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Republic of Latvia

Cabinet

Regulation No 883

Adopted 19 October 2004

Regulations regarding Territorial Local Government Spatial Planning

*Issued pursuant to the
Spatial Planning Law
Section 7, Paragraph one, Clause 3*

I. General Provisions

1. These Regulations lay down the component parts of a spatial plan, the procedures for the development, public consultations, the coming into effect, amending, suspending, evaluation of the lawfulness and the supervision of the observance thereof at the territorial local government level.
2. The territorial local government spatial plan is the administrative spatial plan of a local government, in which is reflected the current utilisation of the territory, and in which is specified the planned (permitted) utilisation and restrictions on such utilisation with a long-term outlook for 12 years.
3. The following shall be determined in the territorial local government spatial plan:
 - 3.1. the planned (permitted) utilisation of the territory;
 - 3.2. provisions for the utilisation and building up of the territory, which include requirements for the land units and the building up thereof, as well as for utilities for each part of the territory (with a specified different planned (permitted) utilisation);
 - 3.3. the boundaries of the planned administrative territory, towns and villages; and
 - 3.4. the development of the structure of distribution of the population of the territory.
4. In determining what is referred to in Paragraph 3 of these Regulations, the following shall be taken into account:
 - 4.1. the current utilisation of the territory;
 - 4.2. territories and objects of recreation, tourism, education, culture, sport, science and social infrastructure;
 - 4.3. sections of the subterranean depths, territories of mineral resources and deposits;
 - 4.4. specially protected cultural and historical territories and cultural monuments;
 - 4.5. specially protected nature territories, micro-reserves and scenic landscape territories to be conserved;
 - 4.6. national defence territories and objects, civil protection objects;

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- 4.7. risk territories and objects;
- 4.8. agricultural territories, ameliorated lands, polders, hydrotechnical structures and afforestation territories (including afforestation territories for the purposes of nature protection and environmental protection) of national significance;
- 4.9. territories unfavourable for building, as well as territories for which special civil engineering preparation is necessary;
- 4.10. territories of engineering communications and transport (ways), objects, main networks, port territories, noise zones, requirements for the development of traffic organisation and the improvement of road transport safety, electricity transmission networks of 330 kV and 110 kV and electricity distribution networks of 20 kV;
- 4.11. territories of objects for the layout of which special requirements have been determined in accordance with regulatory enactments or for which the evaluation of an environmental impact assessment is required, and territories of industrial manufacturing which cause increased pollution, noise or other kinds of disturbance in the environment which is harmful to the environment or to people;
- 4.12. runoff basins of first-level tributaries of surface waters, the locations of bodies of water, the locations of water points and waste water discharge points, water treatment structures and organised places of swimming, territories of underground water protection and flood risk territories;
- 4.13. other territories, objects and requirements in accordance with the national spatial plan, the terms of reference for the spatial plan of a planning region or district local government and a territorial local government spatial plan;
- 4.14. towpaths; and
- 4.15. protected strips (protected zones) in accordance with the scale determination of the territorial local government spatial plan.

5. Amendments to a territorial local government spatial plan are changes to the planned (permitted) utilisation of a part of the administrative territory of the territorial local government or to the restrictions upon such utilisation.

6. If a territorial local government spatial plan does not sufficiently lay down the conditions for the utilisation and building up of certain land units, these shall be specified in a detailed plan.

7. A detailed plan is a plan for a part of the administrative territory of a territorial local government and it is drawn up in accordance with the territorial local government spatial plan, pursuant to the scale determination in detailing and clarifying the planned (permitted) utilisation of the part of the territory specified therein and restrictions upon such utilisation.

8. For each existing and planned land unit the current utilisation shall be indicated and the following shall be determined in a detailed plan:

- 8.1. the planned (permitted) utilisation;
- 8.2. provisions for the utilisation and building up of the territory (including burdens);
- 8.3. the division, merging and rearranging of borders of land units, providing for lanes for driving up to each newly established land unit;
- 8.4. water outlets, amelioration structures and devices and other technical infrastructure;
- 8.5. profiles of existing, adjacent and newly established streets, cyclist roadways and corridors of engineering communications;
- 8.6. conditions for improvements;

8.7. an addressation key; and
8.8. other operational solutions which specify and clarify the arrangements and conditions of the territorial local government spatial plan.

9. Amendments to a detailed plan are changes to the planned (permitted) utilisation of the part of the territory specified in the detailed plan and/or to restrictions upon such utilisation.

10. Public consultations regarding a territorial local government spatial plan and detailed plan, as well as regarding amendments thereto shall be organised in at least two stages:

10.1. the first stage shall be organised upon commencing the development of a territorial local government spatial plan, detailed plan or amendments thereto; and

10.2. the second stage shall be organised after the drawing up of the first draft of the territorial local government spatial plan, detailed plan or amendments thereto.

11. The territorial local government, within two weeks after the taking of the respective decision, shall send to the Ministry of Regional Development and Local Government Matters any decisions regarding the commencement of the development of a territorial local government spatial plan, detailed plan and amendments thereto, and regarding the approval of the development manager, the terms of reference and the final version. The Ministry of Regional Development and Local Government Matters shall publish the referred to decisions on the Internet home page of the Ministry (www.rapl.gov.lv).

