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**THE UNITED STATES AGENCY FOR INTERNATIONAL
DEVELOPMENT
PROJECT**

**LAND USE REGULATORY SYSTEM
(ZONING)**

**RULES OF LAND USE AND
DEVELOPMENT OF THE CITY OF
VYBORG BASED ON A ZONING
REGULATION APPROACH**

**Moscow
1997**

These Regulations were developed as part of the Land Use Regulatory System (Zoning) Project. The Project was funded by the United States Agency for International Development and implemented by personnel from Planning Development Collaborative International, Inc (PADCO), the Urban Institute, the Institute for Urban Economics, and the Institute for a Law-Based Economy (ILBE) in the cities of Irkutsk, Kazan, Novgorod, Pushkin, Samara, St Petersburg, Tver, and Vyborg.

In addition to these Regulations, the Project published copies of the Zoning Ordinances for Kazan, Samara and special studies on the following issues: *The Development Process on Leased Land, Subdivision, Interjurisdictional Land Issues, Servitudes, Reservation of Land for Future Public Needs, Historical and Cultural Preservation, and Environmental Protection and Land Use Regulation*. The Project also published a Training Brochure and an aperiodic newsletter addressing land use issues.

Copies of these materials and additional information on zoning and land use may be obtained from the following organizations and individuals:

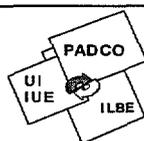
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**HOUSING REFORM PROJECT
Land Use Regulatory System (Zoning)
United States Agency for International Development**

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1 GENERAL PROVISIONS

1 1 Introduction

These regulations are designated to provide for a steady and harmonious development of the City of Vyborg and are consistent with the policy of a rational use of the city area conducted by the municipal entity “Vyborgski rayon of Leningradskaya oblast” in the interests of the citizens, entrepreneurs whose business is located in the City and the City as a whole and as part of Leningradskaya Oblast and the Russian Federation

The mechanism of land use regulation, that is being introduced, is based on making the urban development regulations legally valid, which will reduce the risk for new investments in real property, provide for priority development of the most efficient types of land use, improve social environment in the city and preserve reserves for its development

1 2 Legal Status of the Regulations

These Regulations are considered a legal document of the municipal entity “Vyborgski rayon of Leningradskaya oblast” in the area of urban development activity

These regulations are consistent with the Constitution of the Russian Federation, the Law on Local Self-Governance in the Russian Federation and the Law on Fundamentals of Urban Development in the Russian Federation the Law on Architectural Activity in the Russian Federation and the current Master Plan of the City of Vyborg

All requirements and restrictions connected with the protection of life and health of citizens, environment protection, preservation of historical and cultural monuments, established by the Federal Law and the laws of Leningradskaya oblast shall apply together with the requirements of these zoning regulations Any zoning approvals granted pursuant to these Regulations shall not relieve the Applicant from the obligation to comply with the requirements and provisions of the above laws

These Regulations shall be binding on all administrative agencies, public associations, professionals and other legal entities and natural persons that participate in the use and transformation of the real property located within the area for which these Regulations are established

1 3 Scope of Application of Regulations

These Regulations shall be bound to the area that is considered in the approved Master Plan as the “build up land” and the land reserved for future development This area is described in Appendix I to these Regulations and its boundaries are shown on the zoning map that is an integral part of these Regulations

These regulations shall be applicable to all real estate located in the area for which these regulations are established irrespective of the fact of their state registration

These regulations shall apply in

- developing planning/design and land management documentation
- developing design documentation for construction and reconstruction of buildings and structures, and changing the type of the functional real property use,
- accepting land management and construction work

1 4 Content of the Regulations

These regulations establish

- division of the city area into urban development zones,
- construction regulations for each zone,
- administrative procedures for supervising the fulfillment of these Regulations and introducing amendments to the Regulations

1 4 1 Division of the City Area into Urban Development Zones

In order to divide the city area, a list of urban development zones is established. This list is provided in Chapter 2 of these Regulations. Zone boundaries are shown on the zoning map, which is an integral part of these regulations.

Each zone has its own code (in the list and on the map). In addition to that, it can be shown in specific colors and (or) shading.

