The Governance of Land Use

Country fact sheet Czech Republic

The planning system

Levels of government and their responsibilities

The Czech Republic is a unitary state with 3 levels of government: the national level, 14 regions and 6 258 municipalities. The planning system integrates other important policy fields related to land use such as environmental policy, agricultural policy and transport infrastructure. The national government, through its *Ministry for Regional Development*, is responsible for the legislative framework that defines the planning system. The *Ministry for Regional Development* supervises the planning of other levels of government and keeps records of their activities. Furthermore, it is responsible for the preparation of the *Spatial Development Policy* which guides lower level planning. The national government also prepares *Regulatory Plans* in areas under military control.

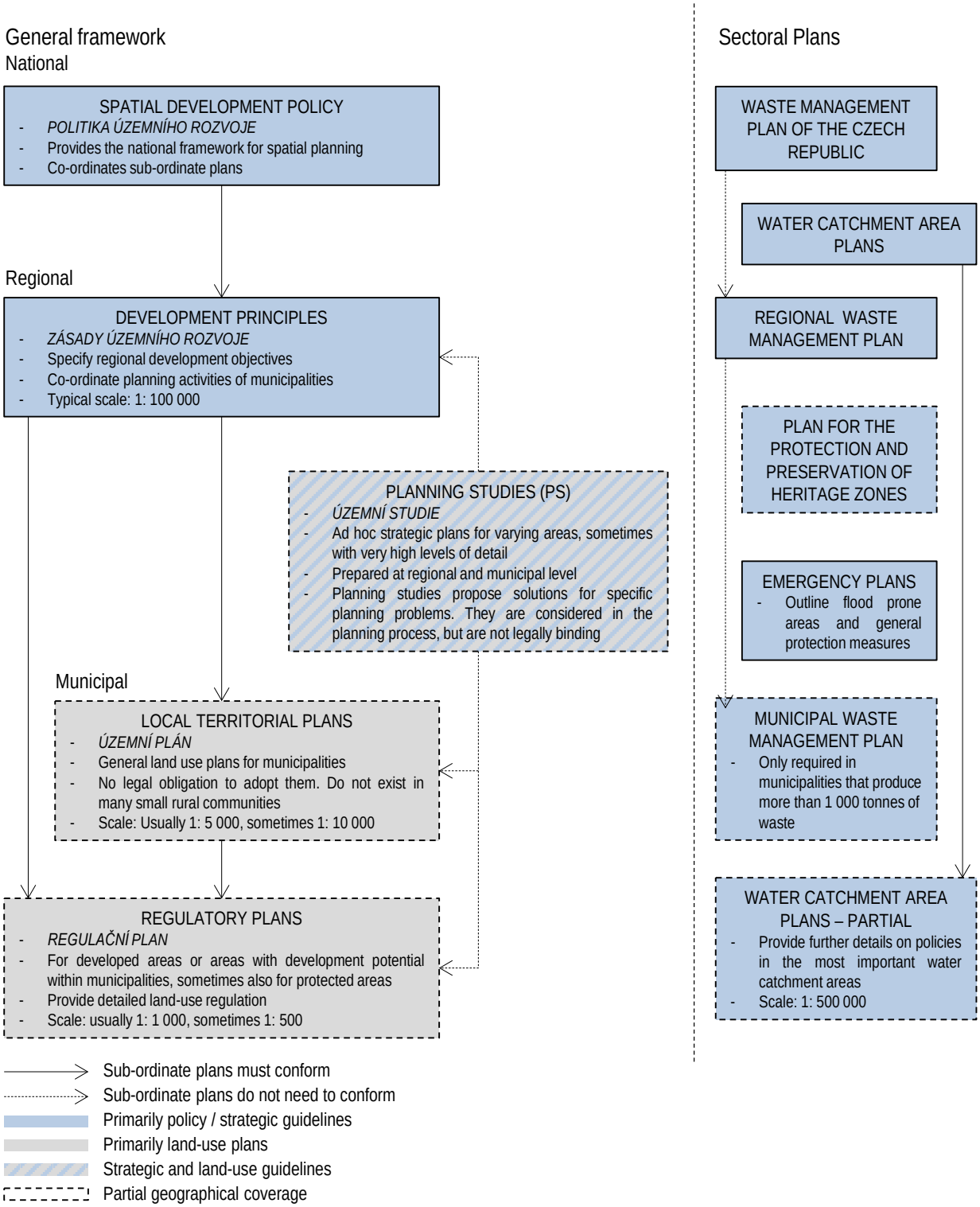
Regional offices of the national government (i.e. deconcentrated state administrations) procure the regional *Development Principles* and also some *Regulatory Plans* for areas of supra-local importance within their territory. They also issue planning permissions for developments that affect several municipalities with extended powers (see below for details) or that are planned under special regulations. *Regional councils* (i.e. elected regional assemblies) approve the regional *Development Principles* as well as the *Regulatory plans* prepared by regional offices.

