

**Management of the Historical and Cultural Value of Territories Through the
Formation of Historical Areas of Cities**

*A. Martyn, Doctor of Economic Sciences, Professor, Corresponding Member of the
National Academy of Agrarian Sciences (NAAS),*

e-mail: martyn@nubip.edu.ua

ORCID: 0000-0002-6905-2445

*I. Novakovska, Doctor of Economic Sciences, Professor, Corresponding Member of
the National Academy of Agrarian Sciences (NAAS)*

e-mail: novakovska@nubip.edu.ua

ORCID: 0000-0002-1473-7543

D. Novakovsky, PhD student,

e-mail: d.novakovskiy@nubip.edu.ua

ORCID: 0009-0001-4778-8507

National University of Life and Environmental Sciences of Ukraine

Abstract.

Lands on which cultural heritage sites, their complexes (ensembles), historical-cultural reserve areas, protected archaeological sites, open-air museums, and memorial museum-estates are located, according to Ukrainian legislation, are classified as lands of historical-cultural purpose. The organization and establishment of the boundaries of territories of historical-cultural purpose, restrictions on their use, and their regime-forming objects are carried out in accordance with land management projects and technical documentation. For territories of the natural reserve fund and other lands designated for nature conservation, health, recreation, historical-cultural, forestry purposes, lands of the water fund, and water protection zones, land legislation establishes a uniform procedure for developing the composition and geodetic and cartographic justification of land management

projects, as well as for their coordination and approval. This provision has existed for a long period despite the fact that the mentioned list combines six different categories of lands with distinct legal regimes.

The boundaries of historical areas and the regimes of their use are specified in land management, urban planning, and scientific-project documentation on cultural heritage protection, which necessitates their mutual consistency. The article discusses the legal and organizational provisions for the formation of the historical-cultural potential of cities' historical areas. In light of discrepancies in regulatory legal acts, suggestions are made for the codification of legal norms regarding the composition and distribution of lands by categories, the establishment of restrictions, regulation of development, protection zones of landscapes, and archaeological layers. The proposed approaches to defining and calculating the economic efficiency of historical areas include various methods that allow for the assessment of both quantitative and qualitative aspects of cultural heritage conservation.

Keywords: *cultural heritage; lands of historical-cultural purpose; historical areas of settlements; land use; urban planning; land management; urbanization; land categories.*

Formulation of the problem

The preservation of immovable cultural and archaeological heritage is critically important for various scientific, economic, environmental, and social reasons.

From a scientific perspective, immovable cultural and archaeological heritage provides invaluable information about the past of humanity, allowing researchers to reconstruct the history of societal development, changes in social, economic, and cultural structures. The identification and preservation of historical parts of territories of human settlements are crucial for understanding migration processes, changes in landscapes, and the development of urbanized areas.

The preservation of immovable cultural and archaeological heritage offers direct economic benefits, as preserved historical areas and monuments attract tourists, contributing to the development of the local economy through increased tourism revenues. Furthermore, preservation and restoration projects can create new jobs and

promote the development of crafts and traditional building techniques. The presence of cultural monuments typically increases property values and stimulates infrastructure development.

The conservation of historical sites generally has a positive impact on the environment, as historical areas often include parks and green spaces, which contribute to biodiversity maintenance and provide ecosystem services. Restoration and conservation practices can promote the use of traditional, less environmentally harmful building materials and technologies.

From a social standpoint, historical monuments and areas serve as means for studying history, culture, and traditions for future generations, promote cultural education of the population. Moreover, preserved historical sites are a source of pride for the local population, enhance a sense of community belonging, and strengthen social and cultural connections.

The global urban population increases by more than 50 million people annually. Since the late 1980s, there have been about 2500 large cities worldwide, with their population accounting for more than a third of the total global population [3, 4]. However, urbanization leads not only to significant strains on city infrastructures and exacerbation of their ecological state but also creates challenges in protecting historical-cultural territories and objects [5]. Careful preservation of architectural monuments, traditional zones, and historical sites, considering their uniqueness and historical significance, requires effective urban development planning. Establishing historical areas of settlements is one tool for such planning.

