



The Governance of Land Use

COUNTRY FACT SHEET ESTONIA

The planning system

Levels of government and their responsibilities

Estonia has two levels of government; the national government and 213 municipalities. In between, counties – deconcentrated branches of the national administration – play an important role in co-ordinating policies at the regional level.

The national government influences spatial and land-use policies directly through the *National Spatial Plan* and indirectly through a variety of sectoral agencies, such as the *Road Administration*, the *Environmental Board*, the *Land Board* (responsible for the 42% of Estonian land that is state owned), and the *Heritage Board*. Each of the agencies must approve plans within its area of responsibility (for example any construction within 50 metres of a main road and 30 metres of a minor road in the case of the *Road Administration*).

Counties play a co-ordinating role in land-use planning on the regional level. They have two main powers; first they adopt *County-wide Spatial Plans*, which counties either prepare themselves or procure from private consultants. Second, they ratify *Comprehensive Plans* and those *Detailed Plans* that conflict with existing *Comprehensive Plans*.

Urban and rural municipalities are the main actors in land-use planning in Estonia. Their influence stems from their responsibility for the *Comprehensive Plan*, the associated *Thematic Plans* and the *Detailed Plans*, which are the main statutory land-use planning instruments. While municipalities are politically and legally responsible for the content of these plans, their actual preparation is usually outsourced to private consultants. Furthermore, municipalities may complement the national *Building Code* by issuing local *Building Ordinances* and issue building permits to developers.

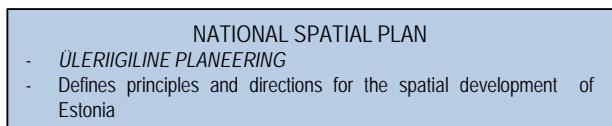
Spatial and land-use plans

The Estonian planning system broadly follows the approach of Scandinavian countries. On the national level, the *National Spatial Plan* provides the broad outlines of spatial policy. These outlines form the basis for *County-wide Spatial Plans* that are strategic spatial plans and contain land-use plans at a scale of 1: 100 000. They cover a single county with an average size of 3 000 square kilometres and incorporate a wide range of policy areas. *County-wide Spatial Plans* may be supplemented by *Thematic County-wide Spatial Plans* that have a focus on a particular policy area. Most commonly, *Thematic County-wide Spatial Plans* exist in the fields of transport policy, environmental policy and distribution of social infrastructure.

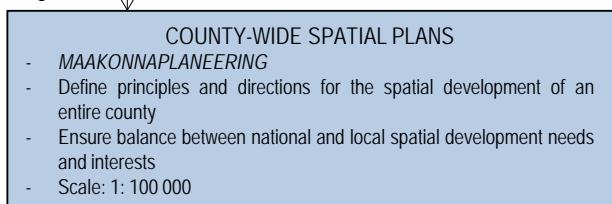
Organisation of spatial and land-use planning in Estonia

General framework

National



Regional

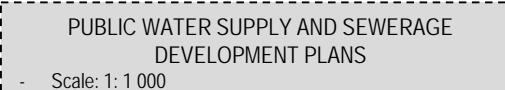
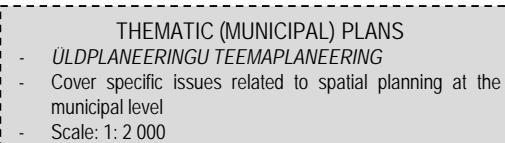
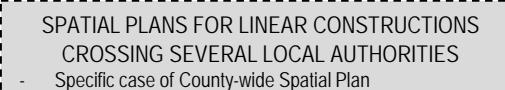
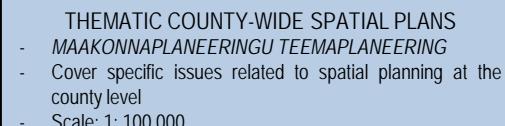
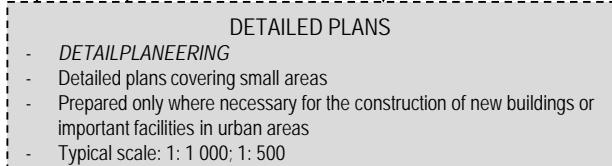
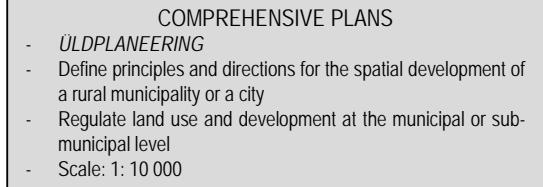


