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Navigating Ukraine's spatial planning framework: legal foundations and new priorities

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ABSTRACT

Introduction. The full-scale war has fundamentally transformed the context of spatial development in Ukraine and exposed significant weaknesses in the legal and institutional framework governing spatial planning and urban development. Against the backdrop of Ukraine's European integration process, the modernisation of spatial planning legislation has become an important prerequisite for improving governance, strengthening territorial resilience, and ensuring the coordinated recovery of communities. This research aims to critically examine Ukraine's current legislative framework for spatial planning and urban development, identify its strengths and weaknesses, and define strategic directions for its renewal in line with Ukraine's key needs and challenges.

Methods. The study is based on a comprehensive analysis of Ukrainian legislation, policy documents, and academic literature on spatial planning and urban development, combined with a comparative assessment of their alignment with European planning approaches and emerging priorities of post-war reconstruction. Content analysis identified gaps in the legal framework for spatial planning, while a SWOT analysis assessed the strengths and weaknesses of the current spatial planning system.

Results. The research reveals that current legislation remains fragmented and complex, hampered by martial law, war-related destruction, and a lack of coordination between government sectors. Major issues include the limited public access to geospatial data and challenges in managing urban development processes, especially in the context of post-war reconstruction. The findings suggest that modernising Ukrainian spatial planning legislation can be achieved by integrating post-war reconstruction priorities, housing strategies, and geospatial solutions into a single, sustainable spatial development system. Housing reform is identified as a critical component for protecting the rights of internally displaced persons through restoration, compensation, and strategic investment. At the same time, effective integration with geospatial infrastructure requires harmonised data standards, technical interoperability, and stronger alignment with hromada-level planning processes. The analysis further demonstrates that transforming the legislative framework should optimise mechanisms for preparing key spatial planning documents, particularly the Comprehensive Plan for the Spatial Development of the Territorial Community, while strengthening territorial hromadas' capacity to use spatial resources efficiently and respond to economic instability.

Conclusions. The modernisation of Ukraine's spatial planning system requires the integrated alignment of legislation, institutions, housing policy, and geospatial technologies, while drawing on European planning experience to enhance the resilience, inclusiveness, and sustainability of post-war recovery. The proposed reforms would contribute to more effective territorial governance, improved planning practices, and stronger adaptive capacities of communities facing long-term demographic, economic, and infrastructure-related challenges. This research aligns with the United Nations Sustainable Development Goals, particularly SDG 11 (Sustainable Cities and Communities), SDG 9 (Industry, Innovation and Infrastructure), and SDG 16 (Peace, Justice and Strong Institutions), emphasising the importance of resilient, inclusive, and sustainable spatial development in post-war Ukraine.

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Introduction

The post-war reconstruction of Ukraine raises unprecedented challenges for spatial planning and urban development (Maruniak et al, 2024). The destruction caused by the full-scale invasion, combined with demographic changes and economic instability, has created conditions that are prompting a reevaluation of approaches to territorial management (Ilyniak, 2024; Malchykova, 2025), as well as spatial development and planning (Libanova & Bystriakov, 2025; Maruniak et al, 2022). Legislation on spatial planning in Ukraine remains fragmented and complicated, often failing to coordinate with other government sectors and lacking a unified basis for sustainable development (Ohorodnyk et al, 2025). This fragmentation is particularly problematic in a state of martial law, when crisis decision-making and resource allocation are crucial for the recovery of communities and infrastructure.

Over the past decade, Ukraine has been gradually transitioning from the post-Soviet planning paradigm to European Union standards, reflecting broader aspirations for integration into the European model of spatial development (Anisimov et al, 2024a). However, this transformation is incomplete. Although legislative reforms have introduced new instruments such as integrated development strategies and digital planning tools, gaps remain in harmonisation, institutional capacity and practical implementation between EU policy and spatial planning. The most significant EU policies related to spatial planning have a profound impact on planning, but with varying effects on cities and regions across Europe (Purkarthofer, 2024). Ukraine continues to update its legislative framework for spatial policy and spatial planning practices in cities and regions. This study offers a comprehensive review of the transformation and current state of the regulatory framework for spatial planning in Ukraine.