Ukraine's rich cultural heritage has been formed over a long time at the cultural border: from the Bronze Age to the end of the 15th century, it was the frontier between nomadic tribes and settled farmers; between the 16th and 18th centuries - between Christian West and Muslim East, from the 19th century to the mid-20th century – between Western and Eastern Europe [1]. Almost five hundred settlements in Ukraine have preserved historical layouts and buildings and are significant carriers of the Ukrainian people's cultural heritage.

The term "historical area" (from Latin area – space, area, plot) was first applied in the Law of Ukraine dated June 8, 2000, № 1805-III "On the Protection of Cultural Heritage". To protect the traditional character of the environment of settlements, they are listed by the decision of the Cabinet of Ministers of Ukraine in the List of Historical Settlements of Ukraine, and for each historical place, based on historical-architectural reference plans, boundaries and usage regimes of historical areas are approved [2].

Establishing historical areas not only aids in understanding the development of locales and migration processes of populations, important for archaeological and historical research but also limits uncontrolled construction and ensures the protection of significant historical and archaeological objects.

Defined and registered historical areas in the process of land management, which are essentially territories with heritage protection restrictions in land use and construction, must be considered in planning the development of urban and rural areas, allowing the integration of historical heritage into contemporary life.

Managing the historical-cultural value of territories through the formation of city historical areas is a complex process that requires balancing the preservation of historical heritage, the development of urban infrastructure, and meeting the needs of contemporary society. The challenge in managing historical-cultural value lies in defining, assessing, protecting, and utilizing historical areas to preserve their uniqueness and identity.

Addressing the scientific problem of managing the historical-cultural value of territories through the formation of city historical areas requires a comprehensive approach that unites the efforts of scientists, government officials, the public, and the private sector. It is important to find a balance between preserving heritage and the necessity for development to ensure their sustainability and relevance for future generations..

Analysis of recent research and publications.

Scientific research by both domestic and foreign scientists is evidence of significant interest in the scientific substantiation of the problems of preservation,

protection and sustainable development of cultural heritage objects. The scientific works of Bevz [6], Bortnyk [7], Dekhtyarenko [8], Dyomin [9], Martyn [10], Nudelman [11], Lavruk [7], Palekha [12], Petrakovska [13], Li Fu [14], Qingping Zhang [14], Yizhou Tang [14], Jie Pan [14], Qun Li [14] were used.

Research Objective. The study aims to analyze the issues related to the formation of historical areas in cities within the context of effective urban planning, the protection of cultural heritage objects, and the preservation of a balance between historical aspects and the needs of contemporary urban development..

Materials and methods of scientific research

To achieve the defined objective, the monographic method, as well as methods of analysis and synthesis, were employed. Materials from scientific publications dedicated to the formation of historical areas in cities, legislative and normative acts, cartographic materials, and urban planning documentation were utilized. This includes two master plans for the development of the city of Kyiv – the current plan up to 2020 and a project that is in the approval stage.

Research results and their discussion

Urbanization is an irreversible phenomenon both in developing and developed countries. However, the growth and transformation of urban territories can pose a serious threat to the cultural heritage of a city, which is an important element of its environment [4, 7, 8, 10]. Preserving immovable cultural heritage for future generations becomes extremely important as cities develop and change, risking the irrevocable loss of valuable cultural assets. Therefore, for effective protection of urban cultural heritage, decision-makers need to promptly assess the impact of urbanization, maintaining a balance between its preservation and the necessity of urban growth. Implementing measures for the protection and preservation of these unique places is identified as a crucial task to ensure the conservation and transmission of cultural heritage to future generations. Supporting the sustainable development of urban cultural heritage and mitigating the threats it faces requires an

appropriate and applicable assessment tool and the establishment of principles for such assessment. Given the significant role of cultural heritage in sustainable development, various considerations exist regarding heritage protection within the framework of policies and conventions related to urban development.

Despite the fact that "cities are increasingly seen as engines of sustainable development through the application of its objectives" [16], urban development strategies and projects remain one of the main threats to the values of cultural heritage [17,18].

Based on the statistical analysis of the State of Conservation (SOC) reports, the greatest impact is noted under the "Buildings and Development" factor, which is incomparable with natural and mixed properties, highlighting the need for greater attention to cultural heritage preservation [17,18]. As indicated in the reports, the main threat to the region of Europe and North America is associated with the absence of a Management Plan or System, in which more than half of the evaluated properties (58%) are compromised [17,18].