Zone boundaries are established, as a rule, along the coastal lines of water reservoirs, central lines of rivers, axes of streets and roads and major railway lines. These objects must be shown and marked on the zoning map.

1 4 2 The Established Urban Development Regulations

These Regulations establish the following

- the type of permitted functional use of real property,
- the requirements to the size of newly allocated parcels and development parameters of parcels

1 4 2 1 The Concept of Permitted Functional Land Use

In these Regulations, the type of functional land use of land or buildings is the type of economic or other activity to be implemented on this land or in this building, that differs from other types by the level of its impact on the environment.

These Regulations establish the following permitted types of functional uses

“As of right” or permitted functional real property use. It does not have any negative impact on the adjoining real property. The list of permitted functional uses for each particular zone is established in Chapter 2 of these Regulations. Permission for such uses may be granted by the city administration in the established order that is described in Chapter 3 of these Regulations.

“Special permit use ” Uses which may have a negative impact on surrounding properties but may be permitted under specific conditions. The list of such uses is established in Chapter 2 of these Regulations separately for each zone. This type of real property use requires special approval of the city administration according to the procedures described in Chapter 3 of these Regulations.

Each type of the permitted use of real property is accompanied by the corresponding accessory uses. This accessory use does not require special approval and it can not be considered separately from the main permitted uses. The list of such uses for each zone established in Chapter 2 of these Regulations.

Other uses that are not included in this list shall be deemed as not permitted and illegal.

1 4 2 2 Requirements to the Size of Newly Allocated Parcels and Their Development Parameters

These Regulations establish the size of newly allocated parcels and the following parameters of their development:

- maximum scale of development and building height,
- maximum development area with respect to the parcel area,
- maximum building floor area with respect to the parcel area,
- parameters of undeveloped area,
- types and maximum height of fence around parcels,
- parking requirements.

These parameters are established for each zone. It is possible to regulate only some of the parameters established in this list. The list may be extended by the procedure for making amendments to these Regulations.

The list of specific parameters established for each zone is presented in Chapter 2 of these Regulations.

1 4 3 Administrative Procedures for Exercising Control over Fulfillment of These Regulations and Making Amendments to the Regulations

These Regulations establish the following procedures:

- 1 procedures for creation of the Commission for Land Use, Planning and Development and implementing its activities,
- 2 procedures for making amendments to these Regulations,
- 3 procedures for coordination of intentions to alter the planning structure, types of uses and development parameters of parcels,
- 4 procedures for coordination of planning and design documentation,
- 5 procedures for supervising the fulfillment of urban development requirements when a construction unit is commissioned and in the process of use of land and buildings,
- 6 procedures for conducting public hearings.

Each specific procedure is described in Chapter 5

1 5 Legal Consequences of Establishment of Urban Development Parameters

- 1 After these Regulations are adopted, the established types of land use may not be changed and no buildings may be erected, moved, changed or reconstructed without the approval of the city administration
- 2 All parcels and buildings that exist at the moment of adoption of these Regulations and are in conformity with the Law and the Urban Development Regulations, may be used in future and no certificate of their conformity to the Regulations is required
- 3 All parcels and buildings that exist at the moment of adoption of these Regulations and are in conformity with the Law , but do not comply with the urban development requirements established by these Regulations, may be used in future without changing the types of real property use, development parameters, increasing intensity of use, except for the cases when the type of use of real property shall be brought into line with the requirements that are established by these Regulations for the particular zone in which a parcel or buildings are located
- 4 Any person interested have the right to request the city administration to consider (review) his intentions with respect to the planning structure of a parcel, alteration of the type of functional use of real property or his construction intentions and approve their conformity to the established urban development requirements
- 5 These Regulations may not prevent the city administration from moving the real property that does not conform to these Regulations to the sites established for the corresponding type of land use in order to reduce the risk for the health of citizens and the risk for historical and cultural monuments and natural environment
- 6 If a non-conforming use of real property was suspended for the period exceeding one year, this use may not be continued and the further use must conform to the regulations established for the zone in which this real property is located
- 7 If a non-conforming building or structure is destroyed or damaged as a result of force-majeure circumstances or deliberate action, it may be restored and its non-conforming use may be continued provided that not more than half of the total building floor area has been damaged
- 8 The owner of real property has the right to change the type of functional use of this property within the framework of the permitted uses under the condition that the city administration is informed of this change in the order established by these Regulations

