

**PROPOSALS FOR IMPROVING THE CLASSIFICATION OF LAND  
PURPOSE TYPES (ON THE EXAMPLE OF THE CATEGORY OF  
RESIDENTIAL AND PUBLIC BUILDING LANDS)**

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*The current classification of land uses for residential and public development was analyzed and proved to be in need of improvement. Proposals for its improvement within the researched category of land based on current land legislation and other normative legal acts are given. It has been proven that the existing list of the main types of land plots (which are based on the content of Article 38 of the Land Code of Ukraine) in the current classification is incomplete and not fully justified. Examples of unjustified assignment of land plots of other land categories to the category of land for residential and public development were revealed. In accordance with this, a 4-level structure of the classification of types of land use for residential and public development is proposed.*

*Taking into account the military aggression of the Russian Federation against Ukraine, it is currently impossible to use part of the land plots for their main purpose. From these positions, it is proposed to additionally highlight "technologically polluted lands as a result of hostilities" within the framework of the above-mentioned classifier. And after carrying out appropriate works on demining and reclamation of these lands to their safe use for people and the environment, they can be returned to use for the main purpose.*

**Keywords:** *classification of types of purpose land, land for residential and public development, man-made contaminated land due to hostilities.*

**Formulation of the problem.** In Ukraine, land use is based on the norms of the Land Code of Ukraine. In particular, a classifier of types of purpose land use (hereinafter referred to as CTPLU) was approved according to a two-level hierarchy (section, subdivision). The purpose of the land plot is one of the characteristics of the land plots in the State Land Cadastre management system. Taking into account the constant changes in the current legislation, the lack of full accounting of land plots according to statistical reporting, there is a need to review, standardize and detail the classification of land plots according to their intended purpose. This is due to the fact that the purpose of the land plot affects the tax rate. Land for residential and public development is characterized by the fact that, depending on their functional purpose, these lands are taxed at different rates. The existing 2-level classification of types of land use does not cover the entire range of possible types of land use on which objects are located or can be located within the category of land for residential and public development. In the future, this will lead to the risk of local budgets not receiving funds from the land fee. The full-scale military invasion of the Russian Federation on the territory of Ukraine became a challenge that affected the use of land for its intended purpose.

The dynamic processes of the development of social relations in Ukraine require the improvement and development of new methodological approaches to

the development of the classification of types of land use at the request of time. In this connection, there is a need to justify changes to the existing classification.

**Analysis of the latest scientific research and publications.** The work is devoted to the issue of scientific and methodical improvement of the classification of land purpose types Dobriak D., Babmindra D., Kanash O., Tretiak A., Tretiak V., Dorosh Y., Dorosh O., Ibatullin Sh., Barvinskyi A. and other scientists [1-5].

To improve methodical and legal approaches to land use planning, formation of a land use regime, more effective regulation of land relations Tretiak A., Dorosh Y. (2009) developed a new classifier, which proposed "...the components of land classification to determine the types of land use, the purpose of land and the permitted use of land within the legally defined categories" [1, c. 22].

Given the existing proposals for improving the current classification, it is worth paying attention to work Ibatullin Sh., Dorosh Y., Dorosh O., Barvinskyi A., Dorosh A. Their research is devoted to the improvement of the current classification of types of intended use of agricultural lands [5]. Taking into account the classification structure proposed by the authors and the above-mentioned problems, there is a need to conduct an analysis of the classification of land for residential and public development with proposals for its improvement.

**The purpose of the research** there is an analysis of the current classification of types of land purpose for residential and public development, justification of proposals for improving its structure and content.

**Materials and methods of scientific research.** The research used methods of scientific knowledge: monographic, analysis, generalization. The monographic method was used to study the works of specialist scientists regarding proposals for the classification of land purpose types. The analysis method was used to study the norms of land legislation and other legal acts in the context of the category of land for residential and public development. With the help of the method of generalization, a new hierarchy of the structure of the classification of the types of intended use of land for residential and public development is proposed.