In Ukraine, the preservation of historical and cultural heritage is regulated by special legislation on the protection of cultural and archaeological heritage. However, the effectiveness of such legislation is not evident. In particular, "a significant part of the unique planning structures of historical places, which accumulated the potential of many historical epochs, is on the verge of destruction. A large number of cultural heritage objects have been destroyed by Russian occupiers during military aggression. Therefore, the integration of the historical-planning part into the content of the development of a modern city in the post-war period acquires special relevance today" [1].

In July 2001, the Government of Ukraine identified 401 historical settlements. For such settlements, the main distinction in terms of protecting the traditional character of their environment is the definition of the boundaries and usage regimes of historical area territories. However, as data from Table 1 indicates, over a thirteen-year period, about 27% of all Historical Areas of Planning (HAP) have been agreed upon and almost 30% of historical areas have been approved..

1. Dynamics of Approval of Historical Areas and Agreement on Historical Areas of Planning (HAP) for Historical Settlements in Ukraine [19]

Years	Number of cities for which historical areas have been approved	Number of cities for which HAP have been agreed
2007	3	2
2008	2	1
2009	5	1
2010	5	4
2011	4	4
2012	9	8
2013	6	6
2014	5	5
2015	16	16
2016	17	17
2017	20	20
2018	13	13
2019	10	10
Total:	115	107

"A historical area is the most developed in the past and well-preserved part of the territory of a populated place, distinguished by its traditional environmental character and a significant number of cultural heritage objects from other, less developed or poorly preserved parts of the populated place" [20] (see Fig. 1).

