclusions

- 1 At the beginning of the year state land occupied 36 percents of the total urban area in the city of Panevezys. Over the last 11 years, spatial planning documents have been developed for this whole area. It is especially important that there are planned areas next to residential buildings. In these matters, the municipality is one of the leaders in Lithuania and is a good example for others – how to rationally plan territories.
2. The solution of the territory management issues in the municipality is facilitated by the implemented 3D model of the area.
3. Territorial Planning Documents help to ensure sustainable development of Panevėžys City Territory, enable more rational allocation and efficient use of funds and resources, ensure better administrative procedures, implement strategic priorities, meet citizens' needs, and are a powerful tool for strategic planning, administration and communication in the field of territorial planning and implementation of these documents.
4. The ongoing adjustment of the detailed plans is based on the principle of continuity. It is necessary to change/determine regulations for the use of territories, to plan/re-plan the optimal network of engineering communications corridors of the planned territory, to adjust or re-establish special conditions of land use, to coordinate interests of natural, legal persons or their groups.
5. Correctly (harmoniously) planned territories according to TP documents are the starting point for further use (development) stage, further cadastral surveys of land parcel, technical projects and construction works. Territorial planning documents required for implementation of the city master plan solutions, attracting investors and property developers, developing and renovating engineering infrastructure, urban green areas, arranging multi-apartment residential areas, supplementing the state budget with possible land rent payments, etc., were prepared and approved.

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