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Text consolidated by Tulkošanas un terminoloģijas centrs (Translation and Terminology Centre) with amending laws of:

10 April 2003;
27 January 2005.

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*¹ has adopted and the President has proclaimed the following Law:

Spatial Planning Law

Chapter I General Provisions

Section 1. Concept of a Spatial Plan

A spatial plan is a long-term spatial planning document or a set of planning documents which has been developed and has come into effect in accordance with procedures set out in regulatory enactments and which in conformity with the planning level and the type of plan reflects the present and planned (permitted) utilisation of the territory and the restrictions on the utilisation of such territory both in writing and graphically.

[27 January 2005]

Section 2. Purpose of this Law

The purpose of this Law is to promote sustainable and balanced development in the State by utilising an effective spatial planning system.

Section 3. Spatial Planning Principles

In the development of a spatial plan the following spatial planning principles shall be observed:

1) the principle of sustainability, which ensures a qualitative environment, balanced economic development, rational utilisation of natural, human and material resources, development and preservation of the natural and cultural heritage for the present and next generations;

2) the principle of interest co-ordination, which ensures that a spatial plan is developed in accordance with other spatial plans and the plan co-ordinates State, planning region, local government and private interests;

3) the principle of diversity, which ensures that in the development of a spatial plan the diversity of nature, the cultural environment, human and material resources, and economic activity is taken into account;

¹ The Parliament of the Republic of Latvia

4) the principle of delineation, which ensures that spatial planning at the national, planning region, district and territorial local government level is provided for with a differing level of detail;

5) the principle of competition, which ensures that a spatial plan creates equal pre-conditions for entrepreneurial activities;

6) the principle of continuity and succession, which ensures that when the justification for a plan that is in effect changes, the spatial plan shall be amended preserving those parts of the spatial plan the justification for which has not changed; and

7) the principle of openness, which ensures that a spatial plan is developed by involving the public and ensuring the openness of information and decision taking.

Section 4. Tasks of Spatial Planning

The tasks of spatial planning are as follows:

1) to evaluate the development potential of the territory of the State, planning regions, district and territorial local governments and to determine the requirements and restrictions necessary for the utilisation thereof;

2) to create favourable conditions for the development of entrepreneurial activities and attraction of investment;

3) to align with the spatial planning measures of neighbouring countries and the European Union;

4) to create pre-conditions for ensuring environmental quality and rational utilisation of the territory, and the prevention of industrial and environmental risks;

5) to guarantee the right to utilise and develop immovable property in accordance with the spatial plan;

6) to promote accessibility of services and optimal functioning of the transport system; and

7) to preserve the natural and cultural heritage, landscape diversity and biological diversity, as well as to improve the quality of the cultural landscape and populated areas.

[27 January 2005]

Section 5. Spatial Planning Levels and Documents

By developing mutually co-ordinated spatial plans, spatial planning shall be implemented at the following planning levels:

1) national level — a national level spatial plan is the National Spatial Plan, which sets out all national interests and requirements for the utilisation and development of the territory of the State;

2) planning region level — in a planning region spatial plan the development possibilities, directions and restrictions of the planning region territory are specified;

3) district local government level — in a district local government spatial plan, the development possibilities, directions and restrictions of the district local government territory, the present and planned (permitted) utilisation of the district local government territory graphically represented, as well as details of the requirements, territories and objects specified in higher level spatial plans are specified; and

4) territorial local government level — in a territorial local government spatial plan, the development possibilities, directions and restrictions of the territorial local government territory, the present and planned (permitted) utilisation of the territorial local government territory graphically represented, as well as detailed requirements, territories and objects specified in higher level spatial plans are specified.

[27 January 2005]

Chapter II

Spatial Planning Procedures and Competence of Public Institutions

Section 6. Spatial Planning Procedures

(1) The National Spatial Plan shall apply to the whole territory of the State. It shall be developed observing the State Regional Policy Guidelines, the National Development Plan and sectoral development programme.

(2) A planning region spatial plan shall apply to the whole territory of the planning region. It shall be developed observing the State Regional Policy Guidelines, the National Spatial Plan, the National Development Plan and sectoral development programme.