Analysis of recent research and publications

After gaining independence in 1991, Ukraine began developing its own regulatory and legal framework for spatial planning, architecture, and construction. The first fundamental step was the adoption of the Law of Ukraine "On the Fundamentals of Urban Planning" in 1992, which initiated the transition from the centralised Soviet model to a more flexible system of territorial development management. The law laid the foundations for decentralising power, giving local authorities greater autonomy in planning matters. However, significant dependence on the central government remained, and public participation remained formal for a long time (Ohorodnyk & Markina, 2021).

The Law of Ukraine "On Regulation of City Planning Activity", adopted in 2011, was the first attempt to integrate the UN's global principles of sustainable development and initiated the transition to public management in urban development. It ensured transparency in procedures, facilitated public participation, promoted the rational use of resources, and integrated environmental standards into the planning process. This key piece of legislation illustrates the complex history of regulatory document updates caused by contemporary challenges. Since its adoption in 2011, this document has undergone at least 40 revisions as of August 2025.

The main periods of updating were related to:

2011–2015: active adjustments after the adoption of the law, in particular regarding approval procedures, control and terminology.

2016–2020: clarification of the powers of authorities, integration with other laws (land, environmental law), updates in connection with the reform of the administrative-territorial structure and decentralisation processes.

2021–2025: changes related to martial law, digitalisation, the creation of the State Inspectorate of Architecture and Urban Planning to replace the State Architectural and Construction Inspectorate, the introduction of a unified state electronic system in the construction field, etc.

In general, a distinctive feature of the development of administrative and legal regulation in the field of spatial planning and development has been the focus on the irreversibility of Ukraine's European course and advanced foreign experience, which gives priority to human rights and freedoms as factors of legal regulation in this area (Leschynsky, 2020; Onyskovets, 2024). Further reform of the current urban planning and land legislation, in particular the Law of Ukraine "On Amendments to Certain Laws of Ukraine Regarding Priority Measures for Reforming the Urban Planning Sector" (https://zakon.rada.gov.ua/laws/show/2254-20#Text), has led to a noticeable increase in the importance of spatial planning as a powerful tool for taking into account the interests of all stakeholders in the use of territorial resources (Ohorodnyk & Markina, 2021). At the national level, the transition from international UN documents and general abstract principles of the concept of "sustainable development" to the level of state legislation in Ukraine, the definition of priorities for the implementation of the Sustainable Development Goal Sustainable Cities and Communities", to specific action plans of local authorities, including local and professional communities, continues (Blinova & Rodyk, 2024).

Given Ukraine's contemporary spatial planning orientation towards implementing European principles, it is also essential to outline the conceptual foundations underlying

these principles. Territorial cohesion is an essential element that emphasises the need to reduce disparities between regions and places the territorial dimension at the forefront of political decision-making. It is followed by the principle of polycentricity, which supports the development of networks of cities and functional regions rather than the unilateral dominance of large metropolises. This approach enables a more equitable distribution of economic growth, services, and opportunities. Another key element is integrated place-based development, which requires strategies tailored to specific local conditions and resources. These strategies must link economic, social, and environmental aspects, as universal, one-size-fits-all solutions cannot respond to the territory's diversity. This is closely linked to multi-level governance and the principle of subsidiarity, which emphasises coordination between EU levels, national governments, regions, and municipalities, while the actual planning and implementation of measures remains largely the responsibility of Member States and local authorities. (Sommese et al., 2025).

In addition to these basic principles, several key topics are currently the focus of European spatial planning. These are in particular:

1) sustainable green adaptation, which combines environmental, social, and technical aspects. Nature-based solutions and multifunctional elements are a key component, bringing a wide range of benefits – from promoting biodiversity to mitigating flood risks, cooling the urban environment, and strengthening social cohesion. (Field & Bakker, 2021)

2) The concept of smart cities and digital transformation is a dynamically developing area that connects technological innovation with the goals of sustainable urban development. Digital twins and BIM methods play a crucial role in facilitating the adaptation of technical innovations to local conditions. At the same time, digital transformation is increasingly linked to nature-based solutions and circular economy principles, supporting environmental goals. This includes, for example, modelling the impacts of green infrastructure or optimising energy systems. This integrated approach shows that digitalisation can be a powerful tool for achieving environmentally and socially sustainable cities. (Patrascu, 2023; De Frantz, 2022).