**Research results and discussion.** The existing classification of land use types was approved in 2010 by the order of the State Committee of Ukraine on Land Resources, and was supplemented in 2012, 2015, and 2017 [6]. These additions did not concern the change of the structure of the classifier itself, which in its content has a two-level structure, which is divided into sections and subsections. The Land Code of Ukraine (hereinafter referred to as the LCU) defines such terms of purpose as: "main purpose", "purpose of land" and "type of purpose of land" [7]. However, the definition of the mentioned terms is only for the purpose of the land plot (Law of Ukraine "On Land Management") [8].

The structure of the classification of the types of intended use of land plots on the example of the agricultural land category is proposed as a 4-level structure, namely: (level I) land category; (level II) main purpose; (level III) purpose class; (level IV) type of destination [5].

Referring to the norms of the LCU and the above classification structure, we will similarly analyze the existing classification structure of the category of land for residential and public development. Article 38 of the Civil Code provides for the division of land for residential and public buildings: for the placement of residential buildings; for placement of public buildings and structures; for placement of other public facilities [7]. The current classification of types of land use (hereinafter referred to as CCTLU) allocates land for residential development under the code CCTLU 02 and land for public development under the code CCTLU 03. Other objects of public use are not separately allocated in the current classification. It is also worth paying attention to the primary coding of the CCTLU section, which in its two-level classification structure divides residential and public development land into two subdivisions 02 and 03, while retaining the numbering of the section under the letter (B). Thus, the coding in the current classification is incorrect in the sequential order of the land category in accordance with Article 19 of the LCU [6,7].

Subsections 02.07 "For other residential buildings" and 03.15 "For the construction and maintenance of other public buildings" [6] the definition of their

intended purpose creates prerequisites for abuse when determining the type of intended purpose of a land plot.

Also, in the existing classification of land purpose types, there is a generalization of positions, which in the future lead to a reduction in the risks of receiving land tax. We will consider the generalization of the positions of the purpose of the land plot on the example - 02.04 "for the construction and maintenance of buildings of temporary residence" [6]. According to the existing tax rate on the land for this purpose, the approximate taxation is 0.05% of the normative monetary assessment of the land plot. The following buildings can be distinguished within temporary accommodation buildings: dormitories, motels, hotels. According to the content of the definition, a dormitory is a place of temporary residence of workers, students and other citizens during the period of work or study. However, motels and hotels, unlike hostels, are by definition an enterprise that provides temporary accommodation and service on a commercial basis. Analyzing the tax rates of land plots, on which residential and public objects carrying out commercial activities are located, are taxed at a higher rate, for example, trade establishments, credit and financial institutions, commercial infrastructure have a tax rate for a land plot of 3% [9]. Dormitories, motels, hotels, residential buildings with trade, entertainment and market infrastructure according to their purpose have different income from their activities, and therefore local self-government bodies can tax them differently, while creating equal conditions for doing business by filling local budgets from land tax (table 1).

Table 1. The difference in land taxation with different classification of the purpose of land plots on the example - 02.04 for the construction and maintenance of buildings of temporary residence

<b>The name of the intended purpose of the land plot</b>	<b>Tax rate for a land plot, %</b>	<b>The name of the intended purpose of the land plot</b>	<b>Tax rate for a land plot, %</b>
<i>The existing classification of land plots</i>		<i>The proposed classification of land plots</i>	
02.04 For the construction and maintenance of temporary	0,05	For the construction and maintenance of buildings of permanent residence	0,05

accommodation buildings		For the construction and maintenance of buildings of temporary residence (dormitories)	0,05
		For the construction and maintenance of temporary accommodation buildings (hotels, motels)	3
		For the construction and maintenance of multi-apartment residential buildings with objects of trade, entertainment and market infrastructure.	3

*The author's development is based on [6,9]*

In the target designations of land plots 02.08 and 03.16 "For the purposes of subdivisions ... and for the conservation and use of lands of the nature reserve fund" [6], risks of confusion and abuse are created in their classification. It is also illogical and unfounded to assign land plots "for the preservation and use of nature reserve fund lands" to the category of land for residential and public development, since "land of nature reserve and other nature conservation purpose" is a separate category [6,7].