(3) A district local government spatial plan shall apply to the whole territory of the district local government. It shall be developed observing:

1) the development programme and spatial plan of the planning region to which the relevant local government belongs;

2) the policy planning documents and spatial plans of those district local governments on which the relevant district local government borders; and

3) the policy planning documents of the relevant district local government.

(4) A territorial local government spatial plan shall apply to the whole territory of the territorial local government. It shall be developed observing:

1) the policy planning documents and spatial plan of that district local government to which the relevant territorial local government belongs;

2) the policy planning documents and spatial plans of those territorial local governments on which the relevant territorial local government borders; and

3) the policy planning documents of the relevant territorial local government.

(5) If a territorial local government spatial plan does not adequately determine the spatial utilisation and building conditions of a concrete unit of land, they shall be determined in the detailed plan. A detailed plan is a spatial plan of a part of administrative territory of the territorial local government; it is developed in accordance with a decision of the territorial local government city council (county or parish council) in respect of a specific territory and is approved after the coming into effect of the territorial local government spatial plan, taking into account the planned (permitted) utilisation of the specified territory in the territorial local government spatial plan.

(6) A district local government spatial plan, territorial local government spatial plan and detailed plan shall be in effect the next day after the decision regarding the issuing of local government binding regulations is published in the newspaper *Latvijas Vēstnesis* [the official Gazette of the Government of the Republic of Latvia].

(7) When developing a lower level spatial plan the higher level spatial plan, which is in effect shall be observed.

[10 April 2003; 27 January 2005]

Section 7. Competence of Public Institutions in Spatial Planning

(1) The Cabinet shall perform the following functions in respect of spatial planning:

1) approve the National Spatial Plan;

2) [10 April 2003]

3) determine the constituent parts of a spatial plan, procedures for preparation, public discussion, coming into effect, amending, suspending, evaluation of lawfulness and supervision of observance of the plan; and

4) determine the responsible Ministry which shall perform the functions referred to in this Law.

(2) The National Regional Development Council shall perform the following functions in respect of spatial planning:

1) evaluate the National Spatial Plan; and

2) evaluate the spatial plans of planning regions.

(3) The responsible Ministry shall perform the following functions in respect of spatial planning:

1) methodically manage, supervise and co-ordinate the development of spatial plans;

2) in co-operation with State administrative institutions, local governments and public organisations develop the National Spatial Plan;

2¹) ensure the participation of the general public in the national plan development process;

3) evaluate the conformity of planning region, district local government and territorial local government spatial plans with the National Spatial Plan and regulatory enactments and suggest necessary amendments if a spatial plan does not conform with the requirements of this Law, other regulatory enactments and the National Spatial Plan;

4) maintain the National Spatial Plan, planning region, district local government and territorial local government spatial planning database and archive;

5) allocate State earmarked grants for the development of spatial plans; and

6) perform other functions prescribed by regulatory enactments.

(4) The Planning Region Development Council shall perform the following functions in respect of spatial planning:

1) manage and ensure the development and implementation of the spatial plan of the relevant planning region and the amendments thereof;

2) approve the developed planning region spatial plan and its amendments;

3) suggest amendments to the National Spatial Plan;

4) ensure participation of the general public in the planning region spatial planning development process; and

5) by 1 February of the current year provide information on the development of the planning region spatial plan and the observance thereof to the responsible Ministry.

(5) A district local government shall perform the following functions in respect of spatial planning:

1) manage, supervise and ensure the development and implementation of the spatial plan of the relevant district local government and amendments thereto;

2) approve the district spatial plan and its amendments as local government binding regulations;

3) suggest amendments to the planning region spatial plan and the National Spatial Plan;

4) co-operate with other district local governments in order to develop common spatial plans;

5) evaluate the conformity of the spatial plans of territorial local governments belonging to the relevant district local government with the existing spatial plan of the district local government;

6) evaluate those parts of the National Spatial Plan, National Development Plan, sectoral development programme, development programme and spatial plan of the planning region, which apply to the territory of this district local government;

7) ensure participation of the general public in the regional local government spatial planning development process; and
8) by 1 February of the current year provide information on the development of the district local government spatial plan and the observance thereof to the responsible Ministry.

