

Comprehensive plan proceedings

The aim of a comprehensive plan is to define the principles of and directions in the spatial development of the entire territory of a rural municipality or city or a part of such territory. A comprehensive plan implements the principles of a county-wide spatial plan and forms a basis for preparing detailed plans. Where the preparation of a detailed plan is not mandatory, the comprehensive plan is a basis for the issuing of design specifications.

Please note

- A comprehensive plan may be prepared as a thematic spatial plan or a spatial plan in respect of a part of the planning area, which modifies or supplements the CP in effect and the solution for which is introduced in the CP in effect. The procedural requirements are the same for the most part. See more in PlaA § 93 (2), for example.
- In preparing the CP, the relevant social, economic, cultural and natural environment impacts must be assessed, and the SEA conducted (impact assessments may be combined, more information in "Recommendations for preparing a comprehensive plan" in Chapter 6). PlaA § 86 (1) stipulates that before a detailed plan is adopted, the SEA results are added to the plan. Furthermore, it must be ensured that the input from the SEA is taken into account on an ongoing basis when preparing the plan. Other relevant impacts must also be taken into account on an ongoing basis when preparing the plan.
- Local authority as the authority arranging the preparation of the spatial plan undertakes to ensure that the plan is prepared by a person with the required competence and the conduct of the SEA is supervised by a lead expert who meets the requirements (PlaA § 4 (5); EIAEMSA § 34). If a local authority employee is competent enough, the employee is allowed to perform one or both roles. If necessary, a consultant is involved in the preparation of a plan or the conduct of the SEA, who supports the local authority in developing the planning solution.
- Throughout the planning process, any information related to the plan is published on the local authority's website on an ongoing basis (PlaA § 76 (5)).
- If it is mandatory to publish the announcement in a newspaper, it must be published in a local newspaper of a rural municipality or a city and also in the local newspaper of a county, or a newspaper of nation-wide circulation (PlaA § 77 (5); § 82 (5); § 87 (6)).
- The term for proceedings may be extended if there is a justifiable need (APA § 41).
- When preparing the master plan, it is necessary to define the collaborators and those involved, depending on the nature of the plan and the planning area, and to ensure adequate and required communication throughout the process.

Abbreviations

CP – comprehensive plan; SEA – strategic environmental assessment; PlaA – Planning Act; EIAEMSA – Environmental Impact Assessment and Environmental Management System Act; APA – Administrative Procedure Act.

This diagram is informative only and has no legal significance

The diagram is based on the PlaA and the EIAEMSA as of 1 May 2019.

The diagram has been prepared by the Spatial Planning Department of the Ministry of Finance as of 1 December 2020.

Need for preparation of the CP

An application for the initiation of the preparation of the CP is submitted to the local authority, or the local authority decides to start preparing the CP

The application submitted for the initiation of the CP must contain comprehensive information, in particular: planning area, purpose, data of the applicant (APA § 14, PlaA § 77 (4))

If the local authority itself decides to start preparing the CP, no application is submitted. The procedure is initiated by the local authority (APA § 35 (1) 2))

Initiation of the preparation of the CP and the conduct of the SEA

The preparation of the CP and the conduct of the SEA are initiated or refused to initiate by a resolution of the local council within 30 days from receiving the application.

PlaA § 77 (1), (3)
Content of resolution: PlaA § 77 (4)

When preparing the CP, the SEA is mandatory (PlaA § 74 (4))

When preparing a thematic plan, a preliminary assessment of the need for the SEA must be made (EIAEMSA § 33 (2) 2), (3)–(5); PlaAS § 74 (4)), including a preliminary assessment for Natura 2000. When making a preliminary assessment of the need for the SEA, relevant institutions must be consulted (EIAEMSA § 33 (6))

The initiation is announced:

- in the local newspaper within 30 days
 - in the Official Announcements and on the website of a local authority within 14 days - by letter to parties to be invited to cooperate or participate
 - if necessary, to the owner of the immovable which is presumably to be expropriated or which is the object of the establishment of compulsory possession PlaA § 77 (5)–(8)
- Content of announcement: the same as the content of resolution to initiate PlaA § 77 (6), EIAEMSA § 35 (7)