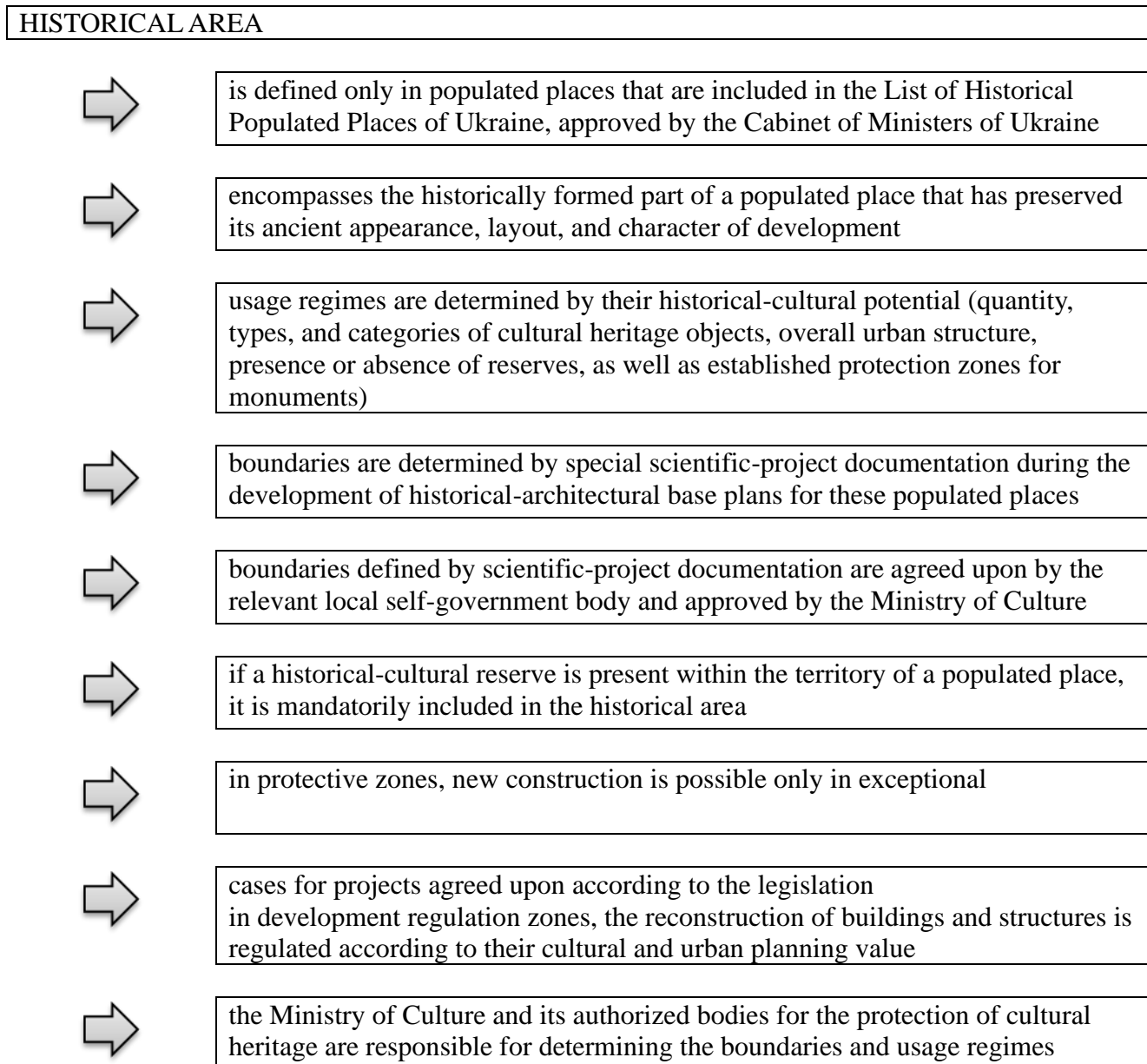


Fig. 1. The Essence of the Historical Area of Populated Places and Its Operating Regime*

**Formulated by the authors based on [20]*

The boundaries of the historical area should be drawn along the planning and natural frontiers that separate the areas from the rest of the urban territories [21]. The usage regime for parcels within historical areas should include:

- Preservation of architectural plans, dimensions, and roofing materials;
- Prohibition of laying railway and tram tracks, highways, pipelines, power lines, and the placement of temporary structures related to the land (soil);

- Limitation of building height parameters, any earthworks, except those permitted by law [20].

The preservation of the connection between the past and future of historical settlements largely depends on the protection and sustainable development of cultural heritage objects. Eliminating risks and threats faced by sustainable development support requires an appropriate assessment tool and the definition of principles for such assessment.

Assessing the historical-cultural potential of territories within historical areas of cities is a complex and multifaceted task that includes various aspects and criteria. It is important to consider both tangible and intangible heritage, as well as the interaction of history and culture with modernity.

The impact of urbanization on urban cultural heritage is considered a complex problem. Its resolution requires considering the maximum number of cumulative impact risk indices. In this regard, it should be based on the principle of cumulative impact assessment. Such assessment has been used for many years in Canada and the United States of America, where its procedures are included in the Environmental Impact Assessment and Strategic Environmental Assessment procedures [14, 22]. Our proposals on this issue have been published in the article "Risk Assessment for Cultural Heritage in Urbanization Conditions" [22].

The scientific justification of the spatial formation of cultural heritage objects, the establishment of their usage and protection regimes, and the development of land management, urban planning, and scientific-project documentation should have a modern updated base of lands and cultural monuments.

With Ukraine gaining independence, according to the Land Code of Ukraine (hereinafter referred to as LCU) in the edition of the Law № 2196-XI dated 13.03.1992, seven categories of legal regime lands for the main intended purpose were introduced. Under the current LCU, only two categories remain unchanged - agricultural lands and lands of the water fund. Instead of a part of the lands of populated areas (cities, towns, villages), which was an independent category, a new category was formed - lands for residential and public development. The independent

category of reserve lands was abolished. Instead of the combined category of lands for environmental protection, health improvement, recreational, historical-cultural purposes, four categories were created with a special legal regime each. Hence, the legal regime currently comprises nine categories of lands.

