



# Agricultural Territory Planning in Bulgaria - Current Functionality of Legislation and Perspectives

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## Abstract

*Development Planning for the Agricultural Territory is a problematic activity in Bulgaria in terms of the existing legal requirements. Bulgarian legislation contains certain gaps in regulating and technically ensuring the agricultural land planning. This is well settled in relation to the other types of territories like the Urban, Forest, and Protected ones, which planning rules and activities are regulated in details. The purpose of the paper is firstly to justify the necessity of improving and detailing the legal regulations for the agricultural land development planning, and secondly to suggest some expert approaches for improving and harmonization of legislation in connection with registration of the agricultural property by Agricultural Territory Development Plan (ATDP), Restored Property Map (RPM) and Cadastral Map (CM). The current legal grounds for planning development of the agricultural land in Bulgaria are presented and analysed. Lack of detailed regulations on their scope, content and operation have been found. It is also a matter of applicability of the newly created municipal CMs in settling land relations such as purchases and sales of land, inheritances, divisions, and changing the primary purpose of use of Agricultural Territory for construction. The completeness of CM with information about the quality of agricultural lands is still not regulated by Cadaster and Property Register Act. The paper contains specific proposals for amendments in Spatial Planning Act, Cadastral and Property Registry Act and Agricultural Land Ownership and Use Act.*

*Keywords: development planning, agricultural territory, legislation, perspectives, Bulgaria*

## Introduction

Implementation of land development planning in the Agricultural Territory (AT) is most problematic compared to other types of territories in Bulgaria: Urban, Forest, and Protected ones. The difficulty stems from the most complex relations that it has with reality. It has to fulfil many requirements: to be adequate to the market system of the economy, recently established in Bulgaria; to reflect the dynamics of land relations; to consider the limitations of the agricultural production process; to respond to the free operation of land ownership, i.e. to the free and unregulated choice of the method of permanent land use by each owner, thus regulated in legislation; to respond to the ecological issues. The strategic predictions for AT can be found in the strategic planning documents [1, 2]. The National Concept for Regional and Spatial Development 2013-2025 [3] outlines the main guidelines for its development at national, regional and local level. It outlines measures for introducing innovations, also for sustainable management of the natural resources, for restoration and modernization of the irrigation and drainage infrastructure, for restoration and reconstruction of the facilities for protection against harmful effects of water, for development of organic agriculture, for intensive production promotion, for supporting the production in sensitive areas, for consolidation of land properties and reduction of the fallow lands, for utilization of the natural and economic potential of rural areas. Perspectives for agricultural production development and the related industries are taken into account in the methodologies for developing concepts, schemes and development plans.

These strategic provision are territorially addressed by using a spatial planning approach in General Development Plan (GDP) by connecting projects, actions and investment intentions in time and space. A Detailed Development Plan (DDP), sets the specifics rules, technical norms and regimes (Art. 103 of SPA [1]).

Provisions for the development and management of AT are given by a so-called Specialized Detailed Development Plan (SDDP) regulated in Art. 111 of SPA [1].

The objective of the paper is to justify the need for agricultural land development planning in Bulgaria and to suggest an expert approach for improving and harmonization of legislation on agricultural property registry through the Restored Property Map (RPM) and Cadastral Map (CM), as defined in Bulgarian legislation, and an Agricultural Territory Development Plan (ATDP), for which there are no legal provision yet.

## Current Status of the Registration and Planning Documents

Restored Property Map (RPM). RPM is the final registration document for the landed properties of one settlement. It stems from an elaborated during the Agrarian Reform Agricultural Land Development Plan (ALDP) for the land of a settlement. The main purpose of ALDP was to create a basis for its further cadastral documentation of the landed properties. The RPM nowadays is regulated by ALOUA [4]. It comprises the data of several maps:

- map of landed properties in existing old real borders,
- map of landed properties in the restorable old real borders,

- map of landed properties in new borders, and
- map of restored ownership of forests and lands from the Forest Territory (FT), created in accordance with FPRA [5] pursuant to Art. 1 para. 2 of Ordinance No. 49 [6].