If a thematic plan is initiated but the SEA is not initiated on the basis of a preliminary assessment, it must be made sure upon announcement and notification that the required information concerning refusal to initiate the conduct of the SEA reaches the required parties (EIAEMSA § 35 (5)–(6))

For this stage, the parties to be invited to participate or cooperate in the plan must be well considered (PlaA § 76). It is recommended to prepare an involvement plan for the plan, which defines, among other things, the parties involved in preparing the plan

Proposals on the initial planning outline of the CP and the intention to conduct the SEA

Proposals on the initial planning outline of the CP and the intention to conduct the SEA will be requested from the parties to be invited to cooperate or participate. A deadline for the presentation of the proposals will be determined (not less than 30 days) PlaA § 81 (1)

The local authority prepares the memorandum of intention (MI) to conduct the SEA in cooperation with an SEA lead expert and involves other persons with the required competence, if necessary

The minister may determine additional institutions and persons who must be invited to cooperate or participate (PlaA § 81 (3)). In this case, the initial planning outline of the CP and the MI to conduct the SEA must also be submitted to the relevant institutions or persons.

The initial planning outline supplemented on the basis of the proposals, and the memorandum of intention to conduct the SEA are published on the website of a local authority together with the proposals presented concerning them PlaA § 81 (6)

Acceptance of the CP

The local council adopts a resolution on the acceptance of the plan PlaA § 86 (1)

If an implementation plan is prepared for the CP, it must be added to the resolution on acceptance (PlaA § 3 (5))

Approval of the proposed CP and SEA report and invitation to present opinions

The results of the SEA are added to the CP before acceptance PlaA § 86 (1)
The conformity to legislation and the spatial development objectives of the local authority is verified PlaA § 86 (2)

The positions received must be considered and responded to with reasons; if necessary, the planning solution must be modified or supplemented

Based on the approvals and opinions received, adjustments are made to the CP and the SEA report if needed

If it is not indicated that the proposed plan or report is contrary to legislation or a county-wide spatial plan, the CP is deemed to have been approved. When deciding whether to approve the proposed SEA report, appraisal is made of the conformity of the proposed report to legislation and of the sufficiency and objectivity of the assessments contained in the report (PlaA § 85 (3))

The proposed CP and SEA report are submitted for approval to persons and bodies concerned and to parties invited to present opinions PlaA § 85 (1); taking account of § 81 (3) where necessary

Based on the results of the public display and public discussion, the necessary modifications are made to the proposed CP and SEA report PlaA § 84 (2)

If approval is not given or opinion presented within 30 days or the extension of the time limit applied for in 30 days, the proposed CP and SEA report are deemed to have been approved or the person invited to present an opinion is deemed to have declined to do so (PlaA § 85 (2))

If written opinions are received during the public display, the information concerning the results of the public display is published in a newspaper within 30 days from the end of the public display PlaA § 84 (1)

The public discussion is notified to persons and bodies at least 14 days before the commencement of the public discussion PlaA § 83 (2)
Content of notification: time and place of the public discussion.

The public discussion is held at least in the population centre of the local authority, in the main centre of each major settlement, in cities with city districts in city districts' centres. The public discussion is held within 45 days from the end of the public display PlaA § 83 (1)

An opinion submitted in writing is responded to in writing within 30 days from the end of the public display by communicating a reasoned position concerning the opinion together with the time and place of the public discussion PlaA § 82 (8)

A public display is announced: - in a newspaper at least 14 days before the commencement of the public display - within 14 days at the latest before the commencement of the public display by letter to parties to be invited to cooperate or participate - on the website of a local authority PlaA § 82 (4), (5)
Content of announcement: PlaA § 82 (6), EIAEMSA § 41, i.e. see § 37 (2)

The public display is held at least in the major population centre of the local authority, in the main centre of each major settlement, in cities with city districts in city districts' centres. Minimum duration of public display is 30 days PlaA § 82 (1), (3)

If an implementation plan is prepared for the CP, it is advisable to pay attention to it in the public display stage already