The definition of "residential development" and "public development", according to which the classification takes place, exists only in the current classification of land use types.

The category of land under residential and public development, based on Articles 19 and 38 of the LCU, is divided according to the main purpose: for the placement of residential buildings; for placement of public buildings; for other public facilities [7]. As for the name "for other public facilities", they should be specified in order to avoid possible mistakes when determining such a target purpose. We offer this main purpose in the following version - "for the placement of civil and special objects of general use", which cannot be classified as residential and public buildings according to their functional use. Each of the proposed main purpose designations will be divided into purpose purpose classes in accordance with the articles of the LCU characterizing land for residential and public development:

- "for the construction and maintenance of a residential building, farm buildings and structures (homestead)" [7] Article 40 of the LCU;
- for the operation and maintenance of housing and construction (housing) cooperatives, Article 41 of the LCU, including the association of co-owners of an apartment building condominium;
- for the construction and maintenance of a multi-apartment residential building for permanent and temporary residence, Article 42 of the LCU;
- for the construction and maintenance of garages, Article 40, 41 of the LCU.

According to the "list of permitted and permissible types of construction and use of land plots" [6, 7, 10] within territorial zones, buildings of mixed use are distinguished, having residential premises on the upper floors and placing on the lower floors objects of business, cultural or commercial activity. According to the land tax rate, these plots of land with such buildings may be taxed at a higher rate compared to plots of land with only residential buildings. Therefore, the corresponding class of mixed-use buildings must be allocated as a separate purpose for the use of land plots.

In accordance with the State Building Regulations B.2.2-12:2019 (hereinafter referred to as the SBR), separate plots of land for garages (parking lots) and open parking lots are allocated within residential and public buildings for permanent or temporary storage of motor vehicles. Garages (parking lots) within residential and public buildings are created in underground, above-ground-underground or above-ground multi-level buildings [10]. Thus, parking lots, garages and garages (parking lots) will be allocated in a similar way within the classification of land plots for the purpose of residential development. It is worth noting that with "mixed use of residential premises on the upper floors and placement of public infrastructure objects on the lower floors" [10], parking lots, garages (parking lots) will be classified as residential and public buildings under the appropriate classification. Parking lots and garages (parking lots) located within public buildings will be classified as public buildings (Table 2).

Table 2. Classifier of types of purpose of land plots - for placement of residential buildings

Land category code	The main destination		The class of the destination		Type of destination			
	Code	Name	Code	Name	Code	Name		
1	2	3	4	5	6	6		
02	<b>Land for residential and public development</b>							
	02.01	For placement of residential buildings	02.01.01	For the construction and maintenance of a residential building, farm buildings and structures (homestead)	02.01.01.01	For the construction and maintenance of a residential building, farm buildings and structures (homestead)		
			02.01.02	For the operation and maintenance of housing and construction (housing) cooperatives (including the association of co-owners of an apartment building condominium)	02.01.02.01	For the construction and maintenance of buildings of permanent residence		
			02.01.03	For the construction and maintenance of multi-apartment residential buildings for permanent and temporary residence	02.01.03.01		02.01.03.01	For the construction and maintenance of buildings of permanent residence
					02.01.03.02		For the construction and maintenance of buildings of temporary residence (dormitories)	
					02.01.03.03		For the construction and maintenance of temporary accommodation buildings (hotels, motels)	
					02.01.03.04		For the construction and maintenance of multi-apartment residential buildings with objects of trade, entertainment and market infrastructure.	
			02.01.04	For the construction and maintenance of buildings of mixed use (with residential premises on the upper floors and placement of objects of business, cultural and commercial use on the lower floors)	02.01.04.01		02.01.04.01	For the construction and maintenance of buildings of mixed use (with residential premises on the upper floors and placement of business objects on the lower floors)
					02.01.04.02		For the construction and maintenance of buildings of mixed use (with residential premises on the upper floors and placement of objects of cultural use on the lower floors)	
					02.01.04.03		For the construction and maintenance of buildings of mixed use (with residential premises on the upper floors and placement of commercial objects)	