Sectoral Plans

THEMATIC NATIONAL SPATIAL PLANS

- **ÜLERIIGILISE PLANEERINGU TEEMAPLANEERING**
- Prepared for sea areas, the adjacent coastal areas and the exclusive economic zone (if not already covered by the National Spatial Plan)
- Scale: 1: 100 000

Municipal



- Override other existing plans →
- Sub-ordinate plans must conform →
- Sub-ordinate plans do not need to conform →
- Primarily policy / strategic guidelines →
- Primarily land-use plans →
- Partial geographical coverage →

The main land-use planning instrument in Estonia is the *Comprehensive Plan*, a detailed land-use plan at a scale of 1: 2 000 to 1: 20 000. It exists in 209 of the 213 Estonian municipalities (the remaining four municipalities have not drawn up a *Comprehensive Plan* but are legally required to do so). Similar to *County-wide Spatial Plans*, *Comprehensive Plans* may be complemented by *Thematic Plans*, which typically have a scale of 1: 2 000 to 1:

20 000. Lastly, *Detailed Plans* are created for new buildings or important facilities primarily in urban areas and have a scale of 1: 500 to 1: 5 000. They do not need to be prepared for new buildings that fit into their existing surroundings and that are in accordance with the use designated to the plot in the *Comprehensive Plan*. All municipal plans are legally binding for land owners.

Major laws and regulations

The most important laws related to urban development are the *Planning Act*, which outlines the planning process and the content of plans, and the *Building Code* (contained in several acts), which provides building regulations and specifies rules for construction close to roads and technical infrastructure. The *Building Code* may be complemented by *Building Ordinances* that can further regulate building procedures at the local level in accordance with national regulation. Another important law is the *Nature Protection Act*, which regulates construction in nature protection zones, areas close to rivers and lakes and on the coast. The *Heritage Act* regulates building activity in conservation sites.

Co-ordination mechanisms

Horizontal co-ordination occurs primarily through the involvement of the different national sectoral agencies in the planning process on all levels of government. A department of the *Ministry of Finance* is responsible for the implementation of the *Planning Act* and for the preparation and implementation of the *National Spatial Plan*. Vertical co-ordination is a task of county administrations, which apply national spatial strategies to the regional level and ensure that municipal plans adhere to national goals as outlined in the *County-wide Spatial Plans*. Co-ordination occurs generally on an ad-hoc basis. No governmental body is explicitly dedicated to either horizontal or vertical co-ordination, although the *Ministry of Finance* may mediate in case of planning conflicts between counties or in case of conflicting national interests.

Expropriations

Expropriations are only possible under strict conditions in Estonia and only for the construction of public infrastructure (e.g. ports, power plants, roads, etc.). Expropriation decisions are made by the national government in accordance with the *Property Expropriation Act*. Expropriations for private uses of land are not possible unless the above-mentioned projects are undertaken by private companies. Furthermore, land owners can be required to grant access rights required to reach other plots and in some cases to tolerate utility networks on their land. Generally, no penalties for underdevelopment of land exist, although some municipalities attempted to introduce them. However, these attempts have been unsuccessful.

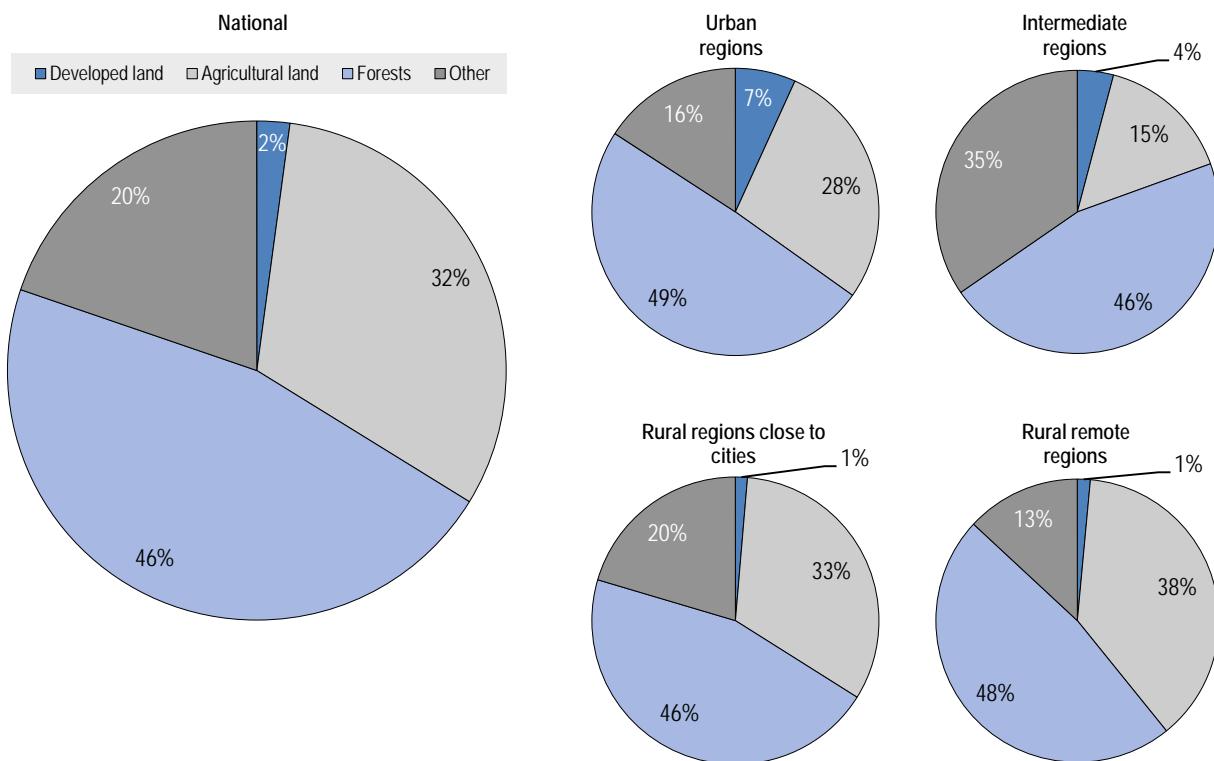
Recent and planned reforms to the system of land-use planning