With the entry into force on January 1, 2002, of the new LCU, it was established that "the procedure for using lands of historical-cultural designation is determined by law." [23] However, a separate law has not been adopted to date, and changes were made by the Law of Ukraine dated 28.04.2021 № 1423-IX to Article 53 of the Code "Use of Lands of Historical-Cultural Designation" and supplemented with a new Article 541 Chapter 10, which states "restrictions on the use of lands within the territory of a cultural heritage site, including objects of cultural world heritage, protection zones, buffer zones, historical areas of populated places." [23]

The classification of cultural heritage objects divides them into types and kinds. Types of objects include [2]:

- "Structures (creations) – works of architecture and engineering art, works of monumental sculpture and monumental painting, archaeological objects, buildings, or premises about significant historical events" [2];
- Complexes (ensembles) – collections of separate or interconnected objects;
- Significant places - zones or landscapes, creations that have conveyed to our time the value of objects from various perspectives.

"By kinds, objects are divided into archaeological, historical, objects of architecture, urban planning objects, objects of garden and park art, landscape, objects of science and technology." [2]

The classification presented in Article 2 of Law No. 2245-IV as of December 16, 2004, is comprehensive, listing all types of objects that significantly differ from the composition of lands of historical-cultural designation established by Article 53 of the LCU, where cultural heritage objects are located. In our opinion, the composition of this land category and the types of cultural heritage should correspond more closely to each other.

Analysis of the heritage object list indicates that a significant number of them, including land plots, should belong not only to lands of historical-cultural designation but also to "lands of other categories (residential and public development; natural reserve fund and other environmental protection designation; health purposes; forestry designation, water fund)." [23] Relevant amendments should be introduced to the current land legislation and regulatory-technical documentation on urban planning.

According to the second part of Article 19 of the LCU, "land plots of each category that have not been provided for ownership or use to citizens or legal entities may be in reserve." [23] As mentioned earlier, a special legal status has been established for nine categories of land. Among them, the category of reserve lands does not exist. Due to the so-called "demarcation of state and communal property lands by law," a significant part of the country's lands is considered in reserve, since they were not entered into the State Land Cadastre, thus not being objects of civil rights. As of January 1, 2005, the area of reserve lands within populated areas amounted to 1.8 million hectares. Within each land category, there cannot be a separate legal status for this part of the land fund (reserve), and it would be advisable to abandon it. This would update information on lands of historical-cultural designation and create a reliable State Register of Immovable Monuments of Ukraine.

According to Article 53, Chapter 10 of the Land Code of Ukraine, lands "where cultural heritage monuments, their complexes (ensembles), historical-cultural reserve areas, protected archaeological sites, open-air museums, memorial museum-estates are located, are classified as lands of historical-cultural designation" [23, 24]. However, the restrictions on use (Article 541, Chapter 10 of the LCU) "for the objects listed in Art. 53, as well as for protection zones, historical area of a populated place, buffer zone, which are not classified as lands of historical-cultural designation, are established by the second part of Article 541. It is emphasized that restrictions are established regardless of the land's designated purpose, although Chapter 10 of the LCU relates only to lands of historical-cultural designation." [2] The boundaries of

land plots to which restrictions apply are determined in accordance with the Law of Ukraine "On the Protection of Cultural Heritage" [2, 24].

"To protect the traditional character of the environment of individual monuments, their complexes (ensembles), historical-cultural reserves, historical-cultural protected areas" [2] according to Article 32 of the Law of Ukraine "On the Protection of Cultural Heritage," "protection zones of monuments: protective zones, development regulation zones, protected landscape zones, archaeological cultural layer protection zones" should be established.[2] The Land Code of Ukraine (Art. 541) does not provide for "the establishment of development regulation zones, protected landscape zones, archaeological cultural layer protection zones." [23] However, "the Procedure for Maintaining the State Land Cadastre approved by the Cabinet of Ministers of Ukraine (as amended by the resolution of July 28, 2021, No. 821) includes a list of restrictions for the mentioned zones under codes 01.02.2; 01.02.3; 01.02.4." [24]

Also significant is defining and calculating the economic efficiency of establishing historical areas of populated places and heritage protection restrictions in land use, requiring a comprehensive approach that considers both direct and indirect benefits from the preservation and utilization of historical heritage. In the authors' opinion, economic efficiency can be assessed through several primary methods listed in Table 2. The use of these methods can help governments, developers of spatial planning documentation, land management engineers, appraisers, and communities to make reasoned decisions regarding the preservation and development of historical areas, considering their contribution to economic and social well-being.