With an average of only 1 640 inhabitants, municipalities in the Czech Republic are smaller than in any other OECD country. Administratively, they are divided into two types; those with extended powers and those without. Municipalities without extended powers are assigned to a municipality with extended power that fulfils several administrative functions for them and in particular serves as their planning authority. They also procure *Local Territorial Plans*, *Regulatory Plans* and *Planning Studies* for their own territory and for that of adjunct municipalities without extended powers. However, these plans have to be approved by the local council of the affected municipality (no matter whether with or without extended powers). The local councils can also comment and object to regional *Development Principles* and to plans of neighbouring municipalities. *Building Offices* located in larger municipalities issue planning permissions.

Spatial and land-use plans

The Czech Republic uses a hierarchical system of plans with plans at the national, regional and local level. Lower level plans generally need to comply with higher level ones. The *National Development Policy* is a policy document that contains general guidelines for planning at the regional and local level. In particular, it specifies the requirements for sustainable development. Furthermore, it outlines the key spatial relations within the country and the objectives of the national government related to them. The *National Development Policy* is enacted by regulatory decision and is updated or replaced every four years.

Organisation of spatial and land-use planning in Czech Republic



At the regional level, *Development Principles* play a similar role as the *National Development Policy* at the national level, but provide more details for specific policy areas (such as roads) or for territories of particular importance. In addition to showing the

spatial development priorities of regions, they also co-ordinate the planning activities of municipalities.

At the municipal level, three types of plans exist, two of which provide legally binding regulation for land owners. First, the *Local Territorial Plan* is a land-use plan that shows permitted land uses at a scale of 1: 10 000 to 1: 5 000 and covers the entire territory of a municipality. It is usually reviewed every four years, but only updated or replaced when a need arises. While *Local Territorial Plans* are strictly enforced, they are frequently updated to fit the need of developers. In many instances, they also leave scope for discretion by the *Building Office* responsible for issuing planning permission. Second, *Regulatory Plans* are only prepared for specific areas, such as redevelopment zones, and only small parts of municipalities are covered by them. They provide further regulations regarding the details of permitted developments, such as architectural specifications, and have scales of 1: 1 000 to 1: 500. Public authorities do not always prepare *Regulatory Plans* themselves, but procure them from the private sector. The *Regulatory Plans* procured privately are valid for three years after having been approved, but must be revised if the *Local Territorial Plan* on which they are based is changed. Third, *Planning Studies* are ad-hoc documents that can be procured by regional and local authorities to develop solutions to particular planning problems. They are non-statutory and have no legally binding consequences on either land owners or public authorities. *Planning Studies* do not have clearly defined contents and can range from broad strategic documents to precise land-use plans.

Planning analytical materials serve as a GIS-based database for spatial planning. They are elaborated and continuously updated for all regions and jurisdiction areas of the municipalities with extended powers. They contain an assessment of the state and development of the area and its values, limitations to the changes in the area due to protection of public priorities, as well as an analysis of the area for sustainable development.

Major laws and regulations

Besides the *Building Act* that outlines the spatial planning system in the Czech Republic, several further laws have important impact on the planning system. Four different environmental laws (*Act 17/1992*, *Act 114/1992*, *Act 254/2001* and *Act 201/2012*) serve to protect air, water, landscapes and other environmental aspects. *Act 13/1997* deals with issues of road construction and management and *Act 266/1994* with railways. *Act 20/1987* provides laws relating to the protection of heritage sites.

