

УПРАВЛІННЯ ЗЕМЕЛЬНИМИ РЕСУРСАМИ ТА ЗЕМЛЕУСТРІЙ

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THE CONCEPT AND CONTENT OF THE TERMS “LAND USE PLANNING” AND “LAND USE MANAGEMENT” IN UKRAINE

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Proved that the concept and nature of the terms «land use management» and «land use planning» in Ukraine are not identical. Determined that land use management is the next phase of land use planning, it is a kind of its functional superstructure.

Keywords: *land use planning, land use management, spatial structure, territorial and functional infrastructure.*

Formulation of the problem.

Today, land use planning is considered as the scope of practice for the implementation of the land policy. After the adoption of the Land Code of Ukraine (2001) the series of scientific articles were published concerning the need to modify the concepts and terminology of science and land management practices. They have variously interpreted the concept of «land use planning» and «land use management», which is not conducive to solving practical problems. This discussion also arose at the international conference «Land use planning, cadastre and land protection in Ukraine: Current State, European prospec-

tives» devoted to the 20th anniversary of the Faculty of Land Management at the National University of Life and Environmental Sciences (23-24 September 2016, Kyiv). In this regard, we decided to once again return to the problem of understanding the semantics of the terms.

The purpose of this article is to study the nature of concepts and terms «land use planning» and «land use management» in Ukraine.

Presenting main material.

The term – a word or verbal complex is related to the concept of a organized field of knowledge (science, technolo-

gy) that come in a systemic relationship with other words and verbal complexes and form with them in each case and at a certain time closed system, is highly informative, unambiguous, accurate and expressive neutrality [1].

It is known that the Russian term «zemleustroystvo» (“land use planning») can be translated into Ukrainian as “zemleustriy” («land use planning»), and this translation, entirely adequate phonetically and in meaning, has become even more widespread. Thus, one Russian word «zemleustroystvo» correspond to two Ukrainian – “zemleustriy” («land use planning») and “zemlevporiadkuvannia” («land use management»).

Studying the origin of the term «land use planning» and the evolution of the meaning of this term in the present conditions, I. Budzylovykh said that first used the term in 1906 in the «Regulations on Land Management». The researcher believes that the content of the land use management is reflected in the processes of land management projects justified [2].

Some researchers believe that the term «land use planning» is derived from «land use system». According to O. Shuleykin and M. Andriyishyn term «land use system» means objective reality that reflects a certain state forms of distribution and use of land, together with other means of production and labor [3], it is an objective reality of existing land use system in the state.

A. Tretiak, in his book «Land Management in Ukraine: Theory, Methodology» [4, p.50] exploring the development of land use planning states that «the Land use planning is a pattern of social and public system that is characterized by certain land relations and the corresponding political organization regulation. In other words, the land use

planning – it is a state (system) procedure for use of land. «

However, today lasts parallel operation of two tokens: “**land use planning**” and “**land use management**”. The Land Code of Ukraine applies the term «land use management projects»; «land use documentation» in the Law of Ukraine «On Land Use Planning» in addition to these terms – «engineer surveyor», «land management», «land management research», «land management profile.» With their text shows that land use planning exists, because there talking about land planning documentation, land management projects, land survey findings, qualified engineer surveyor, but what is the difference – it is impossible to understand. In Ukraine issued Scientific Journal «Land Management Journal», created a public organization «Union of Surveyors of Ukraine». Scientific community applies the term «land management science.» Also, scientific studies and practice in the performance of work, the meaning attributed to land use, used the term «land use» [4, 5, 6], «kind of land management projects» [4, 7].

In the dictionary of the Ukrainian language [8], “land use management” – a set of measures on the ground and its use. Introduction of first rotation brings some order to use this land and it is closely linked to land management within “kolhoz” (“collective farm” in Soviet Union) (The collective farm production Encyclopedia, II, 1956, 506). In Great Dictionary of the Ukrainian language token system has an explanation: the established social order, the system of something; system. Token ordering interpreted as follows: 1). Bringing really something, restore proper order something. 2). Systematization, compilation, selection in a certain order (any materials); conclu-

sion [9]. In Economic encyclopedia [10] Land Use (Russian as “zemleuporyadochenye”) is interpreted as «technical and organizational measures and appropriate activities, most public bodies, aimed at streamlining and demarcation of land to determine the object, entity, or property boundaries and land use documentation of and for the rational use of land. Land use management is concerned mainly with land reform and social and economic revolution.» As we see, the token «land use management» and «land use planning» not identical in terms of semantics.