2. Methods for Determining the Economic Efficiency of Establishing Historical Areas in Populated Places and Heritage Conservation Restrictions in Land Use

Cost-Benefit Analysis (CBA)	This method allows for the comparison of the total costs of establishing and maintaining
-----------------------------	--

	<p>historical areas against the derived benefits. Benefits can include income from tourism, increased property values in historic districts, savings on materials for restoration instead of new construction, and the social value of preserving cultural heritage.</p>
Impact Assessment on Regional Development	<p>This approach assesses how the establishment of historical areas affects the economic development of the region as a whole, including job creation, investment attraction, and enhancing the area's attractiveness for business and living.</p>
Hedonic Pricing Method	<p>This method is used to evaluate the impact of historical areas on property values. It allows for the determination of how much the value of homes or commercial properties increases due to their location in a historical district.</p>
Conservation Cost Analysis	<p>This analysis focuses on the costs associated with the conservation and restoration of historical objects, comparing them with the long-term benefits of preserving architectural and historical value for society.</p>
Contingent Valuation Method (CVM)	<p>CVM is used to assess the intangible benefits of preserving historical areas, such as aesthetic enjoyment, cultural identity, and historical value, by surveying the population about their willingness to pay for the conservation of historical sites.</p>

Conclusions

Among the cultural, historical, and archaeological monuments, a special usage regime is also established for historical areas of populated places that represent their historically formed part, preserving the ancient appearance, layout, and character of development. As established by UNESCO studies on the state of cultural heritage preservation, the predominant impact and main threat to the value of cultural monuments are caused by the factor of "Buildings and development," accounting for 58% of the properties reviewed.

The formation of the historical-cultural potential of historical areas is characteristic only of historical populated places. It includes the usage regimes of area plots, boundaries that are drawn along planning and natural frontiers, territory assessments, and the mitigation of risks and threats faced by sustainable development support, impact of urbanization on cultural heritage.

The classification of cultural heritage objects established by the law on its protection confirms that a significant number of plots should belong not only to lands of historical-cultural designation but also to other land categories. Relevant amendments should be made to the current land legislation and urban planning regulatory acts.

Considering that reserve land plots by law cannot be objects of civil rights and distort information regarding lands of historical-cultural designation, it would be prudent to abandon them.

It would be desirable to "codify the norms of Article 54¹ of the Land Code regarding protection zones, the historical area of a populated place, buffer zone, as well as regarding development regulation zones, protected landscape zones, archaeological cultural layer protection zones." [24]

The proposed approaches to defining and calculating the economic efficiency of historical areas include various methods that allow for the assessment of both quantitative and qualitative aspects of cultural heritage preservation.

References.

1. Kul'turna spadshchyna ta natsional'na bezpeka [Cultural heritage and national security] : analit. dop. / [V. Potapenko, YU. Tyshchenko, YU. Kaplan ta in.] ; za red. V. Potapenka. – Kyyiv : NISD, 2023. 58 c. <https://doi.org/10.53679/NISS-analytrep.2023.08>. [in Ukrainian]
2. Zakon Ukrayiny № 1805-III "Pro okhoronu kul'turnoyi spadshchyny" vid 08.06.2000 r. Available at:<https://zakon.rada.gov.ua/laws/show/1805-14#Text>
3. Urbanizacja . Available at: <https://uk.wikipedia.org/wiki/>
4. Novakovska, I., Hun'ko, L., Dolyns'kyi, I. (2023). Naukovi zasady staloho rozvytku mis'koho zemlekorystuvannya [Scientific principles of sustainable development of urban land use]: monohrafiya. K.: Vydavnychyy tseentr NUBiP Ukrayiny. 243 p. [in Ukrainian]
5. Novakovska, I., Bulgakov, V., Ivanov, S., Dukulis I. (2018). Formation of sustainable land-use systems in erosion dangerous landscapes. Proceeding of 17 International Scientific Conference "Engineering for rural development". Latvia University of Life. Sciences and Technologies Faculty of Engineering, V. 17, 378-386 doi: 10.22616/ERDev2018.17N486 [in English]
6. Bevs, M. (2011). Zavdannya zberezhennya ta reheneratsiyi tsinnykh arkhitekturno-mistobudivnykh kompleksiv istorychnykh mist [The task of preservation and regeneration of valuable architectural and urban complexes of historical cities] Problems of the development of the urban environment. 15-23. Available at: http://nbuv.gov.ua/UJRN/Prms_2011_5-6_5. [in Ukrainian]
7. Bortnyk, S., Lavruk, T. (2020). Kyiv city: features of planning structure and spatial development problems of cultural landscapes. Prace komisji krajobrazu kulturowego dissertations of cultural landscape commission. No 43 (1), 7-30. DOI 10.30450/202001 [in English]
8. Dekhtyarenko, Y., Drapikovskiyi, O., IvanovaB., Chebotaryova, O. (2009) Rehulyuvannya zemel'nykh vidnosyn u suchasnomu misti [Regulation of land relations in the modern city: monograph]; under the editorship V. Vakulenko, M. Orlatogo. - K.: Publication of NADU. 154[in English]