12. The authorities shall co-operate with the territorial local government in the field of spatial planning in accordance with the following procedures:

12.1. where necessary, shall appoint a person responsible for spatial planning matters;

12.2. within four weeks after the request of a territorial local government, shall provide the information and/or conditions at the disposal thereof that is required for the development of the territorial local government spatial plan, detailed plan and amendments thereto free of charge within the competence thereof; and

12.3. within four weeks after a request from a territorial local government in accordance with the specified conditions, shall give an opinion regarding the developed territorial local government spatial plan and detailed plan, as well as the wording of amendments thereto.

13. A territorial local government shall request the conditions for the development of the territorial local government spatial plan and amendments thereto and opinions regarding the developed territorial local government spatial plan and the wording of amendments thereto from the following authorities included in the terms of reference:

13.1. the regional environmental board;

13.2. the State Inspection for Heritage Protection;

13.3. the State stock company *Latvijas valsts ceļi* [State Roads];

13.4. the State agency *Sabiedrības veselības aģentūra* [Public Health Agency];

13.5. the regional office of the State Land Service;

13.6. the State stock company *Latvenergo*;

13.7. the stock company *Latvijas gāze*;

13.8. the State Fire-fighting and Rescue Service;

13.9. the relevant district council;

13.10. the respective Planning Region Development Council;

13.11. the Regional Farm Management of the Rural Support Service;

13.12. the regional division of the State Forestry Service;

- 13.13. the State stock company *Latvijas valsts meži* [Latvian State Forest] forestry office;
- 13.14. the administration of a specially protected nature territory (if any);
- 13.15. the relevant administration of a river basin (if any); and
- 13.16. holders of telecommunication objects and, where appropriate, other authorities.

14. The Ministries and the Secretariat of the Minister for Special Assignments, if necessary, in accordance with the competence thereof shall provide the conditions required for the development of a territorial local government spatial plan, detailed plan and amendments thereto, and shall provide an opinion regarding the developed version of the territorial local government spatial plan, detailed plan and amendments thereto.

15. In developing a territorial local government spatial plan, detailed plan and amendments thereto which affect other local governments, the administrative territories of which border on the territory of the respective plan, the territorial local government shall inform the relevant local governments thereof and ascertain their opinion:

15.1. by sending the copies of decisions regarding the commencement of the development of the territorial local government spatial plan, detailed plan and amendments thereto;

15.2. through notification of public consultation measures;

15.3. by requesting an opinion regarding the developed version of the territorial local government spatial plan, detailed plan and amendments thereto; and

15.4. through notification of the time and place for public consultations of the territorial local government spatial plan, detailed plan and amendments thereto.

16. A territorial local government spatial plan, detailed plan and amendments thereto shall be developed and drawn up in accordance with the procedures set out in regulatory enactments in not less than two copies, one of which shall be kept at the respective territorial local government city council (county or parish council), whereas the other – at the Ministry of Regional Development and Local Government Matters. A territorial local government spatial plan, detailed plan and amendments thereto which have ceased to be in effect shall be kept in accordance with the procedures set out in the Law on Archives.

17. The State Land Service shall ensure free of charge information from the State Cadastre Register of Immovable Property necessary for the development of a territorial local government spatial plan, detailed plan and amendments thereto.

18. The system of co-ordinates, the co-ordinate grid, the name, scale, the designations used and the developer thereof shall be indicated in maps (plans) of a territorial local government spatial plan, detailed plan and amendments thereto. If the printout of the map (plan) has been carried out on a scale other than a cartographic base, in addition to the scale the accuracy of the base shall also be indicated.

19. A territorial local government shall provide the opportunity for any interested party to become acquainted with the territorial local government spatial plan, detailed plan and amendments thereto, as well as to obtain copies thereof.

20. The respective territorial local government shall ensure monitoring of the observance of a territorial local government spatial plan, detailed plan and amendments thereto.

21. If in approving the territorial local government spatial plan and detailed plan, illegal local government binding regulations have been adopted, the activity thereof shall be terminated in accordance with the procedures set out in the Law on Local Governments.

II. Components of a Territorial Local Government Spatial Plan

22. A territorial local government spatial plan shall have the following components:

- 22.1. an explanatory memorandum;
- 22.2. a graphical component;
- 22.3. regulations for the utilisation and building up of the territory; and
- 22.4. a factual report regarding the development of the territorial local government spatial plan.

23. The explanatory memorandum shall include at least the following information:

- 23.1. a description of the current utilisation of the territory and preconditions for the development of the territory;
- 23.2. the objectives and directions of development for the territory; and
- 23.3. a description of and justification for the operational solutions of the territorial local government spatial plan.