According to research of M. Volodin [11, p. 13] at the origin of land are restrictive work that initiated at the time of the formation and consolidation of agriculture state-of life. They performed to distinction of objects landed property and determining the size of the land tax, their history goes back thousands of years. Surveying was well known in Kievan Rus, Muscovy applied and continued in the Russian Empire to the early XX century. But the word «zemleustroystvo» as a name to refer to specific concepts (some of) appeared recently, its appearance was preceded by other specific concepts such as «pozemelnoe ustroystvo» (landed device) or «zemleustroitelnye raboty» (land surveyor works) that were in the texts of the land legislation in Russia XIX century. «Pozemelnoe ustroystvo», which was carried out restrictive state agencies, meant to achieve a certain state of security of farmers needed for their existence acreage. As a result of «zemleustroitelnye raboty» (land surveyor works) picture was created actual farmers land system, which later reflected in the term «zemleustroystvo.»

So, in essence historically direct land management as a field of activity

consisted in forming spatial objects of private land ownership with the assessment of its legal value and created legalization of land objects.

As for the West, the Western European languages there is a term whose meaning could be considered as close to the term «land use». But this does not mean that in the West there was no land. Activities to some extent similar to «zemleustroystvu» of and in the tsar Rissia, took place in Europe, but much earlier, and the beginning of the XX century, the processes of spatial objects forming land ownership, which required citizens of these countries were largely completed. As a result, land territory structure significantly improved and it acquired two major advantages: *objects landed property turned into a full set of product units land market; territorial unit receiving original data and specifications needed to further their development.*

However, with the completion of the formation of spatial objects landed property is completed and the process of land management, achieving its immediate goal – specific territorial system (land). As a result, the process of land actually creates qualitatively new spatial structure, a kind of basis for the next phase of development of a territory (administrative subdivision of land or entity). For a more complete understanding Fig. 1 shows a graphical interpretation of the formula of land for three indicators: *the main factors of the movement, most characteristic processes obtained results* [11, p. 15].

The above interpretation proves that the concept of «land use planning» not only literally, but in fact, the essence of its processes, means having or reaching a certain territorial structure as in some areas of administrative units and in the

whole country as a set of scific land about objects.

In particular, according to research of A. Tretyak [4], in the implementation of land reform in Ukraine for 1991-2013 years was formed a new land order characterized by new land relations and respectevly land use plaiining. Its system includes the following four components: 1) environmental; 2) administrative; 3) ownership; 4) economic.

I. The environmental blockt of land use planning of Ukraine includes:

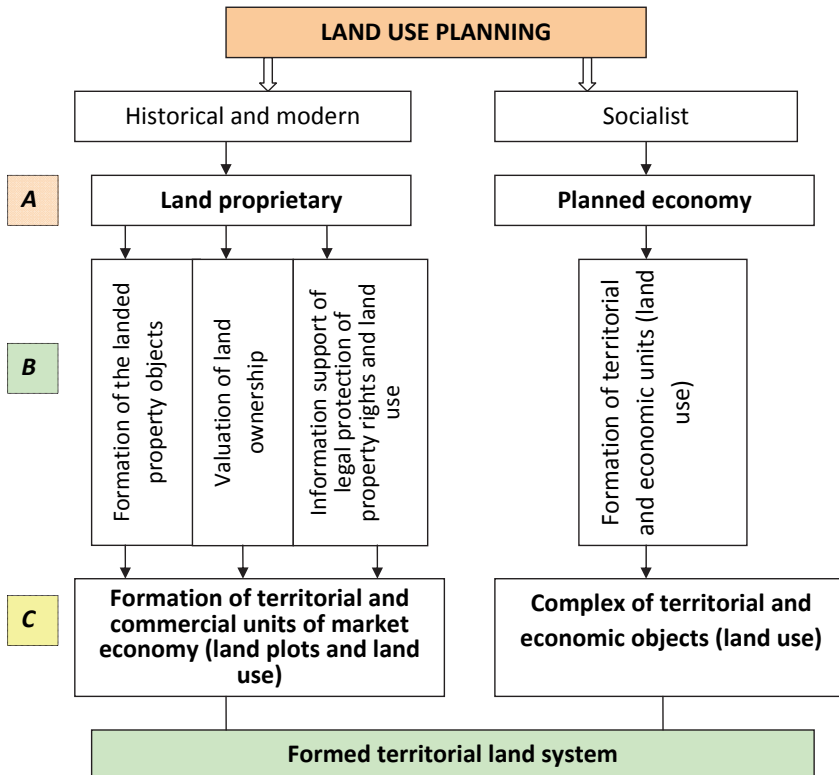
1) The results of different types of territory and soil zoning (natural farming, erosion, landscape and ecological, etc. ;

2) The structure of land use by regional area-ratio regulations eco-stabilizing lands and urban, agricultural development, arable, land use intensity, etc. ;

3) Frame structure of ecological land system through scientific study and the creation of an ecological network of Ukraine;

4) Zonal-regional agro-ecological zoning of soil for the cultivation of major crops;

5) The results of the scientific study and implementation of land zoning for their ecological and economic suitability;



Legend: A, B, C – indicators: the main factors of traffic, the most characteristic and processes the results.