Dissemination of the CP to the public

The public display is held at least in the major population centre of the local authority, in the main centre of each major settlement, in cities with city districts in city districts' centres. Minimum duration of public display is 30 days PlaA § 87 (1), (4)

Together with the CP, the approvals given and the opinions presented in the approval stage are disclosed (PlaA § 87 (3))

The public display is announced: - in a newspaper at least 14 days before the commencement of the public display - within 14 days at the latest before the commencement of the public display by letter to parties to be invited to cooperate or participate - on the website of a local authority PlaA § 87 (5), (6)
Content of announcement: PlaA § 87 (7), plus time and place of the public display

The CP must clearly state the changes emanating from the plan, the weighed reasons of the solution presented, the conditions of implementation of the CP and other facts explaining the CP (PlaA § 87 (3))

An opinion submitted in writing is responded to in writing within 30 days from the end of the public display by communicating a reasoned position concerning the opinion together with the time and place of the public discussion PlaA § 87 (9)

The positions received must be considered and responded to with reasons; if necessary, the planning solution must be modified or supplemented

The public discussion is held at least in the population centre of the local authority, in the main centre of each major settlement, in cities with city districts in city districts' centres. The public display is held within 45 days from the end of the public display PlaA § 88 (1)

The holding of the public discussion is not mandatory if no written opinions were submitted concerning the CP during the time it was on public display or if all written opinions have been followed (PlaA § 88 (2))

The public discussion is announced: - in a newspaper 14 days before the commencement of the public display - within 14 days at the latest before the commencement of the public discussion to bodies and persons - on the website of the local authority PlaA § 87 (6), § 88 (3)
Content of announcement: time and place of the public discussion

If the modifications made on the basis of the results of the public display alter the principal solutions of the CP or necessitate significant changes in the SEA report, the approval stage is partially repeated and an additional dissemination to the public is organised (PlaA § 89 (3))

If written opinions are received during the public display, the information concerning the results of the public display is published in a newspaper within 30 days from the end of the public discussion PlaA § 89 (1)

Based on the results of the public display and public discussion, the necessary modifications are made to the CP PlaA § 89 (2)

Ratification of the CP

The CP is submitted for ratification to the minister responsible for the area PlaA § 90 (1)

If necessary, the minister hears out the persons whose opinions were not taken into account when preparing the CP (PlaA § 90 (3) 2) If no agreement is reached, the minister presents a written opinion within 30 days after hearing the parties out

The minister ratifies the CP or refuses to ratify it within 60 days PlaA § 90 (2)
The minister may propose a partial adoption of the CP PlaA § 90 (5)

SEA monitoring measures are established, or a reason is given as to why the SEA monitoring measures are not established (EIAEMSA § 42 (11)) It is advised to think about the kinds of information that need to be collected to prepare a substantial monitoring of the spatial plan, and about how the information is collected

The CP that has been ratified by the minister is adopted by resolution of the local council PlaA § 91 (1), Local Government Organisation Act (LGOA) § 22 (1) 31)

The adoption is announced: - in newspapers within 30 days from the adoption at the latest - on the website of the local authority and in Official Announcements within 14 days - by letter to persons concerned and the parties to be invited to cooperate and participate, within 14 days from the adoption PlaA § 91 (2), (5)
Content of announcement: PlaA § 91 (4), EIAEMSA § 44 (2) documents

When introducing the amendments, a note must be appended to the plan stating the extent to which the plan has been amended (PlaA § 93 (3)) The effective CP to which the modifications made on the basis of the thematic spatial plans are introduced must be available on the local authority's website

Adoption of the CP

When the thematic spatial plan is adopted for the CP, the amendments made by that plan are incorporated in the previously adopted comprehensive plan within 30 days following the adoption PlaA § 93 (3)

The local council reviews the CP each five years and presents an overview of the results of the CP review within six months PlaA § 92

A notice concerning the adoption of the CP is also sent to the minister and the Land Board. The adopted CP is sent to the Land Board (including land use and building conditions and restrictions) PlaA § 91 (3)

Review of the CP