24. The graphical component shall include:

- 24.1. the topographic map (plan) used for the preparation of the territorial local government spatial plan;
- 24.2. a map (plan) in which the current utilisation of the territory shall be indicated;
- 24.3. a map (plan), in which the planned (permitted) utilisation of the territory shall be indicated, specifying:
 - 24.3.1. the layout of the planned main engineering communications and traffic infrastructure;
 - 24.3.2. protective strips (protection zones) the depiction of which is possible on the scale selected for the map (plan);
 - 24.3.3. territories for which detailed plans are to be developed; and
- 24.4. other maps (plans) necessary for the depiction of certain restrictions on planned (permitted) utilisation and utilisation, indicating the borders of the administrative territories.

25. The regulations for the utilisation and building up of the territory shall include:

- 25.1. information regarding permitted and prohibited utilisation of the territory;
- 25.2. rules of access;
- 25.3. regulations on the division, merging and re-arrangement of the borders of land units;
- 25.4. requirements for construction intensity and density indicators;
- 25.5. requirements for height restrictions;
- 25.6. courtyard rules;
- 25.7. requirements for the provision of visibility;
- 25.8. distance requirements between structures, engineering communications;
- 25.9. requirements for the compliance of structures with borders of land units;
- 25.10. minimum-area requirements for land units to be newly created;
- 25.11. requirements for the structural parts and elements of buildings and structures;
- 25.12. requirements for outside elements;

- 25.13. requirements for the construction, reconstruction, exploitation of engineering communications;
- 25.14. requirements for new traffic infrastructure and the reconstruction of the current infrastructure;
- 25.15. requirements for fuel and gas filling stations and other risk objects;
- 25.16. requirements for the parking of cars and bicycles;
- 25.17. requirements for agricultural buildings and structures intended for livestock;
- 25.18. requirements for the reconstruction, restoration and repair of buildings and structures;
- 25.19. requirements for the maintenance of the territory, buildings and structures;
- 25.20. requirements for changes to the functionality of buildings and structures or to the parts thereof;
- 25.21. requirements for the utilisation of nature territories and the laying out of greenery;
- 25.22. requirements for the improvement of the territory and the elements, the visual and artistic representation thereof;
- 25.23. requirements for cultural and historical territories of special protection and for the protection of cultural monuments;
- 25.24. requirements for the utilisation of nature territories of special protection;
- 25.25. requirements for lands suitable for agriculture and forest land the transformation of which is required;
- 25.26. deposits of mineral resources;
- 25.27. towpaths;
- 25.28. protection zones;
- 25.29. requirements specified by the management plan for a river basin district (if there is such), including the programme of measures;
- 25.30. regulations on the management of water bodies (if any);
- 25.31. requirements for land units upon which construction work has been commenced or economic activity does not correspond with the planned (permitted) utilisation of the territory;
- 25.32. requirements for construction design work commenced by the day of entry into effect of the new territorial local government spatial plan;
- 25.33. the procedure for the implementation of construction rights;
- 25.34. requirements for detailed plans;
- 25.35. a list of the detailed plans in effect, any additions to which are not amendments to the provisions for the utilisation and building up of the territory; and
- 25.36. other requirements and restrictions.

26. In the factual report regarding the development of the territorial local government spatial plan, the following shall be included:

- 26.1. decisions of the territorial local government regarding the commencement of the development of the territorial local government spatial plan, the approval of the terms of reference (attaching the terms of reference), the organisation of public consultations and the approval of the territorial local government spatial plan;
- 26.2. materials of the public consultations (including proposals received upon commencement of the development of the territorial local government spatial plan, as well as the results of the public consultations at the second stage of development);
- 26.3. a report regarding proposals and objections from natural and legal persons either taken into consideration or rejected;
- 26.4. the information, conditions and opinions provided by the authorities;

- 26.5. a report regarding the observance of the conditions of the authorities;
- 26.6. a report regarding the compliance of the territorial local government spatial plan with the requirements of a higher-level spatial plan; and
- 26.7. other information utilised for the development of the territorial local government spatial plan.

III. Development of a Territorial Local Government Spatial Plan and Public Consultations

27. A territorial local government spatial plan shall be developed taking into account the following:

- 27.1. the current spatial plan in effect (if there is such);
- 27.2. the development programme for the local government territory;
- 27.3. the structure of land properties;
- 27.4. the terms of reference for the development of the plan;
- 27.5. the higher-planning-level spatial plan, national programmes and sectoral development plans;
- 27.6. the territorial local government spatial plans and development programmes which border upon the territory to be planned;
- 27.7. the planning documents of the State authorities and local governments which relate to the territory to be planned;
- 27.8. regulations for the protection and utilisation of natural, cultural and historical territories of special protection, of cultural monuments, and of nature protection plans;
- 27.9. an environmental overview and the opinion of a competent authority regarding the environmental overview in accordance with the Law on the Environmental Impact Assessment; and
- 27.10. management plans (if there are such) of a river basin district.

28. For the development of a territorial local government spatial plan, a topographic map (not older than five years) drawn up in the LKS 92 TM geodesic co-ordinate system of Latvia shall be utilised with the determination of scale of 1:10,000, but for certain parts of the local government territory, if required – a topographic plan with a determination of scale of 1:5,000 or 1:2,000.