(6) A territorial local government shall perform the following functions in respect of spatial planning:

1) manage, supervise and ensure the development and implementation of a spatial plan and detailed plan of the relevant territorial local government and amendments thereto;

2) approve the territorial local government spatial plan, detailed plan and the amendments thereof as binding regulations;

3) suggest amendments to the planning region and district local government spatial plans;

4) co-operate with other territorial local governments in order to develop common spatial plans;

5) ensure participation of the general public in the territorial local government spatial planning process; and

6) by 1 February of the current year provide information on the development of the territorial local government spatial plan and the observance thereof to the responsible Ministry.

[10 April 2003; 27 January 2005]

Chapter III

Public Discussion and Financing of Spatial Planning

Section 8. Organisation of Public Discussion

(1) In order to ensure public discussion of the National Spatial Plan the responsible Ministry shall:

1) publish information in the newspaper *Latvijas Vēstnesis* regarding commencement of the National Spatial Plan development, procedures, place and time periods for public discussion, where and when it is possible to become acquainted with the National Spatial Plan and submit written proposals and comments; and

2) organise public participation in the national level spatial planning process.

(2) In order to ensure public discussion of a planning region spatial plan the relevant Planning Region Development Council shall:

1) publish information in the newspaper *Latvijas Vēstnesis* regarding commencement of the development of a spatial plan for this planning region and amendments thereto, procedures, place and time periods for public discussion, where and when it is possible to become acquainted with the planning region spatial plan and its amendments and submit written proposals and comments; and

2) organise public participation in the spatial planning process of this planning region.

(3) In order to ensure public discussion of a district local government spatial plan the relevant district local government shall:

1) publish information in the newspaper *Latvijas Vēstnesis* regarding commencement of the development of a spatial plan for this district local government and amendments thereto, procedures, place and time periods for public discussion, where and when it is possible to become acquainted with the spatial plan of this district local government and its amendments and submit written proposals and comments; and

2) organise public participation in the spatial planning process of this district local government.

(4) In order to ensure public discussion of a territorial local government spatial plan the relevant territorial local government shall:

1) publish information in the newspaper *Latvijas Vēstnesis* and the local newspaper regarding commencement of the development of a spatial plan for this territorial local government and amendments thereto, procedures, place and time periods for public discussion, where and when it is possible to become acquainted with the spatial plan of this territorial local government and its amendments and submit written proposals and comments; and

2) organise public participation in the spatial planning process of this territorial local government.

Section 9. Right of Natural Persons and Legal Persons to Participate in Discussions of Spatial Plans

(1) Every natural person and legal person has the right to become acquainted with the spatial plans, which are in effect and have been turned over for public discussion, to participate in the public discussion of the plans, and to express and defend their opinion and submit proposals.

(2) Every natural person and legal person has the right to submit written proposals and comments regarding spatial plans within a specified time period and receive a written reply to them.

Section 10. Report on the Spatial Planning Process

(1) By 31 March of the current year the responsible Ministry shall publish in the newspaper *Latvijas Vēstnesis* a report on the development of the National Spatial Plan.

(2) By 31 March of the current year the Planning Region Development Council shall publish in the newspaper *Latvijas Vēstnesis* a report on the development of the spatial plan for this planning region.

(3) By 31 March of the current year a district local government shall publish in the newspaper *Latvijas Vēstnesis* a report on the development of the spatial plan for this district local government.

(4) By 31 March of the current year the responsible Ministry shall publish in the newspaper *Latvijas Vēstnesis* a report on the development of territorial local government spatial plans.
[27 January 2005]

Section 11. Financing of Spatial Planning at Local Government Level

(1) Expenditures for spatial planning shall be necessary expenditures of a local government and they shall be provided for in the local government budget.

(2) In order to promote spatial planning, the State budget for the current year shall provide for State earmarked grants for co-financing of the development of planning region, district and territorial local government spatial plans.