Co-ordination mechanisms

Vertical co-ordination between levels of government occurs primarily through the hierarchical nature of the planning system. Local governments must follow the guidelines of higher level plans. In practice local governments are not tightly constrained by higher level plans, since higher level plans lack the specificity to be strictly enforced. Formal horizontal co-ordination between municipalities occurs through the involvement of neighbouring municipalities in the planning process and through the possibility to provide comments and raise formal objections. Co-ordination across policy fields is ensured through a system that requires sectoral authorities (mostly regional agencies of relevant ministries) to provide an assessment of all new plans before their approval.

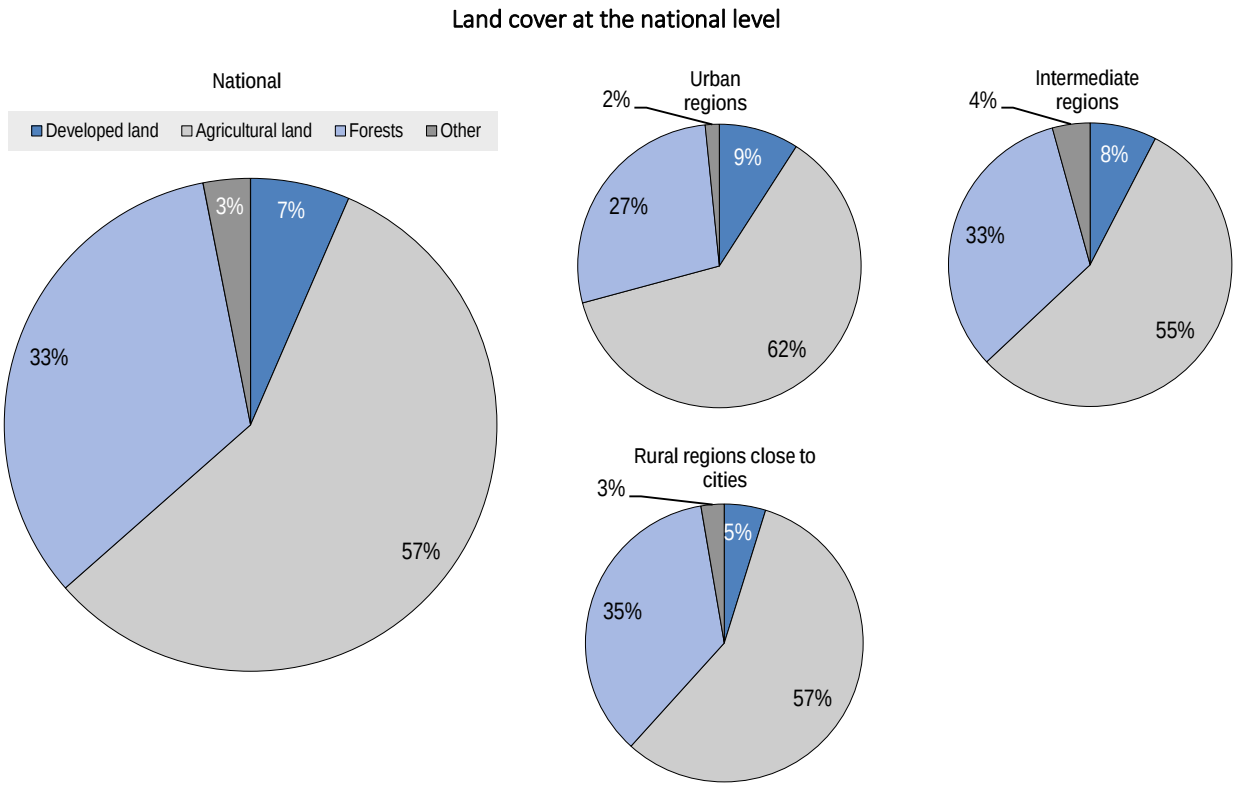
Expropriations

Expropriation is possible for developments in the public interest if attempts to acquire the required land amicably have failed. Reasons for expropriation are infrastructure construction, public utility developments, urban renewal projects, flood protection, national defence and nature reserves. For private purposes, land may only be expropriated in order to provide access to a plot. In practice, land is rarely expropriated, because the threat of expropriation suffices to make land owners sell their land voluntarily.