					on the lower floors)
		02.01 .05	For the construction and maintenance of underground garages (parking lots) and parking lots on residential land	02.01. 05.01	For the construction and maintenance of underground garages (parking lots) on residential land
				02.01. 05.02	For the construction and maintenance of underground parking lots on residential land
		02.01 .06	For the construction and maintenance of above-ground and underground garages (parking lots) and parking lots on residential land	02.01. 06.02	For the construction and maintenance of above-ground and underground garages (parking lots) on residential land
				02.01. 06.02	For the construction and maintenance of surface and underground parking lots on residential development lands
		02.01 .07	For the construction and maintenance of underground garages (parking lots) and parking lots on residential land	02.01. 07.02	For the construction and maintenance of underground garages (parking lots) and parking lots on residential land
				02.01. 07.02	For the construction and maintenance of garage-building cooperatives on residential development lands
				02.01. 07.03	For the construction and maintenance of individual garages on residential land
				02.01. 07.04	For the construction and maintenance of surface parking lots on residential land

*The author's development is based on [5,6,7,10]*

The list of lands "for the placement of public buildings and structures" is not clearly defined in the LCU. The actual list of names of land for public development will coincide with the current positions of the classifier of land purpose types with some additions. Under the main target purpose "for the placement of public buildings and structures" are administrative buildings, structures, educational, scientific, health care institutions, public, religious, cultural and educational institutions, commercial, office buildings [3].

In particular, targets 03.08 "For the construction and maintenance of tourist infrastructure facilities..." [6], as well as 03.17 "For the placement and operation of facilities for the service of visitors to recreational facilities" [6] according to their functional use should be classified as categories of recreational land.

Purpose 03.14 "For the location and permanent operation of the bodies and units of the Emergency Situations Service of Ukraine" [6] (State Emergency

Service of Ukraine) is logically and expediently assigned to the appropriate category - "land for industry, transport, electronic communications, energy, defense and other purposes" since the State Emergency Service is coordinated in its activities through the Ministry of Internal Affairs (MIA), which belongs to the law enforcement agencies.

According to the order of the Ministry of Agrarian Policy No. 127 dated 13.03.2017 "On the approval of regulations on state hospitals of veterinary medicine", the main purpose of "public buildings and structures" [11] must be supplemented with the class of purpose - "for the construction and maintenance of buildings and structures of veterinary medicine ", which include: district, city state hospitals of veterinary medicine, precincts, points of veterinary medicine [11].

It is also worth highlighting as a separate class of purpose within the limits of "public buildings and structures" - "for the placement of parks, squares and beaches". In accordance with the order of the Ministry of Internal Affairs of Ukraine dated 04/10/2017 No. 301 "On the approval of the Rules for the protection of human life on water bodies of Ukraine", the beach area is a land plot of the coastal area adjacent to the water body and intended for people's recreation, needs appropriate allocation and arrangement for the protection of people's lives on water bodies [12].

Land plots under parking lots and garages (parking lots) will also be classified within the limits of public development, according to a similar example given for residential development land. According to the above description of the main purpose of land for public buildings and structures, we will get the following classification (Table 3).

In accordance with sub-clause a) of clause 4 of Article 83 of the LCU, the following are included under "land for public use of settlements, which cannot be transferred to private ownership: public squares; streets; travel; ways; embankments; beaches; parks; parks; boulevards; cemeteries; places of disposal and disposal of waste, etc." [7] there is a need to define civil and special objects of general use within the limits of residential and public buildings.