29. A territorial local government city council (county or parish council), in taking a decision regarding the commencement of the development of a territorial local government spatial plan, shall appoint a manager for the development thereof (hereinafter - development manager). The development manager is the official who organises the course of the development of the territorial local government spatial plan, informs the territorial local government thereof, as well as submits for its consideration the materials of the territorial local government spatial plan.

30. A territorial local government may establish a working group for the development of the territorial local government spatial plan (hereinafter – working group) and invite experts. The development manager shall head the working group.

31. The development manager shall prepare and the territorial local government city council (county or parish council) shall approve the terms of reference, in which the following shall be included:

- 31.1. a substantiation, the tasks, the raw materials and the requirements for the development of the territorial local government spatial plan;
- 31.2. a list of the authorities referred to in Paragraph 13 of these Regulations; and
- 31.3. a time schedule for the development of the territorial local government spatial plan, indicating the planned public consultation measures.

32. After the taking of a decision regarding the approval of the terms of reference and the organisation of the first stage of public consultations, the territorial local government shall:

- 32.1. organise the first stage of public consultations; and
- 32.2. request and receive the conditions for the development of the territorial local government spatial plan from the authorities referred to in the terms of reference, adding to the request the decision of the territorial local government city council (county or parish council) regarding the commencement of the development of a territorial local government spatial plan and the approved terms of reference.

33. The territorial local government shall publish an announcement in the local newspaper (where appropriate, also in a district newspaper which is published not less than once a week) and in the newspaper *Latvijas Vēstnesis* [the official Gazette of the Government of Latvia] regarding the first stage of public consultations, which shall continue for not less than four weeks. The following shall be indicated in the announcement:

- 33.1. the decision of the territorial local government city council (county or parish council) regarding the commencement of the development of a territorial local government spatial plan;
- 33.2. the development manager;
- 33.3. the time period for the first stage of public consultations;
- 33.4. the place and time for the exhibition of the materials referred to in Paragraph 34 of these Regulations;
- 33.5. the place and time for the carrying out of the public consultation measures; and
- 33.6. the place and time for the reception of visitors and the submission of written proposals.

34. The following shall be transferred for assessment and exhibited at an accessible place and time in the territorial local government or authority thereof during the first stage of public consultations:

- 34.1. the territorial local government spatial plan currently in effect;
- 34.2. the development programme of the territorial local government;
- 34.3. any higher-planning-level spatial plan and the respective development programme; and
- 34.4. other materials.

35. The development manager shall compile the received proposals and conditions and, where appropriate, clarify the terms of reference after the end of the first stage of public consultations and the receipt of the conditions issued by the authorities.

36. The development manager shall submit for consideration to the territorial local government city council (county or parish council) the first draft of the territorial local government spatial plan. The territorial local government city council (county or parish council) shall take a decision regarding the transfer to public consultations and the receipt of opinions of the first draft of the territorial local government spatial plan.

37. The territorial local government after the taking of the decision referred to in Paragraph 36 of these Regulations shall:

37.1. organise the second stage of public consultations; and

37.2. request and receive opinions from the authorities referred to in the terms of reference regarding the first draft of the territorial local government spatial plan, attaching to the request the first draft of the territorial local government spatial plan.

38. A territorial local government shall publish an announcement in the local newspaper (where appropriate, also in a district newspaper which is published not less than once a week) and in the newspaper *Latvijas Vēstnesis* regarding the second stage of public consultations, which shall continue for not less than six weeks. The following shall be indicated in the announcement:

38.1. the decision of the territorial local government city council (county or parish council) regarding the transfer of the first draft of the territorial local government spatial plan for public consultations and the receipt of opinions;

38.2. the time period for the second stage of public consultations;

38.3. the place and time for the exhibition of the first draft of the territorial local government spatial plan;

38.4. the place and time for the carrying out of the public consultation measures; and

38.5. the place and time for the reception of visitors and the submission of written proposals.

39. At the second stage of public consultations at least the following materials and documents shall be transferred for review and exhibited at an accessible place and time at the territorial local government or authority thereof:

39.1. the first draft of the territorial local government spatial plan;

39.2. the territorial local government spatial plan currently in effect;

39.3. the development programme of the territorial local government;

39.4. any higher-planning-level spatial plan and the appropriate development programme; and

39.5. a factual report regarding the opinion and proposals of inhabitants received during the course of the development of the first draft of the territorial local government spatial plan.

40. After the end of the second stage of public consultations the development manager or working group shall prepare the public consultation materials, which shall include the following:

40.1. announcements and publications in the press;

40.2. the documents and materials of the territorial local government spatial plan exhibited for public consultations;

40.3. a list of the public consultation measures;

40.4. any written comments and replies thereto; and

40.5. minutes of the public consultation meetings drawn up in accordance with the procedures set out in regulatory enactments regarding the development and drawing up of documents.