RPM is elaborated in digital, graphical and textual form. It can contain:

- the state borders
- borders of the administrative-territorial units
- landed properties borders
- boundaries of territories with same primary purpose of use
- facilities of the technical infrastructure (power lines, gas pipelines, paths, etc.)
- names of the localities
- water courses and their areas with their names
- the boundaries of agricultural land categories
- points of the geodetic base
- buildings in landed properties - additionally added to RPM at the request of interested persons after showing the relevant documents.

A specific feature of RPM is that it provides information on the quality of agricultural land through their categories. It also contains a Register of the method of ownership restoration, the method of permanent use, the primary purpose of use of the territory, the restrictions of use, incl. depreciation of permanent plantations. This information makes it a specialized map for the agricultural and forest territory. RPM is maintained by the municipal agricultural services, and is updated when changes occur due to implementation of investment projects and at the request of interested parties.

Currently, RPM is used to create plans and maps for different purposes: for indemnity plans;

enfranchising with land plans; arrays for use maps; forestry projects; maps of wine-growing areas, micro-districts and massifs; DDP for changing the primary purpose of use of AT and FT, maps of the irrigation and drainage infrastructure; specialized maps and schemes, maps of agricultural holdings or properties. They are also used to calculate territory balances (Art. 2 of [6]).

RPM is still in force. Its exists in digital "ZEM format" and is officially maintained up-to-date. Currently, the data from RPM is being transferred to CM.

RPM is the digital basis that allows correction of errors on the physical borders. All corrections are possible, thanks to the registers at RPM which contain information (a batch) for each property. The register the contains the coordinates of the border traverses, also information on soil category, the names of the localities, neighbors' names, owner's name, property rights, rent and leases, claims, mortgages, foreclosures and other encumbrances and administrative restrictions on use (Art. 10 of [6]). Changes in RPM can occur due to error corrections, execution of court decisions, effective decisions of the commissions under Art. 17, para. 1 of ALPA [7], completed investment projects under SPA [2], division and unification of properties, change of ownership and other circumstances regarding the legal status of a property or part of a property (Art. 14, Para. 2 of [6]). According to the Art. 14 of [6], the borders and the data of landed properties which have been added to a CM and its CR under Art. 35a of CPRA [8], as well as to the forest management plans.

When a cadastral map has been approved for the land of a village, the establishment of the borders of the agricultural properties is carried out in accordance with the regulations for the implementation of Art. 19, Para. 1 CPRA [8]). It is the digital information from the RPM that enables the implementation of the powers of budget managers and municipalities, which is provided to them free of charge by the Ministry of Health. Until the approval of CM and CR for a certain territory, according to CPRA [8], the plans, needed for transactions with landed properties are issued on the basis of RPM data (Art. 33, Para. 2 of ALOUA [4]). According to Art. 26 RIALOUA [9], with bringing CM of a given territory into force, the plans of the landed properties are issued according to CPRA [8], which automatically disables RPM action.

Cadastral Map (CM). CM is elaborated, accepted and approved for the land of a village/settlement or parts of it, also for a separate property or a group of properties. AT naturally fits to this definition. The main unit of Cadastre is the landed property (Art. 24, Para. 1 CPRA [8]), and the cadastral map contains data on (Art. 27 CPRA [8]):

- the state borders
- borders of the administrative-territorial units
- borders of a land of a village and borders of territories with the same primary purpose of use of use
- landed properties with their boundaries and identifiers
- zones of restrictions on landed properties
- facilities of the technical infrastructure with independent objects in them and their identifiers
- names of localities, streets, watercourses and areas and other objects determined by the ordinance under Art. 31 CPRA [8]
- the points of the geodetic base
- the detailed points defining boundaries and outlines
- individual objects in buildings and in facilities of the technical infrastructure and their identifiers

CR contains information on:

- data on the ownership of landed property
- other real rights on landed property;
- data on zones with restrictions on land use

CM and CR are elaborated in digital, graphic and written format and are maintained in digital format.