Table 3. Classifier of types of purpose of land plots - "for the placement of public buildings and structures"

Land category code	The main destination		The class of the destination		Type of destination	
	Code	Name	Code	Name	Code	Name
1	2	3	4	5	6	6
02	02.02	For placement of public buildings and structures	02.02.01	For the construction and maintenance of administrative buildings and structures, state and local self-government bodies and courts	02.02.01.01	For the construction and maintenance of administrative buildings and structures, state and local self-government bodies and courts
			02.02.02	For the construction and maintenance of buildings of educational institutions	02.02.02.01	For the construction and maintenance of buildings of educational institutions
			02.02.03	For the construction and maintenance of buildings of healthcare and social assistance institutions	02.02.03.01	For the construction and maintenance of buildings and structures of healthcare institutions
					02.02.03.02	For the construction and maintenance of buildings and the construction of social assistance institutions
			02.02.04	For the construction and maintenance of buildings and facilities of veterinary medicine: district, city state hospitals of veterinary medicine, private hospitals, precincts, points of veterinary medicine	02.02.04.01	For the construction and maintenance of buildings and facilities of veterinary medicine: district, city state hospitals of veterinary medicine, private hospitals, precincts, points of veterinary medicine
			02.02.05	For placing parks, squares, beaches	02.02.05.01	For placing parks and squares
					02.02.05.02	For placing beaches
			02.02.06	For the construction and maintenance of buildings of public and religious organizations	02.02.06.01	For the construction and maintenance of objects of religious organizations
					02.02.06.02	For the construction and maintenance of objects of public organizations
					02.02.06.03	For the construction and maintenance of objects of public organizations of persons with disabilities of Ukraine, their enterprises (associations), institutions and organizations

			02.02 .07	For the construction and maintenance of buildings of cultural and educational service institutions	02.02. 07.01	For the construction and maintenance of buildings of club institutions (clubs, houses and palaces of culture, stations of young technicians and naturalists)
					02.02. 07.02	For the construction and maintenance of buildings of entertainment institutions: cinemas, theaters, circuses, philharmonics, concert, universal, dance institutions, dramatic art, planetariums
					02.02. 07.03	For the construction and maintenance of buildings of libraries, archives, and book chambers
					02.02. 07.04	For the construction and maintenance of buildings of fine arts institutions and museums
					02.02. 07.05	For the construction and maintenance of exhibition buildings
					02.02. 07.06	For the construction and maintenance of buildings of institutions for the production, distribution and demonstration of film, video films, film studios
					02.02 .08	For the construction and maintenance of buildings of extraterritorial organizations and bodies (embassies, international organizations)
			02.02. 08.02	For the construction and maintenance of buildings of extraterritorial organizations (international organizations)		
			02.02 .09	For the construction and maintenance of commercial buildings, household services	02.02. 09.01	For the construction and maintenance of monofunctional trade establishments
					02.02. 09.02	For the construction and maintenance of shopping and entertainment complexes
					02.02. 09.03	For the construction and maintenance of monofunctional household service establishments
			02.02 .10	For the construction and maintenance of catering facilities (except built-in and attached)	02.02. 10.01	For the construction and maintenance of catering facilities (except built-in and attached)
			02.02 .11	For the construction and maintenance of office and multifunctional centers (except built-in and attached)	02.02. 11.01	For the construction and maintenance of office centers
					02.02. 11.02	For the construction and maintenance of multifunctional centers
			02.02	For the construction	02.02.	For the construction and