IV. Entering into Effect of a Territorial Local Government Spatial Plan

41. The development manager shall submit for consideration to the territorial local government city council (county or parish council) the draft version of the developed territorial local government spatial plan, the opinions of the authorities and the materials of the public consultations. The territorial local government city council (county or parish council) shall take one of the following decisions:

41.1. to specify the version of the territorial local government spatial plan as the final version and send it to the Ministry of Regional Development and Local Government Matters for the receipt of an opinion;

41.2. to improve upon the version of the territorial local government spatial plan in accordance with the opinions of the authorities and the results of public consultations and to prepare a final version of the territorial local government spatial plan; or

41.3. to reject the version of the territorial local government spatial plan and develop it anew in accordance with new terms of reference.

42. If the territorial local government city council (county or parish council) takes the decision referred to in Sub-paragraph 41.1 of these Regulations, the territorial local government shall send the final version of the territorial local government spatial plan within a week after the taking of such decision to the Ministry of Regional Development and Local Government Matters for the receipt of an opinion. The Ministry of Regional Development and Local Government Matters shall provide an opinion within a time period of eight weeks.

43. If the territorial local government city council (county or parish council) takes the decision referred to in Sub-paragraph 41.2 of these Regulations, the territorial local government shall ensure the opportunity to become acquainted with the final version of the plan for the inhabitants and the authorities which have provided opinions regarding the developed draft of the territorial local government spatial plan, in accordance with the following procedures:

43.1. it shall notify in writing the authorities referred to in Paragraph 13 of these Regulations and shall publish the information in the newspapers referred to in Paragraph 38 of these Regulations regarding the place and time where for at least three weeks it shall be possible to become acquainted with the final version of the territorial local government spatial plan and again submit opinions and comments;

43.2. within a week of the receipt of the notification referred to in Paragraph 43 of these Regulations, it shall ensure the opportunity for representatives of the authorities referred to in Paragraph 13 of these Regulations (if the authorities have requested so in writing) to review the documentation of the final version of the territorial local government spatial plan;

43.3. it shall ensure for the representatives of the authorities referred to in Paragraph 13 of these Regulations and for other interested parties the opportunity to receive the necessary explanations regarding the final version of the territorial local government spatial plan; and

43.4. two weeks before the meeting for the review of the final version of the territorial local government spatial plan, it shall notify in writing the authorities referred to in Paragraph 13 of these Regulations and shall publish the place and time of the meeting in the newspapers referred to in Paragraph 38 of these Regulations.

44. In the decision regarding the approval of the territorial local government spatial plan the territorial local government city council (county or parish council) shall consider the previous territorial local government spatial plan as having ceased to be in effect.

45. A territorial local government city council (county or parish council) shall approve the territorial local government spatial plan and shall issue the graphical part thereof and the rules for the utilisation and building up of the territory as local government binding regulations. The decision by which the territorial local government spatial plan has been approved and the local government binding regulations have been issued shall be published not later than two weeks after the receipt thereof in the local newspaper (where appropriate, also in a district newspaper) and in the newspaper *Latvijas Vēstnesis*, indicating the place where it shall be possible to become acquainted with the approved territorial local government spatial plan. The territorial local government spatial plan shall enter into effect on the date when the referred to decision is published in the newspaper *Latvijas Vēstnesis*.

46. Within two weeks of the coming into effect of the territorial local government spatial plan, the territorial local government shall submit for information the following:

46.1. to the Ministry of Regional Development and Local Government Matters – a copy of the territorial local government spatial plan, attaching maps (plans) from the graphical component (in digital form, in the LKS 92 co-ordinate system);

46.2. to the State Land Service – a copy of the graphical component of the territorial local government spatial plan certified in accordance with the procedures set out in regulatory enactments regarding the development and drawing up of documents and regulations for the utilisation and building up of the territory, as well as a map (plan) from the graphical component in which the planned (permitted) utilisation of the territory and protection zones shall be shown (in digital form, in the form of vectorial data, in the LKS 92 co-ordinate system); and

46.3. to the regional environmental board – a map (plan) from the graphical component in which the planned (permitted) utilisation of the territory and protection zones shall be shown (in digital form, in the form of vectorial data, in the LKS 92 co-ordinate system).

47. Amendments to the planned (permitted) utilisation of the territory and the utilisation restrictions specified in the territorial local government spatial plan shall be developed in accordance with the procedures set out in Chapter III of these Regulations as amendments to the territorial local government spatial plan, and they shall enter into effect in accordance with the procedures set out in Paragraphs 41, 42, 43, 44, 45 and 46.

V. Components of a Detailed Plan

48. A detailed plan has the following components:

48.1. an explanatory memorandum.

48.2. a graphical component;

48.3. regulations for the utilisation and building up of the territory; and

48.4. a factual report regarding the development of the detailed plan.

49. The explanatory memorandum shall include at least the following information:

49.1. a description of the current utilisation of the territory and conditions for the development of the territory;

49.2. a description and substantiation of the operational solutions of a detailed plan; and

49.3. the objectives and tasks for the development of the territory.