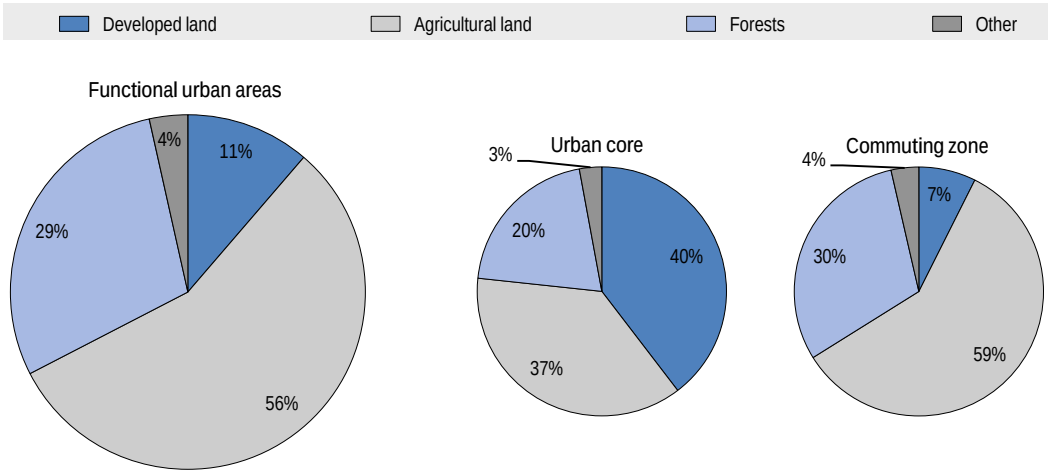
Recent and planned reforms to the system of land-use planning

Following the transition to democracy and market economy, several reforms to strengthen property rights and manage land were made. A new *Building Act* that defines the spatial planning system was introduced in 2007, replacing the old act from 1976 that had been amended many times. The new act introduced the *Development Principles* as an instrument for planning at the regional level. Furthermore, the *Planning Consent* (a simplified version of the planning permission) was introduced as well as compensation for planning alterations that reduce the value of property. Other important reforms included a territorial reform in 2000 that reintroduced a regional level of government and a reform in the same year that introduced conditions for the granting of state aid to regions in accordance with EU regulations. In 2001, environmental assessment regulations were introduced in the planning process.

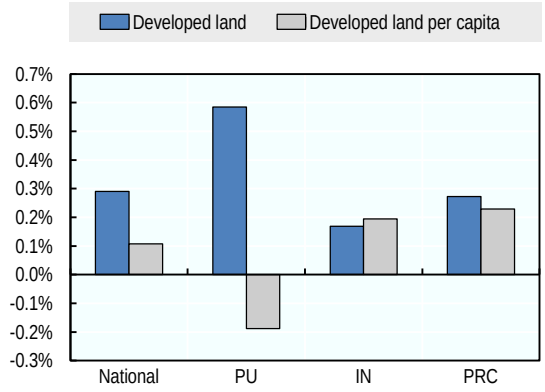
Land cover in Czech Republic



Land cover in functional urban areas (FUAs)

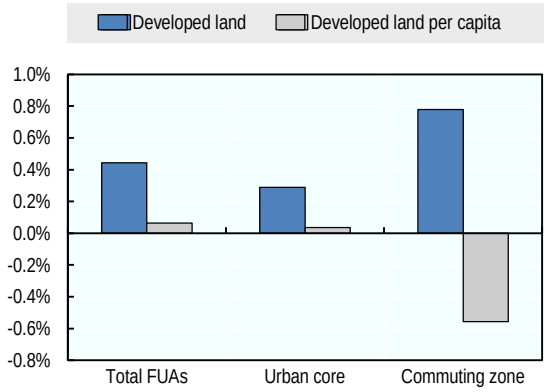


Annual change in developed land, 2000-12



Note: PU: urban regions, IN: intermediate regions, PRC: rural regions close to cities.