			.12	and maintenance of built-in and attached premises	12.02	maintenance of built-in and attached premises
			02.02 .13	For the construction and maintenance of buildings and structures of scientific institutions	02.02. 13.01	For placement of administrative buildings and facilities of science institutions
					02.02. 13.02	For placement of public buildings and facilities of science institutions
					02.02. 13.03	For placement of production buildings and facilities of science institutions
					02.02. 13.04	For placement of engineering infrastructure of science institutions
					02.02. 13.05	For arrangement of places of collection, disposal and destruction of biological waste
			02.02 .14	For the construction and maintenance of underground garages (parking lots) and parking lots on public development lands	02.02. 14.01	For the construction and maintenance of underground garages (parking lots) on public development lands
					02.02. 14.02	For the construction and maintenance of underground parking lots on public development lands
			02.02 .15	For the construction and maintenance of above-ground and underground garages (parking lots) and parking lots on public development lands	02.02. 15.01	For the construction and maintenance of above-ground and underground garages (parking lots) on public development lands
					02.02. 15.01	For the construction and maintenance of surface and underground parking lots on public development lands
			02.02 .16	For the construction and maintenance of underground garages (parking lots) and parking lots on public development lands	02.02. 16.01	For the construction and maintenance of underground garages (parking lots) on public development lands
					02.02. 16.02	For the construction and maintenance of garage-building cooperatives on public development lands
					02.02. 16.03	For the construction and maintenance of individual garages on public development lands
					02.02. 16.04	For the construction and maintenance of surface parking lots on public development lands

*The author's development is based on [5,6,7,10,11,12].*

Also, civil and special objects include land plots for the location of logistics centers, warehouses (bases), for the location of burial sites, for the location of waste management facilities, etc. [6].

According to Clause 2 of Article 19 of the LCU, "land plots that are not provided for ownership or use by citizens or legal entities, within each category of land, will be classified as land plots from the reserve" [7]. That is, reserve lands should be classified according to their main purpose in the category of land for residential and public development.

In addition to the listed main purposes of land provided for by legal acts, the events with the full-scale military invasion of the Russian Federation on the territory of Ukraine significantly affected the actual use of land. Due to hostilities, it is impossible to safely use large areas of Ukrainian lands for their primary purpose. Such plots of land are contaminated with the remains of destroyed equipment, explosive objects, damaged (destroyed) as a result of the construction of various fortifications. The most hidden danger is unexploded explosive objects, minefields on land plots after hostilities. Mine hazards and explosive objects pose the greatest threat because they directly affect people's lives and the environment. Lands that are polluted as a result of human economic activity, which led to land degradation and its negative impact on human health and the environment, in accordance with Article 169 of the LCU, are defined by the term "technologically polluted lands" and require immediate measures to restore them. Such territories will be classified as technologically polluted and will require the establishment of restrictions on their use [7]. It should be taken into account that all categories of land in connection with hostilities have temporarily acquired the "status" of man-made contaminated land and cannot be used for their primary purpose. Within each category of land, in the classification of types of purposeful use of land plots, it is proposed to allocate such lands under the main purpose - "technologically polluted land plots as a result of hostilities". After carrying out the relevant works on humanitarian demining and conservation of these land plots, they can be returned to their main purpose (Table 4).

Table 4. Classifier of the types of purpose of land plots - "for the placement of civil special objects of general use"

Land category code	The main destination		The class of the destination		Type of destination	
	Code	Name	Code	Name	Code	Name
1	2	3	4	5	6	6
02	02.03	For placement of civil and special objects of general use	02.03.01	For placing logistics centers, warehouses (bases)	02.03.01.01	For placement of logistics centers
					02.03.01.02	For placing warehouses (bases)
			02.03.02	For placement of burial places	02.03.02.01	To place people's burial places
					02.03.02.02	For placement of burial place for domestic animals
					02.03.03	For placement of waste management facilities
			02.03.03.02	For placement of waste processing enterprises		
			02.03.03.03	To place the filtering fields		
	02.03.03	For the placement and operation of the street and road network (streets, squares, driveways, paths, embankments)	02.03.03.01	For the placement and operation of the street and road network (streets, squares, driveways, paths, embankments)		
	02.04	Land plots from the reserve (land plots that are not provided for ownership or use by citizens or legal entities)	02.04.01	Land plots from the reserve (land plots that are not provided for ownership or use by citizens or legal entities)	02.04.01.01	Land plots from the reserve (land plots that are not provided for ownership or use by citizens or legal entities)
	02.05	Man-made contaminated land plots as a result of hostilities	02.05.01	Man-made contaminated land plots as a result of hostilities	02.05.01.01	Man-made contaminated land plots as a result of hostilities