50. The following shall be included in the graphical component:

50.1. a topographic plan in which information from the State Cadastre Register of Immovable Property is included and which has been utilised for the development of the detailed plan;

50.2. a plan in which the current utilisation of the territory shall be indicated;

50.3. a plan with topographic elements in which the planned (permitted) utilisation and restrictions upon the utilisation of the territory shall be specified, defining:

50.3.1. current and planned borders of land units;

50.3.2. the planned layout of buildings, traffic infrastructure and engineering communications;

50.3.3. current and planned protection zones in accordance with the Law on Protection Zones;

50.3.4. towpaths; and

50.3.5. a diagram for the layout of the territory, street profiles, an explication of the planned (permitted) utilisation and burdens and any accepted designations; and

50.4. other plans (diagrams) necessary for the representation of certain planned (permitted) types of utilisation and restrictions upon utilisation on an appropriate scale (including schemes of roads and streets, traffic diagrams, addressing, red lines, the layout of engineering supply networks, a plan for the division of land units).

51. The requirements for the planned (permitted) utilisation of the territory of the territorial local government and the restrictions upon utilisation referred to in Paragraph 25 of these Regulations shall be detailed in the regulations for the utilisation and building up of the territory, defining such for each current and planned land unit.

52. The following shall be included in a factual report regarding the development of a detailed plan:

52.1. the decision of the territorial local government regarding the commencement of the development of the detailed plan (including the terms of reference, the organisation and approval of public consultations);

52.2. copies of the documents attesting to the land boundary plan and ownership rights;

52.3. materials from the public consultations (including proposals received upon the commencement of the development of the detailed plan, as well as the results of public consultations at the second stage of the process);

52.4. a report regarding the proposals and objections of natural persons and legal persons which have been either taken into account or rejected;

52.5. the information, conditions and opinions provided by the authorities;

52.6. a report regarding the observance of the conditions of the authorities;

52.7. a report regarding the compliance of the detailed plan with the requirements of the territorial local government spatial plan; and

52.8. other information utilised for the development of the detailed plan.

VI. Development of a Detailed Plan and Public Consultations

53. A detailed plan is the foundation for the determination of new land units and any changes to current land units, and it shall be developed in accordance with Paragraph 27 of these Regulations.

54. For a territory in which the division, merging or building up of land units is intended, a detailed plan shall be developed:

54.1. in the territory specified in the territorial local government spatial plan;

54.2. if the scale of the territorial local government spatial plan does not ensure sufficient detail and precision;

54.3. for any vacant lot in the territory of a populated area in which the regulations for the utilisation and building up of the territory are insufficiently detailed in the territorial local government spatial plan;

54.4. for any complex building up of the territory, providing for the construction of traffic infrastructure, engineering communications and other infrastructures;

54.5. if in accordance with the Law on the Environmental Impact Assessment an opinion of the competent authority for the object has been issued regarding the final report of the environmental impact assessment for the intended operations;

54.6. for an object of fire-risk or explosive hazard, as well as for an object in which dangerous chemical and radioactive substances or dangerous chemical products are being produced or stored, or where dangerous waste which could cause an industrial accident is being managed;

54.7. for the territories of the protective zones of the Baltic Sea and of the coastal dunes of the Gulf of Riga, surface water bodies; and

54.8. for a territory in which the transformation of forest land or land to be utilised for agriculture into built-up territory is intended.

55. A territorial local government city council (county or parish council), in taking a justified decision, may provide for the commencement of the development of a detailed plan for territories which are not mentioned in Paragraph 54 of these Regulations.

56. If the division, merging, rearrangement or building-up of land units is permitted and/or intended and such regulations do not provide for the development of a detailed plan, the territorial local government city council (county or parish council) may take a decision not to develop a detailed plan and to specify procedures for the creation of immovable property.

57. An updated topographic plan (not older than one year) shall be utilised for the development of a detailed plan in the LKS 92 co-ordinate system with a determination of scale of 1:500 to 1:2,000.

58. A territorial local government city council (county or parish council), in taking a decision regarding the commencement of the development of a detailed plan, shall appoint and specify in the decision the development manager thereof – the official who organises the course of the development of a detailed plan, informs the territorial local government thereof, as well as submits the materials of the detailed plan for review.

59. The development manager for a detailed plan shall prepare and the territorial local government city council (county or parish council) shall approve the terms of reference, in which the following shall be included:

59.1. the justification, tasks, specific borders of the detailed plan to be developed, the raw materials and requirements for the detailed plan;

59.2. the authorities from which the conditions for the development of the detailed plan and the opinions regarding the wording of the developed detailed plan shall be requested; and

59.3. the timetable for the development of the detailed plan, specifying the planned public consultation measures.

60. After the taking of a decision regarding the approval of the terms of reference and the organisation of the first stage of public consultations, the territorial local government shall:

60.1. organise the first stage of public consultations; and

60.2. request and receive the conditions for the development of a detailed plan from the authorities referred to in the terms of reference, adding to the request the decision of the territorial local government city council (county or parish council) regarding the commencement of the development of the detailed plan, the approved terms of reference, copies of the documents attesting to the land boundary plan and ownership rights, as well as graphical information regarding the specific territory to be planned.