9. Dyomin, M. , Ivashko, Y. , Ivashko, O., Kuzmenko, T., Kuśnierz K. (2021). Development trends and problems of large Ukrainian historical cities in the twentieth and twenty-first century: case study of urban tendencies and problems of revitalization of an industrial district. DOI 10.48234/WK65TRENDS[in English].
10. Martyn, A., Hun'ko, L., Kolhanova, I. (2017). Planuvannya rozvytku terytoriy [Territorial development planning] . Monohrafiya. Kyiv. - K.: DP "Komprint", 248[in Ukrainian]
11. Nudel'man, V., Sanzharovs'kyi, I. (2002). Rozrobka Stratehii rozvytku terytorial'noyi hromady: zahal'ni zasady metodyky [Development of the Territorial Community Development Strategy: general principles of the methodology] Kyiv. Tsentr In-tu Skhid–Zakhid. "Data Bank Ukrayina", 232 [in Ukrainian]
12. Palekha, Yu.(2017). Heohrafichni osoblyvosti planuvannya rozvytku mista Kyiv na suchasnomu etapi [Geographical features of Kyiv city development planning at the current stage]. Ukraine geogr. journal, 4(100), 39-48. <https://doi.org/10.15407/ugz2017.04.039>[in Ukrainian]
13. Petrakovska, O., Trehub, M., Trehub, Yu., Zabolotna, Yu. (2022). Planning models of sanitary protection zone around mode-forming objects. Mining of Mineral Deposits. Vol. 5. 122-111. DOI:10.33271. [in English].
14. Li Fu, Qingping Zhang, Yizhou Tang, Jie Pan, Qun Li (2023). Assessment of urbanization impact on cultural heritage based on a risk-based cumulative impact assessment method. Available at : <https://doi.org/10.1186/s40494-023-01024-0> [in English]
15. Novakovska, I., Bereza, O. (2023). Stolychne zemlekorystuvannya: problemy ta shlyakhy yikh vyrishennya z'hidno z kontseptsiiyeyu staloho rozvytku [Metropolitan land use: problems and ways to solve them according to the concept of sustainable development] . Naukovi innovatsiyi ta peredovi tekhnolohiyi. Seriya "Ekonomika",11 (25), 404-414. DOI: [https://doi.org/10.52058/2786-5274-2023-11\(25\)](https://doi.org/10.52058/2786-5274-2023-11(25)). [in Ukrainian]