According to Art. 41, para. 1 and 4 CPRA [8], CM for non-urbanized territories is created on the basis of plans and maps approved under the order of ALOUA [4] and FPRA [5] (the RPMs). The cycle of processes in both directions is obvious - from the specialized plan to the creation of a CM and from the approved CM to new SDDP, i.e. towards new forecasting and planning, AT inclusive. Keeping CM and CR up-to-date is related to both direction processes. In that order, when creating CM and CR, borders

are drawn only for territories specified in the Order for elaborating CM (according to Art. 41a of CPRA [8], and in the cases under Art. 36, item 1 and art. 38, para. 1, item 2 of CPRA [8]). With regard to non-urbanized territory (including agricultural areas), CM and CR combine data from:

- plans and maps approved under the order of ALOUA [4] and FPRA [5]
- cadastral maps created pursuant to Art. 35a of CPRA [8]
- plans of objects and buildings of the technical infrastructure, provided in accordance with art. 36 of CPRA [8]
- maps, plans and other documentation provided pursuant to Art. 36 of CPRA [8] from departments, regional and municipal administrations, legal entities and others (Art. 41, para. 1 of CPRA [8]).

They enter CM as defined in the above mentioned plans and maps. The data is basic cadastral and meet the content and accuracy of the requirements for CM specified in the Ordinance under Art. 31 of CPRA [8].

When elaborating any Development Plan (DP), according to Art. 115 of SPA [2] and Art. 2 of the Ordinance under Art. 31 of CPRA [8], CM and CR are used. In the context of Art. 115 of SPA [2], DP contains:

- topographic maps
- elements of Cadastre
- leveling plans
- specialized maps and registers
- other data of the specialized information systems of central and territorial administrations and companies.

DPs extract data from CM and CR, according to Art. 115 of SPA [2] and Art. 2 CPRA [8] on:

- landed properties - location, borders, dimensions, primary purpose of use of use and method of permanent use;
- buildings and facilities of the technical infrastructure, in which there are independent objects;
- state borders, the borders of administrative-territorial and territorial units and the borders of territories with the certain primary purpose of use of use;
- ownership and limited real rights.

Data on relief and landscape, overhead networks and technical infrastructure facilities, transport facilities (railways, roads, bridges, fords, ports, etc.), hydrography, vegetation and soil cover are extracted from topographic and specialized maps and registers. From the specialized maps, registers and information systems of central and territorial administrations and companies, data are extracted for underground networks and facilities of the technical infrastructure, for protected natural areas, for cultural and historical heritage sites, as well as other specific data for the territories.

Currently, Cadastre considers as specialized data on AT the data on permanent plantations and on the relief. They are reflected in specialized maps, registers and information systems (Art. 32, para. 1, item 1 of CPRA [8]). A contract is required to keep this data up-to-date. The extraction of data from CM and CR and adding specialized objects and their technical characteristics turns CM and CR into a specialized map and register. In numerous normative documents [8, 10, etc.], the use of a CM and CR approved by the CPRA [8] as a basis for the creation of specialized maps and registers is stipulated [11].

CM and CR are made in digital, graphic and written format and are maintained in digital format. The requirements for the scales, layout and nomenclature, the design of the digital and graphic format of the CM are defined in Appendix 1 of [12]. The main scale for drawing the cadastral map in graphic form for AT is M 1:5000 (according to Appendix 1 to Art. 7, Para. 1 of [13]). Exceptionally, upon a request with a technical assignment, scales M 1:2000 and M 1:10000 can be used, depending on the area of the landed properties. The basis of CM (the layout and nomenclature of the map sheets) is the Bulgarian Geodetic System 2005, according to [14]. It is also permissible to draw in a free scale for an individual property or for a group of properties, as well as for parts of a village land. The conventional characters used are specified in the Appendix by groups of elements.