61. A territorial local government shall send a notification to the owners of properties included in a detailed plan and connected with the operational solution of the plan, as well as publish an announcement in the local newspaper (where appropriate, also in a district newspaper published not less than once a week) and in the newspaper *Latvijas Vēstnesis* regarding the first stage of public consultations, which shall continue for not less than two weeks. The announcement shall indicate:

61.1. the decision of the territorial local government city council (county or parish council) regarding the commencement of the development of the detailed plan;

61.2. the development manager;

61.3. the time period for the first stage of public consultations;

61.4. the place and time for the exhibition of the materials referred to in Paragraph 62 of these Regulations;

61.5. the place and time for the carrying out of the public consultation measures; and

61.6. the place and time for the reception of visitors and the submission of written proposals.

62. During the first stage of public consultations, the following shall be transferred for review and exhibited at an accessible place and time at the territorial local government or authority thereof:

62.1. the territorial local government spatial plan and detailed plan currently in effect (if such have been developed for the territory to be planned);

62.2. the development programme for the territorial local government; and

62.3. other materials.

63. The development manager shall compile the proposals and conditions received and, where appropriate, clarify the terms of reference after the end of the first stage of public consultations and the receipt of the conditions issued by the authorities.

64. The development manager shall submit for consideration the first draft of the detailed plan to the territorial local government city council (county or parish council). The territorial local government city council (county or parish council) shall take a decision regarding the transferring of the first draft of the detailed plan for public consultations and the receipt of opinions.

65. The territorial local government, after the taking of the decision referred to in Paragraph 64 of these Regulations, shall:

65.1. organise the second stage of public consultations; and

65.2. request and receive opinions regarding the first draft of the detailed plan from the authorities referred to in the terms of reference, attaching to the request the first draft of the detailed plan.

66. The territorial local government shall send a notification to the owners of properties included in the detailed plan and connected with the operational solution of the plan, as well as publish an announcement in the local newspaper (where appropriate, also in a district newspaper which is published not less than once a week) and in the newspaper *Latvijas Vēstnesis* regarding the second stage of public consultations, which shall continue for not less than two weeks. The announcement shall indicate:

66.1. the decision of the territorial local government city council (county or parish council) regarding the transferring of the first draft of the detailed plan for public consultations and the receipt of opinions;

66.2. the time period for the second stage of public consultations;

66.3. the place and time for the exhibition of the first draft of the detailed plan;

66.4. the place and time for the carrying out of the public consultation measures; and

66.5. the place and time for the reception of visitors and the submission of written proposals.

67. During the second stage of public consultations at least the following materials and documents shall be transferred for review and exhibited at an accessible place and time at the territorial local government or an authority thereof:

67.1. the first draft of the developed detailed plan;

67.2. the territorial local government spatial plan and detailed plan currently in effect (if such has been developed for the territory to be planned);

67.3. the development programme for the territorial local government; and

67.4. a factual report regarding the opinion and proposals of inhabitants received in the course of the development of the first draft of the detailed plan.

68. After the end of the second stage of public consultations the development manager shall prepare the materials from the public consultations, which shall include the following:

68.1. announcements and publications in the press;

68.2. the documents and materials of the detailed plan exhibited for public consultations;

68.3. a list of public consultation measures;

68.4. written comments and replies thereto; and

68.5. minutes of the public consultation meetings drawn up in accordance with the procedures set out in regulatory enactments regarding the development and drawing up of documents.

VII. Entry into Effect of a Detailed Plan

69. The development manager shall submit the developed draft of a detailed plan, the opinions of the authorities and the public consultation materials to the territorial local government city council (county or parish council) for review. The territorial local government city council (county or parish council) shall take one of the following decisions:

69.1. to approve the draft of the detailed plan as the final version;

69.2. to improve upon the draft of the detailed plan in accordance with the opinions of the authorities and the results of public consultations and to prepare a final version of the detailed plan; or

69.3. to reject the draft of the detailed plan and to develop it anew in accordance with new terms of reference.

70. If the territorial local government city council (county or parish council) takes the decision referred to in Sub-paragraph 69.2 of these Regulations, the territorial local government shall ensure the opportunity to become acquainted with the final draft of the plan for the inhabitants and the authorities who have provided opinions regarding the developed draft of the detailed plan, in accordance with the following procedures:

70.1. it shall notify in writing the authorities referred to in the terms of reference and the owners of immovable properties included in the detailed plan and connected with the operational solution of the plan, as well as shall publish the information in the newspapers referred to in Paragraph 66 of these Regulations regarding the place and time where at for least three weeks it shall be possible to become acquainted with the final draft of the detailed plan and again submit opinions and comments;

70.2. it shall ensure the opportunity for representatives of the authorities referred to in the terms of reference and for the owners of immovable properties included in the detailed plan and connected with the operational solution of the plan (if the authorities and the owners of the immovable properties included in the detailed plan and connected with the operational solution of the plan have requested so in writing) to review the documentation of the final draft of the detailed plan within a week of the receipt of the notification referred to in Paragraph 70.1 of these Regulations;

70.3. it shall ensure for representatives of the authorities referred to in the terms of reference, the owners of immovable properties included in the detailed plan and connected with the operational solution of the plan and for other interested parties the opportunity to receive the necessary clarifications regarding the final draft of the detailed plan; and

70.4. two weeks before the meeting for the review of the detailed plan, the authorities referred to in the terms of reference and the owners of immovable properties included in the detailed plan and connected with the operational solution of the plan shall be informed in writing, as well as the time and place for the meeting shall be published in the newspapers referred to in Paragraph 66 of these Regulations.