*The author's development is based on [5,6,7]*

**Conclusions and proposals.** Having analyzed the current classification of types of purpose land use (CCTPLU) on the example of the category of land for residential and public development, the need for its improvement has been proven. It was established that the existing 2-level CCTPLU incompletely determines the list of the intended use of land plots, which in the future creates risks of under-receipt of funds from the land fee. Also, the existing CCTPLU does not ensure the adoption of appropriate management decisions in the use of such land plots and is

unable to ensure land monitoring. On the basis of the given 4-level classification structure, the classification of the types of land use for residential and public development was carried out.

In connection with the large-scale coverage of the territory of Ukraine by hostilities, a significant part of the land plots became temporarily unusable for their main purpose. Such land plots are proposed to be classified as "technologically polluted land plots as a result of hostilities" in the classification by a separate target. After appropriate humanitarian demining and restoration of these areas to their safe state for the environment and people, the land plots can be returned to their primary purpose, which they had before hostilities.

### **Reference**

1. Tretiak A., Dorosh Y. (2009). Klasyfikatsiia zemel za yikh katehoriiami, typamy zemlekorystuvannia, tsilovym pryznachenniam ta dozvolene vykorystannia zemel.[ Classification of lands by their categories, types of land use, purpose and permitted use of land]. Zemlevporiadnyi visnyk. 5, 20-31.

2. Dorosh Y., Ibatullin Sh., Tarnopolskyi A., Avramchuk B., Tarnopolskyi Ye., Dorosh A. (09.03.2021). Literaturnyi pysmovyi tvir tekhnichnoho kharakteru «Kontseptsiia stvorennia systemy monitorynhu zemel ta kontroliu yakosti hruntiv», [The concept of creating a land monitoring system and soil quality control] svidotstvo № 103009.

3. Dorosh Y., Ibatullin Sh., Tarnopolskyi A., Avramchuk B., Tarnopolskyi Ye., Dorosh A. (09.03.2021). Literaturnyi pysmovyi tvir tekhnichnoho kharakteru «Tekhnichne zavdannia na rozrobku avtomatyzovanoi informatsiinoi systemy monitorynhu zemel ta kontroliu yakosti hruntiv (vymohy)» [Terms of reference for the development of an automated information system for land monitoring and soil quality control (requirements)], svidotstvo № 103008.

4. Dorosh Y., Ibatullin Sh., Tarnopolskyi A., Avramchuk B., Tarnopolskyi Ye., Dorosh A. (09.03.2021). Literaturnyi pysmovyi tvir tekhnichnoho kharakteru «Plan zakhodiv shchodo rozrobky ta vprovadzhennia systemy monitorynhu zemel ta kontroliu yakosti hruntiv» [Action plan for the



development and implementation of the land monitoring and soil quality control system], svidotstvo № 103007.

5. Dorosh Y., Barvinskyi A., Ibatullin Sh., Dorosh A., Dorosh O. (2021). Analiz chynnoho klasyfikatora vydiv tsilovoho pryznachennia zemel silskohospodarskoho pryznachennia ta propozytsii shchodo yoho udoskonalennia. [Analysis of the current classifier of types of special purpose agricultural lands and proposals for its improvement]. Zemleustrii kadastr i monitorynh zemel 2, 4-13.

