

## EFFECT OF THE STATE REGULATORY DEVELOPMENTS

**Chepelevskiy Yu.L.**

Postgraduate Student of the Department of European Integration and Law of Lviv Regional Institute of Public Administration of National Academy of Public Administration under the President of Ukraine

*The article rightly essence and main features of urban development. Disclosure tasks of state regulation of urban development in Ukraine. Reasonable factors that hinder the development of urban planning area. The main priorities of state regulation of urban development. Presentation of the areas of improvement of state regulation, identifies priority principles of the regulatory framework of urban development in Ukraine.*

**Key words:** town-planning activity, state, regulation, European integration, concepts of town-planning management.

**Formulation of the problem.** Over the past decades, the world's leading countries have become aware of the special role of cities in the process of building a modern state, which is the undisputed evidence of the recognition of the European community of urban policy as a guarantor of effective and balanced development of the territories. The problems of urban development in Ukraine in the era of globalization, which are determined by socio-economic, political and legal, functional-territorial, environmental factors and conditions of the investment process, significant changes in the structure of the subjects of urban development activities and their interconnections, are worthy of attention. – changes in the emphasis and concept of urban management.

**Analysis of recent research and publications.** A lot of works of domestic and foreign scientists, in particular Yu.M., are devoted to the study of urban development issues. Bilokin, MS Bilyk, VV Vladimirov, MM Gabel, MI Dolishniy, MM Demin, Ye.E. Klyushnichenko, VI Nudelman, VO Timochin, IO Fomin and other scholars. To solve problems of urban forecasting and urban planning processes, they devoted their works to T.V. Egorenko, Ye.S. Kuts, T.S. Nechaeva, N.V. Pavlyha, O.S. Petrakovskaya, G.Ya. Filvarov and others.

**Unsolved earlier part of the presented problem.** During the research, the issues of the applied bases of state regulation of urban development at the various stages of the city-building process on creation of the material-spatial environment, human life and justification of directions for its improvement in the conditions of European integration remain unresolved.

**The purpose of the study** is to reveal the essence and objectives of state regulation of urban development activities, to identify the factors that hamper the development of urban development in the region and to present directions for improving the state regulation of urban development activities in Ukraine.

**Presentation of the main research material.** At the present stage, city planning, as a separate branch of scientific knowledge, investigates the patterns of the formation and functioning of

territorial systems of different hierarchical levels, develops the principles and criteria for making design decisions in the form of design norms and concepts of city-planning solutions, technologies and designing of design tasks, models of perspective development of territories. The state establishes the legal basis for making managerial decisions, protects the interests of the national economy, forms its infrastructure, monitors the processes of monetary circulation, establishes and develops a profitable legal relationship for society. Under such conditions, state regulation of urban development, as an integral part of the national economy, is not only necessary, but, on the contrary, its significance is greatly increased. In the field of urban planning, a constant search for the formation of new economic-organizational mechanisms for the implementation of urban development processes [1, p. 34].

From the professional and planned work of the state ultimately the development of cities, settlements, infrastructure – the same elements, of which the country is formed. In subsequent years, the role and significance of urban development will increase significantly. This will be conditioned by the increase of business, social and construction activity, resource availability of such long-term trends in the development of territories and settlements, such as infrastructure improvement, urban development and reconstruction, improvement of the ecological condition of the urban environment, and the arrangement of rural settlements. Therefore, maintaining and maintaining the sustainable functioning of cities and other settlements is a strategic goal of state development.

Town-planning activity is a purposeful activity of state bodies, local and regional self-government bodies, enterprises, institutions, organizations of citizens for creation and maintenance of a valuable living environment, which includes [2, p. 14]:

- forecasting development and planning of territories;
- construction of other objects;
- design, construction and reconstruction of objects of housing and civil engineering, indus-

trial designation; regeneration of historical settlements;

- restoration of architectural complexes and ensembles;
- creation of engineering and transport infrastructure.

Town-planning activity is multifaceted, it covers various developmental problems (Fig. 1).

The main tasks of the city-planning policy in the modern environment are:

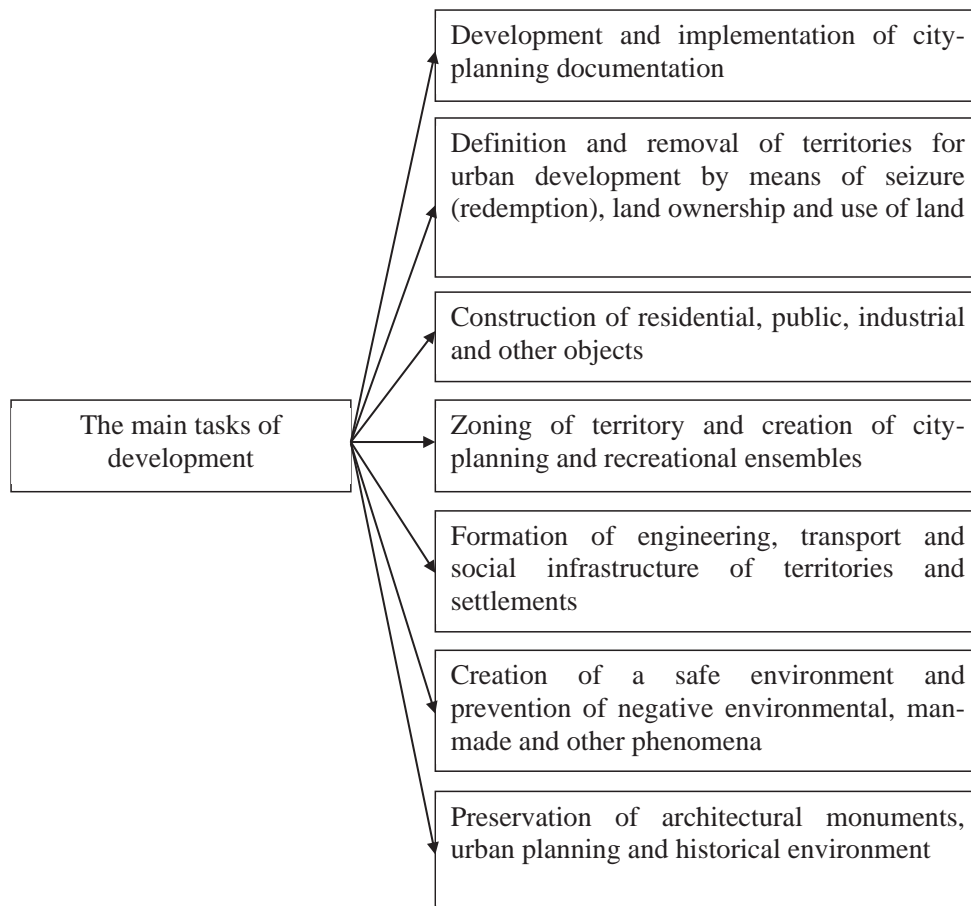
- development, transformation and modernization of the existing system of resettlement and network of urban and rural settlements taking into account administrative-territorial reform;
- the formation of transport and communication infrastructure that meets the external and internal needs of the country;
- creation of prerequisites for overcoming the acute problems of the development of large and largest cities in conjunction with surrounding agglomerations;
- raising the socio-economic level of small and medium-sized cities and rural settlements;
- preservation and restoration of historical, cultural and natural heritage;
- orientation to the modern theory of urban planning, support for the development of funda-

mental and applied scientific research in this area, expansion of information and statistical base of urban development activities.

The power and management in urban planning should change in connection with the democratic forms of urban development, while not losing the traditional forms and methods of urban governance and planning developed by the country for the entire previous period of development in the twentieth century. Extending legal forms and restricting discretionary powers in urban planning does not mean the abandonment of power; on the contrary, it gives rise to power, but on the basis of law and democracy. The aim is to create a basis for self-governance in cities, to improve public relations between the authorities and the community, and to strengthen city law. The most important function of power in cities lies in the organization of the necessary instrument management systems, namely: perspective urban planning; information management system of city planning; scientific theory and applied knowledge as the basis [4, p. 187].

The main factors hampering the development of urban planning are:

- ineffective regulatory and legal regulation of individual stages of the urban development pro-



**Fig. 1. The main tasks of development of urban development activities**

cess, the absence of a single coherent system of state building norms and insufficient provision of territories and settlements with actual urban planning documentation. This process of elaboration and adjustment of master plans and other city-planning documentation practically ceased in the absence of necessary funds. Despite the difficult financial situation of local councils, the issue of developing and updating urban planning documentation remains a priority for them, since it is impossible to give an objective conclusion on the feasibility of placing a new object without knowing the development paths of the settlement, which are defined by the general plan.

- insufficient state support in the development of master plans, as well as in simplifying and cheapening the process of their development for rural settlements with a small population.

- an imperfect legislative framework in the field of construction that allows simplifying the permitting procedure in construction and minimization, while the corruption component.

The allocation of land for development and the design of the relevant land management documentation remain the most burdensome constituent parts of the urban development process. The Law of Ukraine “On Regulation of Urban Development” practically did not affect the process of land allocation and reduction of its terms. In the future, the complex issue of allocating and adding land plots in the existing pre-existing building for one individual object remains. This is due to the need to develop (upgrade) city-planning documentation.