(3) The Cabinet shall determine procedures by which State earmarked grants for the development of planning region, district and territorial local government spatial plans shall be allocated.

Section 12. Financing of the Development of Detailed Plans

(1) Detailed plans shall be financed by:

1) the territorial local government; and

- 2) natural or legal persons.
- (2) If the territorial local government initiates the development of a detailed plan, the expenses for the development thereof shall be provided for in the budget of the territorial local government.
- (3) If a natural or legal person initiates the development of a detailed plan and this initiative conforms to the spatial plan, the local government shall enter into a contract regarding the development of a detailed plan. The conditions to be included in the contract regarding the development of a detailed plan, as well as the procedures for the development and financing of the detail plan shall be determined by the Cabinet.
- [27 January 2005]*

Transitional Provisions

1. With the coming into force of this Law, the Territory Development Planning Law is repealed (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1998, No. 23).
2. Until the date when the relevant Cabinet regulations come into force, but not longer than six months from the date of coming into force of this Law, the following Cabinet Regulations shall be in force insofar as they are not in conflict with this Law:
- 1) Cabinet Regulation No. 187 of 25 May 1999, Procedures by Which State Earmarked Grants for Development of Local Government Territory Development Plans are Allocated;
- 2) *[10 April 2003]*.
- [10 April 2003]*
- 2.¹ Until the date when the relevant Cabinet regulations come into force, but not longer than by 31 December 2003, Cabinet Regulation No. 423 of 5 December 2000, Regulations on Spatial Plans shall be applied insofar as they not in contradiction with this Law.
- [10 April 2003]*
3. The spatial plans referred to in Section 6, Paragraphs one, two, three and four of this Law shall be developed and approved by 31 December 2006.
- [10 April 2003; 27 January 2005]*
4. *[10 April 2003]*
5. Within a period of six months from the date of coming into force of this Law local governments shall evaluate the conformity of their spatial plans with the requirements of regulatory enactments and in case of non-conformity shall take a decision regarding amendments to the spatial plan or commence development of a new spatial plan. Local governments shall send the relevant decisions to the responsible Ministry.
6. Paragraph 2.¹ of the Transitional Provisions shall be applied from 26 December 2002.
- [10 April 2003]*
7. If a territorial local government does not have a spatial plan that is in effect, the detailed plan shall be developed on the basis of the planned (permitted) utilisation of the specified territory in the regional local government spatial plan that is in effect.
- [27 January 2005]*

8. Paragraph 7 of the Transitional Provisions shall be applied until 31 December 2004.

[27 January 2005]

9. Detailed plans the development of which have been commenced by 20 August 2004 and which are the basis of making local government spatial plan amendments in the territory included in the detailed plan, except for the Baltic Sea and Gulf of Rīga coastal dune protective zone, shall be developed and approved by 1 October 2005.

[27 January 2005]

10. Detailed plans the development of which have been commenced on the basis of the planned (permitted) utilisation of the specified territory in the regional local government spatial plan that is in effect, shall be developed and approved by 31 December 2005.

[27 January 2005]

11. The Cabinet shall develop and approve the regulations referred to in Section 12, Paragraph three of this Law by 1 May 2005.

[27 January 2005]

This Law has been adopted by the *Saeima* on 22 May 2002.

Acting for the President,
Chairperson of the Saeima

J. Straume

Rīga, 12 June 2002

Transitional Provisions Regarding Amendments to the Spatial Planning Law

Transitional Provision

(regarding amending law of 10 April 2003)

With the coming into force of this Law, Cabinet Regulation No. 564, Amendments to the Spatial Planning Law (*Latvijas Vēstnesis*, 2002, No. 189) issued in accordance with Article 81 of the Constitution of the Republic of Latvia is repealed.

Transitional Provisions Regarding Amendments to the Spatial Planning Law

Transitional Provision

(regarding amending law of 27 January 2005)

With the coming into force of this Law, Cabinet Regulation No. 710, Amendments to the Spatial Planning Law (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 2004, No. 18) issued in accordance with Article 81 of the Constitution of the Republic of Latvia is repealed.