3) Urban governance and participation are a dynamic area that brings together different levels of governance, actors, and thematic priorities. Stakeholder partnerships and co-creation processes are at the core of the Urban Agenda for the EU mechanism. Their aim is to mobilise cities, regions, civil society, and the private sector to work together in thematically focused partnerships that allow for the sharing of experiences and the joint search for solutions. (Patrascu, 2029; Field & Bakker, 2021)

In addition to the above principles and thematic areas, it is important to mention specific European mechanisms and tools that have already been introduced in EU countries and represent a standard for the effective performance of spatial planning, and their implementation in the Ukrainian environment is still only partially or not systematically. These are in particular:

1) Implementation of the INSPIRE Directive – i.e. full interoperability of spatial data of public administration across sectors, the obligation to provide open data in standardised formats and interconnection with thematic data sets (environment, transport, infrastructure, territorial limits). In EU countries, INSPIRE is a basic prerequisite for a unified data "ecosystem" of planning (European Parliament & Council, 2007), while in Ukraine, data harmonisation remains in its early stages and there is a lack of institutional capacity for its widespread implementation.

2) Strategic Environmental Assessment (SEA) and its binding interconnection with all levels of spatial planning. In the EU, it is impossible to approve strategy papers without an SEA, and the SEA conclusions are legally binding (European Parliament & Council, 2001). In Ukrainian practice, SEA implementation remains only partially effective: the procedure is often carried out in a formal manner, its findings are poorly integrated into zoning plans and other spatial planning documents, and institutional and procedural gaps continue to limit the enforceability of SEA requirements.

3) Binding EU multilevel governance – i.e. a clear link between the EU level, state, region and municipality, including vertical and horizontal coordination mechanisms. In the EU, this coordination is ensured through structural policy, ESDP rules, the Urban Agenda for the EU, or mandatory compliance with funding programmes. However, Ukraine still lacks a binding mechanism to ensure that regional and local documents truly align with state priorities and do not conflict with one another.

4) Integrated Territorial Investment (ITI) and Community-Led Local Development (CLLD) as established EU instruments for functional regional cooperation. These support urban and metropolitan areas in addressing common issues (mobility, housing, infrastructure) (European Parliament & Council, 2013). In the Ukrainian environment, the functional level of planning is still under development and there are no financial and legal instruments to implement it.

5) Binding mechanisms for monitoring and evaluation of spatial plans, which are regularly implemented in the European Union (typically every 4-6 years) and have a direct impact on the updating of strategic and spatial plans (e.g. Czech Republic, 2021; Germany, 2025). However, in

Ukraine, monitoring is not systematised, and there is no common methodology for its implementation.

These European instruments show that European integration in the field of spatial planning is not just a matter of accepting principles, but requires institutional capacity, technical standards, cross-sectoral coordination and legally binding mechanisms that enable them to be put into practice. Their introduction in the Ukrainian context thus represents not only a technical but, above all, an institutional challenge, which further strengthens the argument for deeper, systemic institutional reform.

Despite positive developments and efforts to make the legislative framework systematic, adaptive, and effective, legislation on various aspects of spatial planning in Ukraine addresses detailed issues in a chaotic, uncoordinated manner (Nowak et al., 2023), complicating its practical application. The lack of a unified Urban Development Code, insufficient coordination between strategic and urban development documents, and the formal nature of community participation require a systematic solution.

Objective and methods

The research aimed to critically assess the current state of the legal framework for spatial and urban planning in Ukraine, identify its strengths and weaknesses, and define strategic directions for its renewal in line with Ukraine's key needs and challenges.

The study is grounded in the principles of systems analysis and an integrated approach to spatial planning, combining legal, economic, social, and institutional analysis. The methodology is based on a comparative analysis of existing Ukrainian laws in the fields of urban development and spatial planning, as well as subordinate legislation, strategic documents on spatial development, and post-war reconstruction. Content analysis identified gaps, duplications, and conflicts in the legal framework for spatial planning, while a SWOT analysis assessed the strengths and weaknesses of the current spatial planning system.

Results

The current structure of regulatory and legal documents governing spatial planning, architecture, and construction in Ukraine is hierarchical in both spatial and regulatory (normative) contexts. The spatial hierarchy traditionally reflects the spatial scale of document action, which today corresponds to the levels of Ukraine's administrative-territorial structure (Table 1). Each level has its own objectives, powers, and types of documentation, which must be coordinated with one another, both "top-down" and "bottom-up".

The regulatory (normative) hierarchy (Table 2) determines the legal force and binding nature of documents.