Compared to RPM, CM for agricultural territories is poorer in content. The difference between RPM and CM is that CM lacks information on land categories and their borders. The latter are essential for developing ATLP. This type of information is likely to be referred to in the future as specialized information, requiring specialized maps to be produced. This will create an inconvenience for the implementation of the services according to the Ordinance under Art. 58, para. 1 of CPRA [8], for servicing land relations, for structural planning at all hierarchical levels and for implementation of investment projects. This will delay the procedures of providing cadastral data for the development of agricultural business with negative consequences on the economy of farms, regions and the state.

Agricultural Land Development Plan. According to the theory of land planning, the document that would contain long-term, medium-term and/or short-term provisions for sustainable development of a AT is the Agricultural Territory Development Plan (ATDP) [15]. Contemporary Bulgarian legislation studiously avoids formulating and regulating ATDP as well as reflecting the whole field of spatial planning for agricultural territory. Instead, Art. 111, para. 1 of SPA [2] regulates a Specialized Detailed Development Plan (SDDP) in the context of the so called Municipal General Development Plan (MGDP) regulated by Art. 103, para. 1, item 1 of SPA [2] and that is occasionally elaborated in case a need occurs.

The agricultural activity of landed properties is protected in Art. 7, para. 1 of SPA [2] and Art. 5, para. 5, 6 and 7 of [16]. The scope and content of SDDP for the AT, is implicitly determined by the provisions of MGDP and the conditions for a Detailed Development Plan (DDP), which is regulated by Art. 108, para 1 of SPA [2] and Ordinance 8 [17]. Considering AT as an element of the national space, SPA [2] reveals two main starting points:

- Planning of AT is a set of activities for use, protection, development, including reclamation and beautification (Art. 5, para. 1 of [17]).
- AT for a given administrative-territorial or territorial unit has clearly defined boundaries set by MGDP (Art. 4, Para. 4 of [17]).

Since there is no certain definition for SDDP, it can be considered that SDDP for AT is a kind of DDP. Further, the logic says that SDDP for AT is intended for the land of a settlement (Art. 109, para 1, item 1 of SPA [2]), also for the land of one village or parts of it (the same Art. and para., item 3). Para. 2 of Art. 109 SPA [2] sets the obligation to draw up a DDP for the entire land of one village, when there is no MGDP for that village.

The framework set by MGDP (Appendix 2 to Art. 68 para. 2 of [17]) the DDP (Art. 109 SPA [2] and Art. 45, para. 2 of [16]) for AT, includes the following elements:

- boundaries of arable land – cropped fields
- boundaries of arable land - permanent plantations
- boundaries of uncultivable lands - pastures, ridges, ravines
- boundaries of other part of AT – agricultural farms and yards
- boundaries of AT with permissible and impermissible change of the primary purpose of use for the needs of different types of territories
- routes of agricultural roads
- engineering and technical elements such as wire routes
- terrains under para. 4 of the Transitional and Final Provisions (TFP) of ALOUA [4].
- territory for agriculture, including the one which primary purpose of use cannot be changed
- territory with probable spread of predictable natural disasters and the necessary preventive measures and method of organization and protection
- territory of exclusive state property, public state property and public municipal property and the regime of their development
- location of the easement areas of the networks and facilities of the technical infrastructure (Art. 16, para. 1, item 4 of [17]).

There are provisions for construction outside the settlements. The following objects can be constructed:

- agricultural objects
- objects for permanent residence and objects for recreational activities

The possibility to change the primary purpose of use of lands under § 4 of the TFP of ALOUA [4], designated for agricultural use but for recreation too, for cottage and residential areas, is also regulated.