6. Klasyfikatsiia vydiv tsilovoho pryznachennia zemel. Nakaz Derzhavnoho komitetu Ukrainy iz zemelnykh resursiv vid 23.07.2010 r. №548. Available at : <https://zakon.rada.gov.ua/laws/show/z1011-10#Text>

7. Zemelnyi kodeks Ukrainy. Redaktsiia vid 07.04.2022 r. Available at : <https://zakon.rada.gov.ua/laws/show/858-15#Text>

8. Zakon Ukrainy «Pro zemleustrii». Redaktsiia vid 07.04.2022 r. Available at : <https://zakon.rada.gov.ua/laws/show/858-15#Text>

9. Stavky zemelnogo podatku ta nadannia pilh zi splaty zemelnogo podatku na 2022 r. na terytorii Dobromylskoi miskoi rady. Ofitsiinyi sait Dobromylska miska terytorialna hromada. Available at : <https://dobromylska-gromada.gov.ua/stavki-zemelnogo-podatku-ta-nadannya-pilg-zi-splati-zemelnogo-podatku-na-2022-r-na-teritorii-dobromilskoi-miskoi-radi-10-53-09-07-06-2021/>

10. Derzhavnykh budivelnykh norm B.2.2-12:2019 (DBN) Nakaz Ministerstva rehionalnoho rozvytku, budivnytstva ta zhytlovo-komunalnoho hospodarstva Ukrainy vid 26.04.2019 №104. Available at : <https://zakon.rada.gov.ua/rada/show/v0104858-19#Text>

11. Nakaz Ministerstva ahrarynoi polityky ta prodovolstva Ukrainy vid 13.03.2017 r. №127 «Pro zatverdzhennia polozhen pro derzhavni likarni veterynarnoi medytsyny». Available at : <https://zakon.rada.gov.ua/laws/show/z0469-17#Text>

12. Nakazu Ministerstva vnutrishnikh sprav Ukrainy vid 10.04.2017 r. № 301 «Pro zatverdzhennia Pravyl okhorony zhyttia liudei na vodnykh ob'ektakh Ukrainy». Available at : <https://zakon.rada.gov.ua/laws/show/z0566-17#Text>

**Дорош Й.М., Дорош О.С., Тарнопольський А.В., Харитоненко Р.А.**  
**ПРОПОЗИЦІЇ ЩОДО УДОСКОНАЛЕННЯ КЛАСИФІКАЦІЇ**  
**ВИДІВ ЦІЛЬОВОГО ПРИЗНАЧЕННЯ ЗЕМЕЛЬ (НА ПРИКЛАДІ**  
**КАТЕГОРІЇ ЗЕМЕЛЬ ЖИТЛОВОЇ ТА ГРОМАДСЬКОЇ ЗАБУДОВИ)**

*Проаналізовано чинну класифікацію видів цільового призначення земель житлової та громадської забудови та доведено, що вона потребує удосконалення. Наведено пропозиції щодо її удосконалення у межах досліджуваної категорії земель спираючись на чинне земельне законодавство та інші нормативно-правові акти. Доведено, що наявний перелік основних видів цільових призначень земельних ділянок (які ґрунтуються на змісті статті 38 Земельного кодексу України) у чинній класифікації є не повним та не цілком обґрунтованим. Виявлено приклади необґрунтованого віднесення до категорії земель житлової та громадської забудови земельних ділянок інших категорій земель. У цій відповідності запропонована 4-х рівнева структура класифікації видів цільового призначення земель житлової та громадської забудови.*

*Беручи до уваги військову агресію Російської Федерації проти України, частину земельних ділянок на сьогодні неможливо використовувати за їх основним цільовим призначенням. Із цих позицій запропоновано додатково в рамках вище вказаного класифікатора виділити «техногенно забруднені землі внаслідок бойових дій». А після проведення відповідних робіт щодо розмінування та рекультивациі цих земель до їх безпечного використання для людей та довкілля, вони можуть бути повернені до використання за основним цільовим призначенням.*

**Ключові слова:** класифікація видів цільового призначення земель, землі житлової та громадської забудови, техногенно забруднені землі внаслідок бойових дій.