After regaining independence in 1991, the Estonian system of land-use planning was completely overhauled. Restitution of land occurred according to pre-World War II ownership, leaving in particular municipalities with little land ownership. The first Planning and Building Act in 1995 created a system that follows largely the Scandinavian model of land-use planning. In 2002, a reform of the law separated planning acts from building

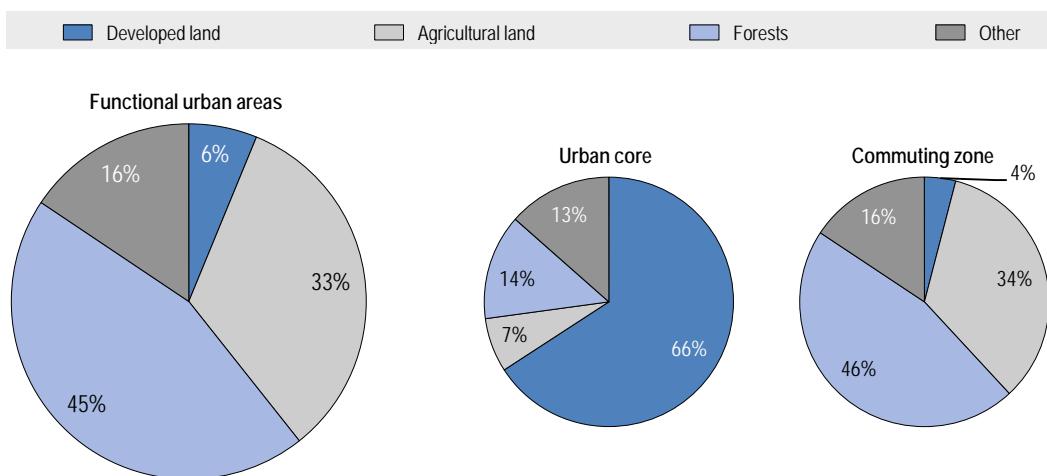
permission acts. In 2015 an entirely new *Planning Act* was approved. The act specifies planning principles, functions and procedures. It aims at increasing the efficiency of planning and building procedures and introduces new types of spatial plans. However, it has not changed the main outlines of the planning system.

Land cover in Estonia

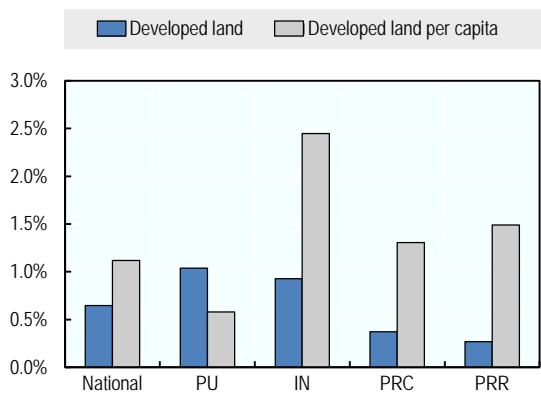
Land cover at the national level



Land cover in functional urban areas (FUAs)