71. A territorial local government city council (county or parish council) shall not take a decision regarding the approval of a detailed plan if during the course of the development of the detailed plan, the consent of the landowners included in the territory thereof has not been reached in matters affecting their ownership rights (save where the alienation of the property for State and public needs is provided for in the detailed plan).

72. The territorial local government city council (county or parish council) shall approve a detailed plan and shall issue the graphical part thereof and the regulations for the utilisation and building up of the territory as local government binding regulations. The decision by which the detailed plan has been approved and local government binding regulations have been issued, not later than two weeks after the taking thereof, shall be published in the local newspaper (where appropriate, also in a district newspaper) and in the newspaper *Latvijas Vēstnesis*, indicating the place where it shall be possible to become acquainted with the detailed plan. The detailed plan shall enter into effect on the date when the referred to decision is published in the newspaper *Latvijas Vēstnesis*.

73. The territorial local government shall submit for information a copy of the graphical component of an approved detailed plan, which has been certified in accordance with the procedures set out in regulatory enactments regarding the development and drawing up of documents, and the regulations for the utilisation and building up of the territory, as well as the plans from the graphical component, in which the planned (permitted) utilisation of the territory and protection zones shall be shown (in digital form, in the form of vectorial data, in the LKS 92 co-ordinate system) to the State Land Service within two weeks of the coming into effect of the detailed plan.

74. Changes to the planned (permitted) utilisation of the territory and restrictions on utilisation specified in a detailed plan shall be prepared in accordance with the procedures set out in Chapter VI of these Regulations as amendments to the detailed plan, and they shall enter into effect in accordance with the procedures set out in Paragraphs 69, 70, 71, 72. and 73.

VIII. Closing Provisions

75. Cabinet Regulation No. 34 of 13 January 2004, Regulations regarding Territorial Local Government Spatial Planning (*Latvijas Vēstnesis*, 2004, No. 16), is repealed.

76. Within a time period of three months after the entering into effect of the spatial plan for a planning region or the spatial plan for a district local government, the territorial local government shall evaluate the territorial local government spatial plan and, where appropriate, take a decision regarding the making of amendments thereto or regarding the development of a new territorial local government spatial plan.

77. Within three months after local government elections, a newly elected territorial local government city council (county or parish council) shall evaluate the territorial local government spatial plan and shall take a decision regarding the leaving in effect thereof, regarding the making of amendments thereto or regarding the development of a new territorial local government spatial plan.

78. Within three months after the establishment of a county, the newly established county council shall evaluate the county territorial local government spatial plans and shall take a decision regarding the leaving in effect thereof, regarding the making of amendments thereto or regarding the development of new territorial local government spatial plans.

79. Detailed plans in the developmental stage shall be continued to be developed in accordance with the requirements of Cabinet regulations in accordance with which the development of the relevant detailed plans have been commenced.

80. Territorial local government spatial plans and amendments thereto in the developmental stage shall be continued to be developed in accordance with the requirements of these Regulations:

80.1. determining the components of a spatial plan in accordance with the procedures set out in Chapter II of these Regulations;

80.2. requesting and receiving the opinions from the authorities referred to in Paragraph 13 of these Regulations; and

80.3. sending the final draft of the spatial plan to the Ministry of Regional Development and Local Government Matters for the receipt of an opinion in accordance with Sub-paragraph 41.1 of these Regulations.

81. Territorial local government spatial plans, the development of which has been commenced before 13 January 2004, shall be submitted to the Ministry of Regional Development and Local Government Matters by the territorial local government for the receipt of an opinion prior to the approval thereof.

82. If the territorial local government does not have a territorial local government spatial plan, a detailed plan shall be developed on the basis of the planned (permitted) utilisation of the territory determined in the spatial plan for the district local government. In addition to the requirements specified for the development of the detailed plan in these Regulations, the territorial local government shall:

82.1. publish the information referred to in Paragraphs 61, 66 and 76, as well as in Sub-paragraph 70.4 of these Regulations in district newspapers which are published not less than once a week, and in the newspaper *Latvijas Vēstnesis*;

82.2. organise the second stage of public consultations, which shall continue for not less than four weeks, after the preparation of the first draft of the detailed plan;

82.3. attach the opinion of the relevant district council to the report referred to in Paragraph 53 of these Regulations regarding the compliance of the detailed plan with the planned (permitted) utilisation of the territory specified in the territorial local government spatial plan; and

82.4. attach to the documents exhibited for public consultations referred to in Paragraphs 62 and 67 of these Regulations the spatial plan of the district local government currently in effect.

Acting for the Prime Minister,
Deputy Prime Minister

A. Šlesers

Minister for Regional Development
and Local Government Matters

A. Radzevičs