### **Motivation of the Agricultural Territory Planning and Recommendations**

The primary purpose of use of the agricultural land use, according to Bulgarian laws, is for agricultural production. Agricultural production is a result of agricultural activities, and which are a form of nature use for economic purposes. As such, the agricultural activities are connected with use of nature, also with environmental, economic, social and legal problems. The intersection of these problems is not easily found, even more randomly, for that reason their planning is required. Land use planning can be considered a complex activity for achieving certain goals: sustainable land use, economic development, management of environmental problems, social justice and good management of land resources. These objectives can also be defined as reasons for establishing land use planning practice:

- Economic motivation: It can be considered that the economic motivation for land use planning stems from the need for producing food in order to meet people's and animal's food needs, including overcoming mono-cultural agriculture. It accounts for the necessity to develop farms, especially small and medium ones, and to achieve competitiveness of the agrarian sector on the local and foreign markets.
- Technological motivation: Land planning is necessary in order to overcome some unfavourable physical parameters of current landed properties such as fragmentation and dispersion, to reduce the area of wasteland, to resolve conflicts between agricultural territory and other types of territory, especially urbanized, and to implement activities for physical restoration of the amortized infrastructure, including the irrigation and drainage infrastructure.
- Ecological motivation of agricultural territory planning can be for overcoming the loss of soil fertility as a result of improper soil treatment and occurrence of degradation processes due to negative impact of agricultural practices. Protection from the harmful effects of water requires integrated planning of land use and water use, of land use with investment projects for irrigation and drainage system and hydraulic construction.
- Social motivation: Addressees of land development planning are mostly rural areas, in particular areas with deteriorated socio-economic characteristics and disadvantaged areas. It contributes to the employment of the local population and indirectly to solving the demographic problem, which in turn is related to the ecological balance in these territories.
- Legal motivation: The legal basis for land development planning is found in the protection of property and other real rights on agricultural lands, guaranteeing equality of land users in relation to the natural and economic-geographical conditions of the territory.

As a form of documentation for land ownership in the near past, Land Subdivision Plans were developed in accordance with the ALOUA [4]. A project activity was carried out, through which the quantitative, qualitative, situational, administrative-legal, etc. characteristics of the landed properties, were documented in graphic and textual description. This data became part of the contents of the Restored Property Map (RPM).

Agricultural land plans of the past rested on a well-developed and technically constructed cadastre. The available archival plans (cadastral, land consolidation, situational, and plans of the Water Unions) are stored in the State Geodetic, Cartographic and Cadastral Fund (GCCF) at the Directorate "Geodesy, Cartography and Geo-Information Systems" of the Agency for Geodesy, Cartography and Cadastre (AGCC). As of the end of 2014, there are over 500 archival plans of agricultural lands in the archive of the AGCCF [11].

In Bulgaria, there are still difficulties in managing the dynamic processes in AT. This is both a cause and a consequence of an existence of a „white field“ in the legal space regarding land use planning. The current state of ATDP is uncertain. Such plans are currently not being prepared on administrative-territorial level. Some activity for agricultural land planning within the agricultural holdings for organizing crop rotations is currently being observed. There is no clearly defined legal framework for creating ATDP. The legislation contains only regulations on the land relations, concerning the state and municipal land fund, the lessees and lessors under ALA [18] and formation of Massifs for Use under ALOUA [8], the agricultural cooperatives under the LC [19], protection of agricultural land and soils under the ALPA [7]. ALOUA [4] partly regulates land consolidation. However, there is not a single regulatory document that would reflect the functions of AT in zoning regimes and that would regulate the content, scope, rules and norms of development of zoning plans for AT, as it is for other types of territory. At all hierarchical levels of land resources management, there is a need for clear criteria for planning and development of land use in AT.

Since the maintenance of RPM is carried out per the land properties to a village (Art. 15, Para. 1 of [16]) it is logically proven, that the above Article should be enlarged with the possibility of applying the provisions of RPM on administrative-territorial level, especially those having a long-term perspective. For now, Art. 37e, para. 1 of ALOUA [4] only provides for including a land consolidation plan (LCP) in RPM, which can be argued to be the only legal text that links RPM to a plan that contains provisions for the future development of AT. According to our expert views, ALDP can be considered as a specification of the MGDGP and is supposed to identify:

- zones for agricultural production
- zones for storage of production
- zones suitable for land consolidation
- zones of pastures and meadows
- zones of permanent plantations
- zones that need applying special activities such as reclamation, irrigation and drainage, preventing measures for floods and foreseeable disasters, erosion control, etc.
- zones with forest vegetation in agricultural territories that is protected by FA [20]
- zones with different organizational regime in terms of methods of permanent use and depreciation of plantations
- zones for restoration and protection of the aesthetic functions of agro-landscapes.
- zones of irrigated and/or drained agriculture: with built up or under construction and/or with approved projects for the construction irrigation and drainage systems
- provisions for a main agricultural road network of certain density
- agricultural zones with restrictions on use
- zones under risk of erosion, pollution, salinization, seasonal surface waterlogging and swamping
- zones with degraded ecological functions of the soil cover
- protected areas under NATURA 2000
- zones with prescriptions for applying measures to protect the soil cover from water and wind erosion
- zones for traditional agriculture
- zones with suitable soil and climatic conditions for perennial crops (vines, fruit species, essential oil crops, etc.) or vegetables.

Some of these elements may also be elements of MGDGP with a specific recommendatory regime for some of them. ATDP, having these provisions should be developed on the level of administrative-territorial or territorial unit with a long-term perspective. It must be a part of MGDGP or attached to it. The graphic information of ATDP should be reflected by:

- topographic conventional signs, which show the existing elements of the territory
- specialised signs which show the newly designed elements. Special instructions are to be developed for that purpose.

The methodology and executing conditions of AT zoning should be a part of MGDGP methodology. Planning should have general provisions and should account for the peculiarity of the territorial and natural resources.

The on-farm ATDP should contain as the general, so the special elements of the higher administrative-territorial-level ATDP. This is based on Art. 105 and 109 of SPA [2]. Unlike MGDGP and accounting for the purpose of the on-farm ATDP to provide a territorial basis for economic development of farms, the specialized structural elements, should add to those of MGDGP:

- areas for farms and buildings
- main and secondary road network, tracks for animals
- provisions for erosion-control, incl. protective forest belts, terraces, erosion-control crop rotations
- provisions for existing or under construction irrigation and drainage systems, according to the needs of the farm
- fields of crop rotations
- plots for consecutive grazing in herd areas
- sites for pasture water supply
- mowing fields in hay rotations

ATDP should be accompanied by:

- soil map
- map of soil categories
- land ownership map
- map of the arrays for use
- scheme of the irrigation and drainage systems and the irrigated areas
- scheme of the melioration activities foreseen by the project to restore soil fertility

ATDP on-farm level should be developed with a medium-term and short-term perspective. It should consider the minimum terms of the land renting contracts, such as the contracts for lease, rent, and cooperative, which are specified by our legislation and comply with the requirements of the European agricultural production subsidization.

Due to the dynamics of land relations and the need to maintain the ecological functions of the soil, it is necessary to allow updating of ATDP in each case of change.

Art. 5 para. 3 of Ordinance 7 [16], in accordance with Art. 104, para. 2 of SPA [2] explicitly emphasizes that DDP for landed properties should follow regulations that must be indicated on the plan. Therefore, SDDP for AT (Art. 111 SPA [2]) needs technical regulations and rules, which are not officially affirmed for now. Having in mind the specificity of the ATDP contents, these technical regulations and rules should be consistent with the environmental characteristics of the site and the production technologies applied. Such rules and technical norms have been developed in the period of planned economy. They were bound to the technological level and the organization of production of the time. The contemporary criteria are different, due to the radically different economic conditions and the technical progress. An up-to-date legal document with rules and norms for AT planning is not found in the legal space.

ATDP on farm level (instead of the regulated in Art. 111 SPA [2] SDDP for AT) in a large scale must be oriented to economically and environmentally development planning. It will be subordinated to a specialized scheme/concept of MGDGP.

ATDP should follow a technical assignment and the requirements of Art. 125 and Art. 126 of SPA [2]. The technical assignment should be elaborated by the contracting authority that should justify the need for the development of such plan. Further, the technical assignment should specify the territory, the terms and the stages of completing the plan. The study and design of ATDP, as well as the selection of a development concept for them, should be assigned in accordance with the Public Procurement Act (PPA) [21]. Also it must be elaborated on demand and paid.