16. Baharak Ashrafia, Michael Kloos, Carola Neugebauer (2021). Heritage Impact Assessment, beyond an Assessment Tool: A comparative analysis of urban development impact on visual integrity in four UNESCO World Heritage Properties. *Journal of Cultural Heritage*. Volume 47, 199-207. <https://doi.org/10.1016/j.culher.2020.08.002>. [in English]
17. State of conservation of world heritage properties. (2014). A statistical analysis (1979–2013) . UNESCO World Heritage Centre. 102 p.
18. UNESCO World Heritage Centre World Heritage List, Meidan Emam, Esfahan, Ref. 115. (1992–2017) : <http://whc.unesco.org/en/list/115> [in English].
19. Rishennya Kyyivs'koyi mis'koyi rady N 3676/3717 "Pro zatverdzhennya mis'koyi tsil'ovoyi prohramy "Okhorona ta zberezhennya kul'turnoyi spadshchyny m. Kyyeva na 2022 - 2024 roky" vid 2 hrudnya 2021 r. Available at: <https://ips.ligazakon.net/document/MR213414>
20. Postanova Kabinetu Ministriv Ukrayiny № 318 "Pro zatverdzhennya Poryadku vyznachennya mezh ta rezhymiv vykorystannya istorychnykh arealiv naselenykh mist', obmezheniya hospodars'koyi diyal'nosti na terytoriyi istorychnykh arealiv naselenykh mist'" vid 13.03.2002 r. Available at: <https://zakon.rada.gov.ua/laws/show/318-2002-%D0%BF#Text>
21. Novakovska, I., Skrypnyk, L., Novakovsky, D. (2022). Inventaryzatsiya zemel' istoryko-kul'turnoho pryznachennya [Inventory of lands of historical and cultural purpose]. *Zemleustrij, kadastr i monitoryng zemel*, 1, 30-37. <http://dx.doi.org/10.31548/zemleustriy2022.01.03> [in Ukrainian]
22. Novakovska, I., Bereza, O., Novakovsky, D. (2024). Otsinka ryzykiv dlya kul'turnoyi spadshchyny v umovakh urbanizatsiyi [Risk assessment for cultural heritage in the context of urbanization]. *Naukovi perspektyvy. Seriya "Ekonomika"*, № 1 (43) 514-526. DOI: [https://doi.org/10.52058/2708-7530-2024-1\(43\)-514-525](https://doi.org/10.52058/2708-7530-2024-1(43)-514-525) [in Ukrainian]
23. *Zemel'nyy kodeks Ukrayiny vid 25.10.2001 r. № 2768-III*. Available at: https://zakononline.com.ua/documents/show/224977___563543

24. Novakovsky, D. (2021). Orhanizatsiyno-pravovi aspekty inventaryzatsiyi zemel' v mezhakh istorychnykh arealiv mista Kyyeva. Proceeding of II Mizhnarodnoyi naukovo-praktychnoyi konferentsiyi "Formuvannya staloho zemlekorystuvannya: problemy ta perspektyvy". Kyiv, Ukraine, 132-136.

Мартин А.Г., Новаковська І.О., Новаковський Д.Л.

Управління історико-культурною цінністю територій через формування історичних ареалів міст

Анотація. Землі, на яких розташовані пам'ятки культурної спадщини, їх комплекси (ансамблі), історико-культурні заповідні території, охоронювані археологічні території, музеї просто неба, меморіальні музеї-садиби відповідно до законодавства України відносяться до земель історико-культурного призначення. Організація і встановлення меж територій історико-культурного призначення, обмежень у використанні та їх режимоутворюючих об'єктів провадиться відповідно до проектів і технічної документації землеустрою. Для територій природно-заповідного фонду та іншого природоохоронного призначення, оздоровчого, рекреаційного, історико-культурного, лісогосподарського призначення, земель водного фонду та водоохоронних зон земельним законодавством встановлено однаковий порядок розроблення складу та геодезичного і картографічного обґрунтування проектів землеустрою, а також щодо погодження та їх затвердження. Вказане положення існує протягом довгого періоду незважаючи на те, що наведений перелік об'єднує шість різних за правовим режимом категорій земель.

Межі історичних ареалів та режими їх використання зазначаються у документації із землеустрою, містобудування і науково-проектній документації з охорони культурної спадщини, що обумовлює необхідність їх взаємної узгодженості. У статті розглядаються правові та організаційні положення формування історико-культурного потенціалу історичних ареалів міст. У зв'язку з наявними у нормативно-правових актах розбіжностях обґрунтовуються пропозиції про кодифікацію правових норм щодо складу та

розподілу земель за категоріями, встановлення обмежень, регулювання забудови, зон охорони ландшафту та археологічного шару. Запропоновані підходи до визначення та обрахунку економічної ефективності історичних ареалів включають різноманітні методи, які дозволяють оцінити як кількісні, так і якісні аспекти збереження культурної спадщини.

Ключові слова: *культурна спадщина; землі історико-культурного призначення; історичні ареали населених місць; землекористування; містобудування; землеустрій; урбанізація; категорії земель.*