This hierarchical structure is designed to ensure consistency in spatial planning, establish clear powers for each level of government, and guarantee consistency between documents at different levels. At the same time, "spatial" documents serve as instruments for implementing strategies enshrined in legislation, while "regulatory" documents are used to monitor their implementation. The regulatory framework has evolved over the past 30 years in response to new challenges, such as decentralisation, digitalisation, martial law, European integration, etc. (Fig. 1.)

Additionally, for a long time, one of the key national-level urban planning documents was

Table 1

The spatial hierarchy of documents governing spatial planning, architecture, and construction in Ukraine

Spatial hierarchy level	Documents
State	General Scheme for Planning the Ukrainian Territory, State Regional Development Strategy
Regional	Regional planning schemes, regional development strategies
Local (communities)	General Plan of the Settlement, Comprehensive plan for the spatial development of the territory of the territorial community, Detailed plans of territories, etc.

Table 2

The hierarchy of regulatory and legal documents governing spatial planning, architecture, and construction in Ukraine

Regulatory hierarchy level	Documents
Constitutional/legislative	Constitution of Ukraine, laws (On the Fundamentals of Urban Planning, On the Regulation of Urban Planning Activities)
Subordinate	Resolutions of the Cabinet of Ministers of Ukraine, orders of ministries (e.g., Ministry for Development of Communities and Territories of Ukraine)
Regulatory and technical	State Building Codes of Ukraine (DBN), standards
Methodological/ recommendatory	Methodological recommendations, instructions, local regulations

Fig. 1. Key Reform Drivers in Spatial Planning Legislation

the General Scheme for Planning the Ukrainian Territory, serving as both a planning tool and a document outlining the conceptual decisions for planning and land use in Ukraine. The Law of Ukraine "On the General Scheme for Planning the Ukrainian Territory" outlined the development, implementation, and monitoring process. According to legislation, the General Scheme was initially designed for a 20-year period and is no longer valid. In 2020, a draft law proposing amendments to the Law of Ukraine "On Regulation of City Planning Activity" to update the General Scheme was registered but remains in a parliamentary committee (Anisimov et al., 2024b).

An important milestone in the reform of the legislative framework for land use planning was Law of Ukraine (2020) "On Amendments to Certain Legislative Acts of Ukraine Regarding Land Use Planning", which was the first in the history of Ukrainian land legislation to regulate social relations regarding comprehensive land use planning (Shulga et al, 2025). The law defined five major legislative innovations to the Land Code of Ukraine, the Law of Ukraine "On Regulation of City Planning Activity", the Law of Ukraine "On Land Management" and other normative acts:

1) zoning of land within the territories of territorial communities and the development of a single document combining urban planning and land management documentation – a Comprehensive plan for the spatial development of the territory of the territorial community;

2) the disappearance of "types of land use" and the emergence of "functional purpose of territories";

3) the intended purpose within the functional purpose of the territory is determined by the landowner independently and does not require the development of a land management project;

4) a citizen who wishes to privatise a land plot free of charge or obtain state or communal land plots for use submits an application to the competent authority in electronic form via the Public Cadastral Map;

5) restrictions and encumbrances on the use of land plots necessary for the placement of objects may be established for up to 10 years and may be forcibly alienated. This Law also regulated the following key changes in the field of spatial planning and development:

- the development of new urban planning documentation – a Comprehensive plan for the spatial development, which will determine the requirements for the use of the territory both within and outside settlements;
- giving the Comprehensive plan for the spatial development, General Plan of the Settlement, and Detailed plan of territory, the status not only of urban planning documentation, but also of land management documentation;
- enabling, with the help of a Comprehensive plan, a master plan for a settlement, and a detailed plan: the formation of communal land plots; the entry of information about land plots formed before 2004 into the State Land Cadastre; the entry of information about restrictions on land use into the cadastre;
- entering planning restrictions established by urban planning documentation ("red", "yellow", "green" lines, etc.) into the State Land Cadastre;
- reserving land necessary for the construction of public facilities (roads, bridges, power lines, etc.);
- the possibility for communities to establish their own urban planning and architecture bodies, which will be able to issue urban planning conditions and restrictions throughout the hromada;
- the possibility of changing the intended use of privately owned land plots without developing land management projects for their allocation, if the new intended use is consistent with the functional zoning of the territory defined by urban planning documentation;
- an increase in the amount of agricultural production losses paid to local budgets when changing the intended use of agricultural land plots (30% of the difference in the normative

monetary valuation of land plots after and before the change in intended use);

• enshrining in the Water and Land Codes of Ukraine provisions according to which coastal protection strips are established by operation of law without needing additional documentation.