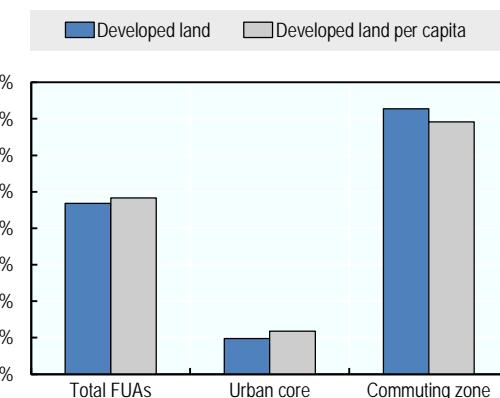


Annual change in developed land, 2000-12



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

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 Estonia

Estonia experienced a strong increase in the area of developed land since 2000, while population declined significantly over the same time period. As a consequence, the country had the highest growth rate of developed land per capita of all 28 analysed OECD countries. This disparity between population decline and growth in developed land was especially strong in intermediate regions, where developed land per capita grew by approximately 33% between 2000 and 2012. In light of the strong increase in per capita land consumption, it is not surprising that the country has one of the highest levels of developed land per capita of all OECD countries. However, it has a low population density, only 2% of its total surface is developed.

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

Land cover at the national level in Estonia

Land cover (km ²)	National	Urban regions	Intermediate regions	Rural regions close to cities	Rural remote regions
Total area	45 379	4 323	4 018	27 947	9 091
Total developed land	968	294	166	375	134
Percentage of total	2.1%	6.8%	4.1%	1.3%	1.5%
Annual change in developed land, 2000-12	6.0	2.9	1.4	1.4	0.4
Annual percentage change in developed land, 2000-12	0.65%	1.04%	0.93%	0.37%	0.27%
Agricultural land	14 366	1 213	617	9 109	3 427
Percentage of total	31.7%	28.1%	15.4%	32.6%	37.7%
Annual change in agricultural land, 2000-12	-7.8	-1.8	-1.0	-4.4	-0.6
Annual percentage change in agricultural land, 2000-12	-0.05%	-0.15%	-0.16%	-0.05%	-0.02%
Forests	21 078	2 132	1 845	12 762	4 340
Percentage of total	46.4%	49.3%	45.9%	45.7%	47.7%
Annual change in forests, 2000-12	-19.5	-0.4	-1.0	-10.9	-7.3
Annual percentage change in forests, 2000-12	-0.09%	-0.02%	-0.05%	-0.08%	-0.17%
Land cover per capita (m²)					
Total developed land per capita	730	518	1 078	786	1 048
Annual percentage change in developed land per capita, 2000-12	1.12%	0.58%	2.45%	1.31%	1.49%
Agricultural land per capita	10 840	2 140	4 012	19 100	26 803
Annual percentage change in agricultural land per capita, 2000-12	0.41%	-0.60%	1.34%	0.88%	1.20%
Forests per capita	15 905	3 761	12 002	26 760	33 942
Annual percentage change in forests per capita, 2000-12	0.37%	-0.47%	1.45%	0.85%	1.05%

Land cover in functional urban areas (FUAs)

Land cover in FUAs (km ²)	FUAs	Urban core	Commuting zone
Total area	7 257	255	7 002
Total developed land	451	168	283
Percentage of total	6.2%	65.8%	4.0%
Annual change in developed land, 2000-12	4.0	0.3	3.7
Annual percentage change in developed land, 2000-12	0.94%	0.19%	1.42%
Agricultural land	2 403	18	2 385
Percentage of total	33.1%	7.0%	34.1%
Annual change in agricultural land, 2000-12	-2.7	-0.1	-2.5
Annual percentage change in agricultural land, 2000-12	-0.11%	-0.79%	-0.11%
Forests	3 271	35	3 236
Percentage of total	45.1%	13.7%	46.2%
Annual change in forests, 2000-12	-1.1	0.1	-1.1
Annual percentage change in forests, 2000-12	-0.03%	0.19%	-0.04%
Land cover per capita in FUAs (m²)	FUAs (50 000+ inhabitants)	Urban core (only FUAs 500 000+)	Commuting zone (only FUAs 500 000+)
Total developed land per capita	607	280	1507
Annual percentage change in developed land per capita, 2000-12	0.97%	0.24%	1.38%
Agricultural land per capita	3 234	14.9	9 695
Annual percentage change in agricultural land per capita, 2000-12	-0.08%	-1.43%	-0.20%
Forests per capita	4 402	48.1	15 833
Annual percentage change in forests per capita, 2000-12	-0.003%	0.05%	-0.09%

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