Figure 1. The logical-semantic model of development land use planning by the historical and socialist forms.

6) Results of land zoning in their categories and types of land use;

7) The results of scientific evidence and the formation of a new structure of environmental, technological and agro-ecological constraints in land use.

II. Administrative block of the land system of Ukraine includes:

1) The structure of land use models of cities and their suburban areas;

2) The structure of land use models of medium and small cities and their suburban areas;

3) The structure of land use models of road network, energy, mining, etc;

4) The structure of models of sustainable (sustainable) development of rural land allocation mountainous and depressed;

5) The structure of land use patterns regime valuable areas;

6) the development of land use plans within the territories of village councils as a territorial base regulation of agricultural land and land-use material basis of capitalization of local communities;

7) The new structure of the administrative-territorial structure of the country.

III. Ownership block of land use system of Ukraine (by the forms of economic relations and land ownership) includes:

1) The structure of the division of land by ownership (state, municipal, private);

2) The structure and corporate models of cooperative economic relations of land ownership;

3) The structure of the models of economic relations of land ownership of land parcels (shares) and economic entities;

4) The structure of models restrictions on land use and state and public servitudes.

IV. Economical land use planning block of Ukraine includes:

1) The structure of models of sustainable (sustainable) land use in rural areas;

2) The structure forms of land use, particularly agricultural enterprises as objects of land capital, mortgage loans secured by land and its improvements;

3) The structure models of land as socially necessary facilities management and public use;

4) The structure of land use in rural areas for development of small and medium businesses, social housing and schools, organize collective gardens citizens, community pastures and more.

All these components are implemented in the process of land use planning. Obviously, the term «land use planning» should be taken in the case when it is necessary to express an opinion on the nature of the existing state of land relations, the principles of distribution of land between land users, land use structure by the types, forms and types.

Thus, in determining the nature of land use planning must proceed from the fact that its concept today is some objective meaning, which is caused by legally defined meaning land – art. 184 of the Land Code of Ukraine, specification is made in the Law of Ukraine «On Land Use Planning.» As seen from the above standards, meaning land first make various socio-economic and environmental measures to regulate land relations and rational organization of territory, and the content includes land development of land documents, but not included approval.

Given the foregoing and the fact that under the influence of new land relations concept and nature of land use changes, we offered him a new term. In the modern understanding *the land use planning is a set of socio-economic and environmental measures and organizational,*

legal and engineering actions aimed at regulating land relations and rational organization of the territory of the administrative-territorial entities, entities committed under the influence of social and industrial relations and development of productive forces [4, s.265].

So, if the **land use planning means a territorial structure, it is clear that land use management – is something else.** The essence of the concept of «land use management» is already clear from the literal construction of its expression, which is clearly seen as streamline land. The only problem is that the scope of regulation may be too large. Linguistic logic to it can be assigned a different activity: clearing land, construction of system improvements, establishing better land use, landscaping and so on. So far wider output potential of the word «land use management» should be used as a basis for determining inherent to him of and formulation of relevant concepts.

Leaving for land use planning priority in shaping the territorial structure of land, we should recognize the fact that this formation always has a purpose, such as the **regulation of land relations and the establishment of a rational organization of the territory administrative-territorial units** of undertakings carried out under the influence of social and industrial relations and a development of productive forces (*i.e manner and forms of land use*) and **formed structure** – tend to develop land use planning of this development, unification of land ownership as objects and so on. If so, it is logical to link the resulting spatial structure of activities for its improvement, is planning land use, its development and so on. This is obviously due to the need for streamlining land and areas of land can not be

implemented abstract space in general, but only in specifically defined within it.