Notably, despite significant advances in the practical aspects of spatial planning, the conceptual definition of the term "spatial planning" remains absent from Ukrainian legislation (Markina, 2023). Instead, "urban development" or "urban development activities" are used. Accordingly, legally binding plans and documents specified in the Law of Ukraine "On Regulation of City Planning Activity" are referred to as "urban planning documentation" (Anisimov et al, 2024b). At the same time, all other instruments, particularly the Integrated Development Concept of the Territorial Community and the Community Strategic Plan, are not considered urban planning documentation. Ukrainian legislation has laid the foundation for common approaches to the formation of key documents for spatial and economic planning of the development of territorial communities, the unity of land management and urban planning documentation at the local level, and the interrelated formation of three systemic key planning documents: Comprehensive plan for the spatial development of the territory of the territorial community, Integrated Development Concept of the Territorial Community, and Community Strategic Plan (Oleksyuk et al, 2021). However, researchers (Kravchenko et al, 2024; Hnatkovych et al, 2023) note the lack of systematic forecasting and long-term strategic planning for the country's development, insufficiently defined links and coordination mechanisms between strategic documents, and the absence of precise and uniform standards, procedures and distribution of functions between government and other entities in the process of state strategic planning, including spatial planning.

The discourse on the legislative and regulatory framework for spatial planning in Ukraine at the present stage reveals several important features.

Firstly, Ukrainian legislation in the fields of planning and construction has historically been complex and inconsistent. Even before the war, it underwent significant reforms, caught between two vectors (Anisimov et al., 2024a): Europeanisation (the introduction of principles of transparency, sustainable development, and community participation) and post-socialist inertia (the dominance of economic imperatives and weak law enforcement). In 2011, changes to the legislation were adopted, making public participation in the planning process mandatory and requiring the publication of public plans. Since 2014, a targeted increase in local councils' fiscal and administrative capacities, along with decentralisation reform, has created the conditions for full self-government at the local level, culminating in the transfer of control and responsibility for land and spatial planning from state administrations to local self-government bodies. With the system's renewal, comprehensive planning was introduced at the local level for the entire territory of territorial communities. Following this shift, planning gradually transformed from an instrument for implementing state interests into a mechanism for harmonising the interests of the public, the private sector and the state (Lytvynchuk et al, 2022).

The main changes in the pre-war years of 2020-2021 included the introduction of Comprehensive plans for the spatial development at the hromada level and the creation of a Unified State Electronic System for the Construction. However, the sector faces challenges such as a lack of explicit codification, insufficient public access to geospatial data, and difficulties in managing chaotic urban development, especially in post-war reconstruction (Kvasnitska, 2023). In this regard, several legislative acts have been added to the key documents in urban development/spatial planning, ensuring the post-war recovery and reconstruction process.

Secondly, the process of reforming the regulatory framework in the field of spatial planning, urban development and architecture at the present stage is influenced by three key factors: a) the continuation of decentralisation reform; b) the challenges of martial law and meeting the needs of post-war reconstruction; c) bringing Ukraine's legislative framework in the field of urban development and land use regulation into line with the norms and practices of the European Union. A comprehensive analysis using the SWOT methodology (Table 3) revealed that Ukraine's regulatory framework for spatial planning requires structural updates, systematisation, and integration with contemporary challenges, while also presenting several strengths and opportunities for innovative development.

Thus, the focus on harmonisation with European Union standards and further decentralisation has led to the development of an innovative document in spatial planning and the codification of urban planning legislation — the new Urban Planning Code of Ukraine. The first version of the Concept of the Urban Development Code of Ukraine was developed in 2023, its urgent need being justified by the frequency and number of specific amendments to laws, the multiplicity of urban planning legislation, and numerous gaps and inaccuracies in the existing regulatory framework (Balashova, 2023). It was published at the end of September 2025 as the "Concept of the Code of Spatial Planning and Development of Territories (Urban Development Code of Ukraine)" (Concept of the Code..., 2025) - a comprehensive systematic review of the legal norms governing urban planning and related areas that affect it, as well as economic mechanisms for implementing the main directions of change.