The suggested methodology for agricultural territory planning will require amendments of the existing legal framework: firstly, of Chapter Six of SDA [2], dealing with the development plans and Ordinance 8 to SDA [2], dealing with the scope and content of DP, and secondly, of ALOUA [4] with adding a whole chapter regulating Agricultural territory development planning.

## Conclusion

- 1) It is clear from the review of the legal grounds for planning of the agricultural territories, that there is no comprehensive vision of the agricultural territory planning. A set of laws regulates land management in different aspects, such as: territory development, investment design, construction, land ownership, agricultural lands use, operation with state and municipal property; protection of agricultural lands from damage and from change of their primary purpose of use of use, and solving environmental problems. Although the strategic and spatial planning documents reflect agricultural territory planning, although there are provisions that affect some individual planning issues, Bulgarian legislation lacks a normative act that systematically and purposefully develops, synchronizes and balances the complex of issues for planning of the agricultural territory. There is no detailed regulation on the scope, content and operation of agricultural territory planning documents. There are no formulated rules and regulations for agricultural territory planning. There are no regulations for elaborating and maintaining agricultural territory development plan. There are no methodological guidelines for the development of a specialized detailed development plan for the agricultural territory. There is no regulated graphic system for the specific content of agricultural land design.
- 2) The Restored Property Map is a finding document about the state of landed property. Its functions are related to a certain stage of the democratic process of restoring ownership rights on agricultural land. For a certain period of time, it has been a source of information about the development of plans and maps for various purposes, for detailed development plans, for specialized maps and schemes, for maps of agricultural holdings and arrays, etc. It is closely related to the agricultural territory through its content on the quality of agricultural land. Its updating as a geodetic product is currently carried out by authorized geodetic companies, most often local ones on the territory of the administrative-territorial or territorial unit for which they have been created. After transferring of land accounting to the Cadastral Map, the responsibility for maintaining this information in an up-to-date state will be managed by the Geodesy, Cartography and Cadastre Agency
- 3) The transfer of land accounting from Restored Property Map to Cadastral Map will, on the one hand, improve the information and graphic accuracy, but on the other hand, it will complicate the procedure of gathering information for certain purposes, mostly related to agricultural use. The reason for this is the separation of the information on the land quality, stemming from soil fertility (quality categories) as specialized information. For each case of planning in the agricultural territory, in addition to the basic cadastral information, the conclusion of a contract for the production of a specialized map with data for land categories will be required. And this type of information is necessary for notarial documentation of land ownership, for procedures for changing the primary purpose of use of the agricultural territory, for any procedure of acquiring rights on agricultural land, for land use planning and allocation of territories for agricultural and other activities, for administrative service by the Municipal Services for Agriculture according to Art. 1, para. 2 of the Ordinance under Art. 58 para. 1 of Cadastral and Property Register Act.
- 4) The analysis shows that there is a functional relationship between Agricultural Territory Development Plan, Restored Property Map and Cadastral Map. Restored Property Map has transitional features. The future interaction between land use planning and land accounting will be carried out on the basis of Cadastral Map and Cadastral Register. Cadastral Map and Cadastral Register will contain the territorial information as a starting point for the Agricultural Territory planning. Also, the changes in Agricultural Territory after implementation of provisions for land-use planning, will cause changing and updating of Cadastral Map. Completeness of the cadastral map with necessary agricultural land quality information remains problematic at this moment. Its data should become part of the basic cadastral data under Art. 27, para. 1, item 1 and Art. 29, para. 1 Cadastral and Property Register Act. This will facilitate the provision of services with cadastral data in accordance with the Ordinance under Art. 58, para. 1 Cadastral and Property Register Act and will contribute to successful implementation of investment intentions and implementation of production programmes for the agricultural business.
- 5) A contemporary concept for spatial development of the agricultural territory and for its conversion through the spatial planning instruments regulated by the Spatial Development Act should contain two steps of amending the spatial planning legislation. Firstly, a specialized scheme/concept for the agricultural territory within the scope of the relevant small-scaled Municipal General Development Plan should be added. Planning should have general provisions and should account for the peculiarity of the territorial and natural resources. That is why zoning should not be compulsory as it is by rule in the Municipal General Development Plan but should be recommendatory. Development zones under the method of permanent purpose of use, in compliance with the Cadastral and Property Register Act, should be designated. Also, territories in need of reclamation should be outlined. In certain conditions, suburban agricultural area and area with agricultural activities within the urbanized territory of the cities-centres of 1st and 2nd hierarchical level can be recommended. Secondly, ATDP on farm level (instead of Specialized Detailed Development Plan, regulated in Art. 111 of Spatial Planning Act) in a large scale should be developed. It will be on demand and paid. It will be subordinated to a specialized scheme/concept of Municipal General Development Plan.