Thus, the scope of land use management, getting very specific characteristics, while also gets strong foundation land use planning. This can be considered as the next phase of land use management, its original function and add-on enables also argued that the *essence of land use amangement is territorial and functional arrangement of land use spatial pattern created by their performance inherent in it processes.*

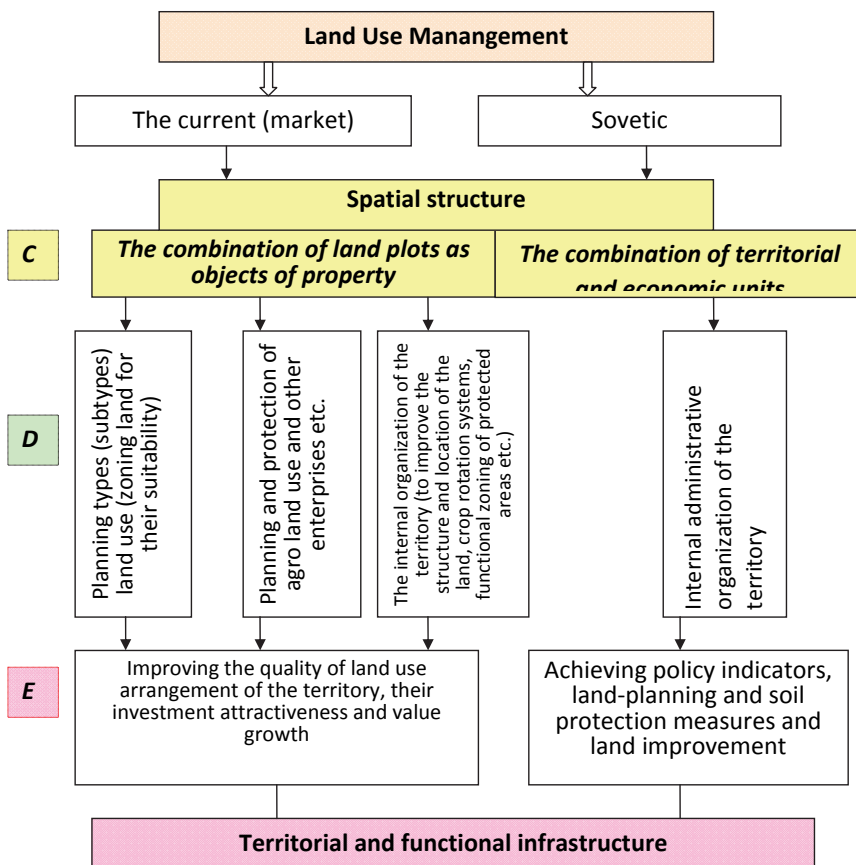
These can be classified are known from the experience of developed countries the planning of land use (zoning for land use types), preparation of general and detailed plans for land use and protection of farms, etc., combining land, etc., and is also known from the Soviet period specific activities of farm area of agricultural enterprises and farms today.

For a more clear understanding of the entire scope of land management in Fig. 2 shows the logical-semantic nature of land use pattern.

Today in legislation and law enforcement, the term «land use management» is used exclusively in the context of the land use planning, so the distinction between the terms «land use planning» and «land use management» is the reason. Moreover, it is necessary in the system of land management staff in educational levels: junior specialist, bachelor and master. At present in this area is dominated by the Soviet approach. But this is a topic of a separate study, which will be covered by us alone.

Conclusions.

Proved that for land use planning remains a priority in shaping the territorial structure of land, which is aimed at regulation of land relations and the



Legend: C, D, E – parameters: source object land management, the most characteristic and target processes.

Figure 2. The logical-semantic nature of land use pattern in modern (market) and the Soviet system of government land

establishment of a rational organization of the territory administrative-territorial units of undertakings carried out under the influence of social and industrial relations and a development of productive forces (that the manner and form of land) and land use is territorial and functional arrangement of land use spatial structure created by fulfilling their own inherent process to him. Therefore, to distinguish the terms «land use planning» and «land use management» is the reason.

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**Третяк А. М., Третяк В. М.
ПОНЯТТЯ ТА СУТНІСТЬ ТЕРМІНІВ
«ЗЕМЛЕУСТРІЙ» І «ЗЕМЛЕВПОРЯДКУ-
ВАННЯ» В УКРАЇНІ**

Обґрунтовано, що поняття і сутність термінів «землеустрій» та «землевпорядкування» в Україні не є тотожними. Визначено, що землевпорядкування є наступною фазою землеустрою, його своєрідною функціональною надбудовою.

Ключові слова: *земельний устрій, землеустрій, землевпорядкування, територіально-просторова структура, територіально-функціональна інфраструктура.*

**Третяк А. Н., Третяк В. Н.
ПОНЯТИЕ И СУЩНОСТЬ ТЕРМИНОВ
«ЗЕМЛЕУСТРОЙСТВО» И «ЗЕМЛЕУПОРЯ-
ДОЧЕНИЕ» В УКРАИНЕ**

Обосновано, что понятие и сущность терминов «землеустройстве» и «землеустройство» в Украине не являются тождественными. Определено, что землеустройства является следующей фазой землеустройства, его своеобразной функциональной надстройкой.

Ключевые слова: *земельный строй, землеустройство, землеупорядочение, территориально-пространственная структура, территориально-функциональная инфраструктура.*