Table 3

SWOT analysis of Ukraine's legislative framework in the field of planning and construction in the context of contemporary challenges

Strengths	Weaknesses
Adaptability to wartime conditions: Adopted laws permit changes in land use without requiring complete urban planning documentation.	Fragmented legislation: The absence of a single Urban Planning Code creates legal uncertainty and complicates coordination between authorities and investors.
Institutional reform: Creation of the State Architecture and Urban Planning Inspectorate to replace the State Architecture and Construction Inspectorate as part of Ukraine's construction industry reform to overcome corruption, simplify procedures, and digitise urban planning processes.	Temporary nature of decisions: Excessive dependence on detailed territorial plans (DTPs) in wartime does not ensure long-term stability.
Digitisation: The introduction of electronic urban planning cadastre registers and online permitting procedures simplifies access to information, reduces bureaucracy and increases transparency.	Risks to property rights: New provisions on «future objects» may create legal conflicts, particularly in unfinished construction or in cases of the developer's bankruptcy.
Flexibility of planning tools: Utilising DPT as a temporary tool enables a quick response to reconstruction needs.	Insufficient community participation: The formal nature of consultations undermines trust in the planning process.
Opportunities	Threats
Reconstruction of de-occupied territories: Opportunity to create a new quality of spatial planning.	Delays in reforms: Lack of political will slow the adoption of the Urban Development Code and other key changes.
European integration: Harmonisation with EU standards (in particular the INSPIRE, SEA and EIA directives) opens up access to funding and expert support.	Legal uncertainty: Conflicts among land-use, urban planning, and investment legislation may create barriers to project implementation.
Finalising the Urban Development Code as soon as possible will unify fragmented regulations and ensure the stability of the legal framework.	Military risks: Prolonged warfare complicates strategic planning, particularly in combat zones, border areas, and formerly occupied regions. The reconstruction of de-occupied territories requires simplified procedures and a clear regulatory framework that account for social, environmental, and cultural factors.
Investment attractiveness: Introducing escrow accounts and digital services helps attract capital.	Uneven digitalisation: Some communities' lack of technical capacity may lead to unequal access to new tools.

The principle of "Build Back Better" for war-torn Ukraine (Shevchenko et al, 2025) is implemented in the Concept through civilised procedures and clear rules, as well as new approaches to spatial planning, economic guarantees of independence for liberal professions, the circular economy, and environmental requirements. The new rules to be established by the Urban Development Code will allow for planning and building "better than before" not only in reconstruction processes, but also in "normal" construction.

The main principle underlying the measures proposed by the concept is human-centred, as well as striking a balance of interests between urban development actors and fostering an open market of free individuals. This concept lays out the basic approaches to policy formation set out in the European Regional Spatial Planning Charter (Council of Europe, 1983), the European Charter of Local Self-Government (Council of Europe, 1985), the New Leipzig Charter "The transformative power of cities for the common good" (European Commission, 2020), the New Urban Agenda (United Nations, 2016), and the best European and American practices.

The key innovations are:

– a free development of competition is encouraged - strengthening competitive practices, copyright protection, professional risk insurance, the development of self-regulatory organisations in the field of urban development, which balances the responsibility of specialists established by law;

– a new, flexible approach to the formation of spatial planning documentation is proposed - what communities need here and now, as well as increased participation of residents in the formation of spatial plans by giving a leading role to self-organisation bodies of the population;

– the concept and procedures for the entire life cycle of a property have been introduced, from its appearance on the plan, through design, construction and operation, to liquidation, recycling of construction waste and freeing up space for future development.

– mechanisms for the revival of architectural restoration have been proposed in order to preserve cultural heritage and restore monuments damaged and destroyed as a result of Russian aggression;

– the concept of "public space" has been introduced as the embodiment of the democratic principles of our society;

– human-centred procedures laid down in the framework Law of Ukraine "On Administrative Procedures" have been implemented in special "urban planning" legislation, which will ensure compliance with the rule of law, equality before the law, the validity of decisions taken, the

impartiality (objectivity) of the administrative body, good faith and prudence, proportionality, openness, the timely provision of administrative services within a reasonable time frame, efficiency, the presumption of the legality of actions and claims of individuals, formality, guaranteeing the right of a person to participate in administrative proceedings and effective legal remedies.