Annual change in developed land in functional urban areas from 2000 to 2012



Note: Values for urban cores and commuting zones refer only to FUAs with more than 500 000 inhabitants.

Land-use trends in Czech Republic

Developed land in the Czech Republic grew slowly to moderately in urban, rural and intermediate regions. Urban regions experienced the strongest growth of developed land, but the per capita area of developed land declined slightly, as the growth in developed land was outweighed by a stronger population growth. In contrast, the growth of developed land in intermediate and rural regions did not occur in parallel with population growth and developed land per capita increased in those regions. Within urban areas a pattern of suburbanisation emerged, as population in commuting zones increased disproportionally relative to the urban cores.

Source: OECD calculations based on *Corine Land Cover dataset*.

Land cover at the national level in Czech Republic

Land cover (km^2)	National	Urban regions	Intermediate regions	Rural regions close to cities	Rural remote regions
Total area	78 906	1 1532	2 9167	3 8207	
Total developed land	5 092	1 044	2 205	1 843	
Percentage of total	6.5%	9.1%	7.6%	4.8%	
Annual change in developed land, 2000-12	14.5	5.9	3.7	4.9	
Annual percentage change in developed land, 2000-12	0.29%	0.58%	0.17%	0.27%	
Agricultural land	45 007	7 113	16 155	21 740	
Percentage of total	57.0%	61.7%	55.4%	56.9%	
Annual change in agricultural land, 2000-12	-19.5	-6.9	-6.0	-6.5	
Annual percentage change in agricultural land, 2000-12	-0.04%	-0.10%	-0.04%	-0.03%	
Forests	26 331	3 182	9 533	13 616	
Percentage of total	33.4%	27.6%	32.7%	35.6%	
Annual change in forests, 2000-12	18.2	0.5	15.8	1.9	
Annual percentage change in forests, 2000-12	0.07%	0.02%	0.17%	0.01%	
Land cover per capita (m^2)					
Total developed land per capita	485	414	488	532	
Annual percentage change in developed land per capita, 2000-12	0.11%	-0.19%	0.19%	0.23%	
Agricultural land per capita	4 284	2 821	3 574	6 276	
Annual percentage change in agricultural land per capita, 2000-12	-0.23%	-0.86%	-0.01%	-0.07%	
Forests per capita	2 506	1 262	2 109	3 931	
Annual percentage change in forests per capita, 2000-12	-0.11%	-0.75%	0.19%	-0.03%	

Land cover in functional urban areas (FUAs)

Land cover in FUAs (km^2)	FUAs	Urban core	Commuting zone
Total area	17 648	2 130	15 518
Total developed land	1 999	843	1 155
Percentage of total	11.3%	39.6%	7.4%
Annual change in developed land, 2000-12	8.6	1.4	7.2
Annual percentage change in developed land, 2000-12	0.44%	0.17%	0.65%
Agricultural land	9 900	790	9 111
Percentage of total	56.1%	37.1%	58.7%
Annual change in agricultural land, 2000-12	-9.9	-1.7	-8.2
Annual percentage change in agricultural land, 2000-12	-0.10%	-0.21%	-0.09%
Forests	5 131	434	4 697
Percentage of total	29.1%	20.4%	30.3%
Annual change in forests, 2000-12	6.9	0.7	6.1
Annual percentage change in forests, 2000-12	0.14%	0.17%	0.13%
Land cover per capita in FUAs (m^2)	FUAs (50 000+ inhabitants)	Urban core (only FUAs 500 000+)	Commuting zone (only FUAs 500 000+)
Total developed land per capita	406	238	613
Annual percentage change in developed land per capita, 2000-12	0.06%	0.04%	-0.56%
Agricultural land per capita	2 010	163	3 817
Annual percentage change in agricultural land per capita, 2000-12	-0.48%	-0.65%	-1.45%
Forests per capita	1 042	71	1 709
Annual percentage change in forests per capita, 2000-12	-0.24%	-0.31%	-1.21%

Source: All land cover statistics for the Czech Republic are based on OECD calculations based on *Corine Land Cover dataset*.