Today, the work of local authorities, authorized bodies of urban planning and architecture is aimed at solving the most urgent problems regarding the planning of the territories, ensuring the sustainable development of settlements and their systems, improving the spatial environment of the inhabitants of the region, preserving the rational use of natural resources, addressing important socio-economic and engineering and engineering problems of urban development.

The main task of the authorities is to ensure sustainable social, economic and ecologically balanced development of settlements and territories, aimed at creating economic potential, a valuable living environment for the modern and subsequent generations on the basis of rational use of resources, improvement of social, industrial, transport, communication and information, engineering, ecological infrastructure, improvement of living conditions, rest and recreation, preservation and enrichment of biological diversity and cultural heritage.

To form a full-fledged living environment it is necessary to carry out its planning and devel-

opment in accordance with the legislation, state norms, rules and standards, approved general plans, other city-planning documentation, therefore, the issue of developing a new or updating existing urban planning documentation and, accordingly, financing these works should be a priority [ 5].

Major actions in accordance with the city-planning activities should belong to the state, which provides an analysis of the state of urban development, forecasting its development; preparation, approval and implementation of state, regional and local urban development programs, urban planning documentation; coordination of the interaction of participants in the urban development process; carrying out of state expert examination of city-planning documentation and projects of concrete objects; development and approval of state standards, norms and rules; control over observance of city-planning legislation, state standards, norms and rules, approved city-planning documentation and projects of specific objects, rational use of territorial and material resources in designing and construction; licensing of special types of works in designing and construction.

State regulation in the field of urban development is:

- planning of territories at the national, regional and local levels;

- analysis of the state of urban planning, forecasting its development;

- preparation, approval and implementation of state, regional and local urban planning programs, urban planning documentation;

- coordination of interaction between subjects of urban development and architectural activity;

- provision of requirements for taking into account state interests in the development of city-planning documentation;

- conducting an examination of city-planning documentation and projects of specific objects;

- development and approval of state standards, norms and rules;

- control over compliance with legislation in the field of urban planning, state standards and norms, requirements of initial data, approved urban planning documentation and projects of specific objects, rational use of territorial and material resources in the design and construction;

- control over compliance with the requirements for the protection of cultural heritage and preservation of the traditional nature of the environment of settlements;

- licensing of certain types of economic activity in construction in the manner prescribed by law.

The modern urban management system requires a combination of both planning and regulation [5, p. 85]. In the process of city planning at the level of a city-planning system (local or regional), the regulation of activities is carried out with the help of the traditional general layout of the settlement, which is periodically updated and is an instrument of management of the state, as well as local self-government in the urban area.

Conflicts around construction in Ukraine serve as a hallmark of the crisis model of city planning, which is inadequate, and as a result, conflicts around building projects are explained by systemic reasons, without which the use of the territory of Ukraine as a whole and its cities in particular is doomed to have a chaotic and unpredictable character.

Creation of an effective legal and regulatory mechanism that meets the modern requirements of urban planning is a prerequisite for ensuring state regulation in this area.

Consequently, the creation and implementation of normative regulation of urban development activities is inextricably linked with the need to revise the tasks of state regulation. Further development of the normative base will be based on the principles:

- taking into account state and public requirements for urban development activities;
- restrictions on the volume and content of state norms to the needs of management, local conditions, economic, geographical, historical and cultural and other characteristics, traditions, requirements of the population, etc., more detailed requirements can be established within the limits of the current legislation and without contradiction to state norms;
- establishment of the norms of the boundary values of city-planning parameters.

**Conclusions and suggestions.** State regulation of urban development is defined as a way of managing the development of territories, which reflects the complex interaction of organizational, social, economic measures that operate on a legal basis and ensure the functioning of the urban development process, optimal achievement of goals and objectives of urban development policy. Improvement of state regulation of urban development activities should take place in a complex manner, using all instruments of the management mechanism – administrative, regulatory, economic and social. to resolve the issue

of providing settlements with urban planning documentation it is necessary to provide appropriate targeted state support in the development of master plans, as well as in simplifying and reducing the cost of developing them for rural settlements with a small population.

Adoption of the future Town Planning Code will ensure the systematization of legislation and the harmonization of its provisions with the norms of related industries, which will increase the efficiency of the executive authorities and bodies of local self-government, other participants in the urban development process and provide detailed regulation of their mutual relations in one legislative act. Improvement of the system of state architectural and construction control should be carried out by decentralizing the powers of the State Architectural and Construction Inspection of Ukraine, introduction of public control over the activities of the bodies of DABI, improvement of their personnel and financial provision, adjusting the current normative legal acts, developing and introducing new, departmental and interdepartmental documents, in particular, the interagency instruction on interaction between the bodies of the DABI of Ukraine, the Prosecutor's Office of Ukraine, the Ministry of Internal Affairs Ukraine and the Security Service of Ukraine in the area of prevention and counteraction to city-building offenses.

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