## References

1. Regional Development Act (RDA), prom. SG 50/30 May 2008, last amend. and suppl. SG 51/1 Jul 2022.
2. Spatial Planning Act (SDA), prom. SG 1/2001, last amend. and suppl. SG 6/20 Jan 2023.
3. National Concept on Spatial Development, UPDATE 2019, The national space – our common heritage for the future, March 2020, S., COTENT (eufunds.bg) (last visited 6.02.2023).
4. Agricultural Land Ownership and Use Act (ALOUA), prom. SG 17/ 1 Mar 1991, last amend. and suppl. SG 61/5 Aug 2016.
5. Forestry Property Restoration Act (FPRA), prom. SG 110/25 Nov 1997, last amend. SG 102/23 Dec 2022.
6. Ordinance No. 49 of November 5, 2003 for Maintaining of the Restored Property Map. prom. SG 102/19 Nov 2004, last amend. and suppl. SG 113/28 Dec 2004.
7. Agricultural Land Protection Act (ALPA), prom. SG 35/24 Apr 1996, last amend. SG 102/23 Dec 2022.
8. Cadaster and Property Register Act (CPRA), prom. SG 34/25 Apr 2000, last amend. and suppl. SG 57/22 Jul 2016.
9. Rules for the Implementation of Agricultural Land Ownership and Use Act (RIALOUA), prom. SG 34/30 Apr 1991, last amend. and suppl. SG 100/20 Dec 2019.
10. Black Sea Coast Spatial Planning Act (BSCSPA), prom. SG 48/15 Jun 2007, last amend. SG 102/23 Dec 2022.
11. Penev, P.T., K. Mikrenska-Cherneva. 2015. Specialized Mapping. Intel Entrans, S., 201 pp. ISBN 978-954-2910-44-2.
12. Ordinance No. RD-02-20-5/15 Dec 2016, prom SG 4/13 Jan 2017, обн. ДВ. бр.4 от 13 януари 2017 г.
13. Ordinance No. PD-02-20-4 of October 11, 2016 on the provision of services from the cadastral map and cadastral registers, published State Gazette, no. 83 of October 21, 2016.
14. Ordinance 2 of 2010 on the definition, implementation and maintenance of the Bulgarian geodetic system, Prom. SG, No. 62 of August 10, 2010.
15. Volkov, S.N. (2001) Theoretical Basis of Land-Use Planning. A Textbook, V. 7., Kolos, M., 407 p.
16. Ordinance No. 7/22 Dec 2003 on the Rules and Norms for the Design of the Different Types of Territories and Development Zones, prom. SG 3/2004.
17. Ordinance No. 8/14 Jun 2001 on the volume and content of the Development Plans, prom. SG 57/2001.
18. Agricultural Lease Act (ALA), prom. SG 82/27 Sep 1996, last suppl. SG 102/23 Dec 2022.
19. Law on Cooperatives (LC), prom. SG 113/28 Dec 1999, last amend. SG 2/22 May 2018.
20. Forestry Act (FA), prom. SG 19/8 Mar 2011, last amend. and suppl. SG 11/2 Feb 2023.
21. Public Procurement Act (PPA), prom. SG 13/16 Feb 2016, last suppl. SG 62/ 5 Aug 2022.