This Concept was developed transparently and inclusively, based on the principle of bottom-up public policy formation. In general, the Concept contains proposals for resolving problematic issues in the following areas: spatial planning, design, construction, operation, liquidation of real estate objects, land management in urbanised areas, survey activities, restoration, ecology, improvement, heritage protection, archaeology, education, science, professional certification, housing construction, pricing, insurance, public procurement, financing, compensation, transport, and civil protection.

Digitalisation permeates all these areas of current reforms in Ukraine. For example, urbanisation drives Digital City Projects (DCPs) to create smarter urban environments using advanced technologies (Kostrikov et al., 2023). An innovative result of the accelerated digitalisation in planning and development over recent years has been the creation of the Unified State Electronic System for Construction (USESFC). This is a national digital platform that provides electronic management of all processes in the construction field, from planning to commissioning of facilities (Official portal: e-construction.gov.ua). Its introduction has led to a significant update of the national regulatory system in this area. It aligns with EU practices: fully digitised planning processes ("planning digital-by-default"), including the mandatory use of BIM and digital models of the territory in some types of documentation (e.g. Czech Republic, 2021; Germany, 2025). Although Ukraine has made significant progress with the USESFC system, there is a lack of uniform, binding digital standards, and the absence of legal obligations to link land-use plans to geospatial systems prevents their full use.

The USESFC consists of three main components: 1) a register of construction activities (containing data on construction projects, participants, permits, technical inventories, etc.); 2) a public portal accessible to all users (providing search, viewing, analytics and an interactive map of projects); 3) an electronic office (intended for officials, architects, engineers, developers, allowing them to submit documents, register objects, and track statuses).

Functionally, the USESFC provides 13 online services through the Diya portal, including: notification of the start of work, issuance of a construction passport, declaration of readiness for operation, permission to perform work, certificate of acceptance of the object into operation, automatic checks, integration with other registers (e.g., the register of damaged property, the DREAM system). The achievements of this system include registering over 7 million documents in 5 years, more than 140,000 users, introducing more than 80,000 urban planning conditions and restrictions, issuing 160,000 construction passports, and processing 713,000 permits.

Despite all the innovative achievements, the complex and hierarchical system of legislative regulation in spatial planning and construction today faces not only the challenges posed by martial law and the consequences of military action, but also those of cross-sectoral coordination with other areas of public life. A striking example of such topical scientific and practical areas within the framework of legal research is housing policy, as it has not been updated since 1995, while actual housing relations have already undergone significant changes. Research (Teremetskyi et al, 2024) supports the idea of distinguishing a separate area of contemporary housing policy in Ukraine, namely ensuring the housing rights of persons forcibly displaced by war in the following specific areas: restoration of housing facilities (such as construction of new housing, compensation for destroyed housing, and repair and construction work); development of an investment strategy for the housing sector; protection of citizens' housing rights; and revision of housing legislation. Libanova & Bystryakov (2025), drawing on general European trends, present an innovative vision of Ukraine's post-war spatial development to create an effective model for reconstructive organisation of socioeconomic activity. The novelty of the proposed approach lies in defining the conceptual foundations for structuring spatial entities to effectively utilise available territorial resources, emphasising the overcoming of economic system instability. Issues related to the mutual integration of the spatial planning and construction system and the National Geospatial Data Infrastructure remain under development. Integration with key urban planning documentation, particularly comprehensive spatial development plans for local communities, is a priority area, but it requires harmonising geospatial data specifications, developing interoperability standards, and providing technical and regulatory support.

The financial mechanisms of the European Union and their integration with spatial planning play a decisive role in ensuring effective reforms, as the combination of legislative changes with adequate budgetary support determines whether policies are implemented in practice rather than remain declaratory. In EU Member States, strategic and spatial planning is closely

linked to access to financial instruments – the European Regional Development Fund, the Cohesion Fund, the Just Transition Fund, as well as various models of cofinancing at municipal and macroregional levels. Strategies and plans may receive funding only if they comply with programme requirements, creating a clear connection between planning documents and budgeting procedures and ensuring coherence and transparency in spatial development policy.

In Ukraine, this link remains incomplete: stable co-financing mechanisms are lacking, the multi-fund approach is not applied, and most planning documents are not linked to financial instruments. At the same time, certain steps are being taken for instance, cofinancing schemes through the State Fund for Regional Development and recovery programmes involving local budgets and external donors. Promising instruments include subsidies for comprehensive spatial development plans, competitive infrastructure programmes, and municipal loan support, all of which can provide the financial foundation necessary for effective reform.

Thus, alignment with the European policy framework requires not only legislative approximation but also the development of robust institutional and financial mechanisms to ensure the real implementation of planning decisions and the transition to a modern spatial planning system.

Conclusions

Spatial planning legislation in Ukraine remains complex and fragmented, facing challenges not only from martial law and war-related destruction, but also from insufficient coordination with other public sectors. Ukraine has undergone a transformation of its post-Soviet planning approach, moving closer to European Union standards. This process should focus on several key dimensions: the institutional framework, legislative harmonisation and practical implementation.

Modernisation of Ukraine's spatial planning legislation is possible by integrating post-war recovery priorities, housing strategies, and geospatial solutions into a unified framework for sustainable spatial development, in particular:

– housing policy reform will allow the protection of the rights of internally displaced persons through restoration, compensation, legislative revision and strategic investments;

– integration with geospatial infrastructure is a strategic priority, requiring harmonisation of data standards, technical interoperability and coordination with integrated community planning;

– a new conceptual approach to post-war spatial development is focused on the capacity of territorial units to use resources efficiently and overcome economic instability, inspired by European models.

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Конфлікт інтересів: автори повідомляють про відсутність конфлікту інтересів
Декларація про використання генеративного штучного інтелекту: Під час редакційного етапу використовувалися цифрові інструменти для покращення чіткості та стилю рукопису. Зокрема, для стилістичного вдосконалення та забезпечення відповідності академічним нормам використовувався Microsoft Copilot (GPT-4). Grammarly застосовувався для остаточного редагування мови, включаючи граматику, пунктуацію та стилістичну узгодженість.

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Declaration of use of generative artificial intelligence: During the editorial phase, digital tools were employed to enhance the clarity and style of the manuscript. Specifically, Microsoft Copilot (GPT-4) was utilised for stylistic refinement and ensuring alignment with academic conventions. Grammarly was applied for final language editing, including grammar, punctuation, and stylistic consistency.

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Огляд системи просторового планування в Україні: правові основи та нові пріоритети

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АНОТАЦІЯ

У цьому дослідженні критично аналізується законодавча база України у сфері просторового планування та міського розвитку, визначаються її сильні та слабкі сторони, а також стратегічні напрямки оновлення у відповідь на післявоєнні виклики. Визначено, що чинне законодавство залишається фрагментарним і складним, обмеженим воєнним станом, руйнуваннями, пов'язаними з війною, та недостатньою координацією з іншими державними секторами. Ключовими проблемами залишається відсутність чіткої кодифікації, недостатній доступ громадськості до геопросторових даних та труднощі в управлінні хаотичним міським розвитком, особливо в контексті післявоєнної відбудови. Європеїзація українського законодавства у сфері просторового планування продовжується, проте потребує глибшої інституційної реформи, гармонізації законодавства та практичного впровадження. Обґрунтовується, що модернізація законодавства України у сфері просторового планування можлива шляхом інтеграції пріоритетів післявоєнного відновлення, житлових стратегій та геопросторових рішень в єдину систему для сталого просторового розвитку. Житлова реформа визначається необхідною для захисту прав внутрішньо переміщених осіб шляхом відновлення, компенсації та стратегічних інвестицій. Інтеграція з геопросторовою інфраструктурою потребує гармонізованих стандартів даних, технічної сумісності та узгодження з плануванням громади. Подальша трансформація законодавчого забезпечення просторового розвитку і практики планування повинна оптимізувати механізми підготовки ключових документів просторового розвитку, зокрема Комплексного плану просторового розвитку території територіальної громади, підвищити здатність територіальних громад ефективно використовувати просторові ресурси та долати економічну нестабільність, спираючись на європейські моделі просторового розвитку, забезпечуючи стійкість та сталий розвиток у післявоєнному контексті. Це дослідження відповідає Цілям сталого розвитку Організації Об'єднаних Націй, зокрема Цілям 11 («Сталі міста та громади»), 9 («Промисловість, інновації та інфраструктура») та 16 («Мир, справедливість та ефективні інститути»), підкреслюючи важливість стійкого, інклюзивного та сталого просторового розвитку в післявоєнній Україні.

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просторове планування, законодавство, післявоєнне відновлення, житлова політика, міське планування, сталий розвиток, територіальні громади, Україна.