1 6 Public Availability of Urban Development Regulations and Procedures

The urban development regulations and procedures shall be available for use by legal entities and natural persons

The city administrative agencies are responsible for issuance of these Regulations and maps and their storage in places available for public use

1 7 Control over Fulfillment of Urban Development Regulations

Control over Fulfillment of Urban Development Regulations shall be exercised by

- Head of the Administration of the Municipal Entity “Vyborgski rayon of Leningradskaya oblast”,
- Commission for Land Use, Planning and Development
- Architecture and Urban Development Agency of the Administration of the Municipal Entity “Vyborgski rayon of Leningradskaya oblast”

Control over fulfillment of the Urban Development Regulations shall be exercised in the following cases

- allocation of parcels from governmental, municipal or private land stock,
- review (consideration) of intentions of real property owners to change the existing real property use, construct or reconstruct buildings and structures,
- coordination of planing and design documentation, construction and land management documentation,
- commissioning of construction objects or acceptance of land management works,
- the process of use of land or buildings

2 URBAN DEVELOPMENT (ZONING) REGULATIONS

2 1 Urban Development Zones

These Regulations establish the following zones and subzones of urban development regulations

Residential Zone (R)

Subzone R1 - individual housing,

Subzone R1A - individual housing with permitted agricultural activities on land,

Subzone R2 - low-scale housing,

Subzone R3 - high-scale multi-apartment housing,

Subzone R3C - high-scale multi-apartment housing in the city center,

Subzone RB - residential development with social/business functions,

Subzone RBC - residential development with social/business functions in the city center

Historic Preservation Zone (H)

Industrial Zone (I)

Subzone I1 - communal/warehouses zone,

Subzone I2 - enterprises of 4-5 hazard type,

Subzone I3 - enterprises of 2-3 hazard type,

Subzone IPC - sea port and sea port enterprises in the city center,

Landscape and Recreation Zone (L)

Subzone LG - garden communities

Subzone LA - parks used for recreation purposes,

Subzone LN - parks, forests and other natural landscapes,

Subzone LB - riparian areas

SPEC Zone - Zone Used for Defense and Other Military Designation

MEM Zone - Memorial Zone

MED Zone - Zone of Health Resorts and Medical Facilities

METEO Zone - Zone of Environment Control

2 2 Regulations Established for Residential Zone (R)

2 2 1 General Regulations

The basis of the planing structure of this zone - are parcels on which permanent residential houses and public buildings and structures are located

The following types of functional uses of real property are permitted in this zone

- 1 - permanent residential use
- 2 - public service (for citizens and tourists)
- 3 - educational facilities (schools, kindergartens, tourist stations, museums, libraries, etc ,)
- 4 - social facilities and places of worship
- 5 - offices (administrative activity, banks, engineering and technical , scientific and research, legal activity, etc)

The following uses require special approval

- 1 - sport activities
- 2 - use of buildings and land for infrastructure facilities (power supply, engineering, sanitary cleaning, etc)
- 3 - industrial activity that does not require establishment of sanitary protection zones

Accessory uses

- 1 - growing trees, shrubs, decorative flowers and plants,
- 2 - individual labor (except for agricultural activity) of citizens that does not encroach upon the neighbors' rights,
- 3 - construction of structures for storage of cars owned by citizens living permanently in this area,

2 2 2 Subzone R1 - individual housing

Uses established for R- zone are permitted with the following exceptions

- 1 - public service only activity implemented to meet daily needs (including urgent medical help) is permitted,
- 2 - public service use (for tourists) requires special approval,
- 3 - educational use is permitted in general only for schools and kindergartens,
- 4 - social and religious activities require special approval,
- 5 - office use requires special approval,
- 6 - industrial activity is not permitted,

The following parameters of parcels and land development are permitted

- area of parcels allocated for schools and kindergartens shall be up to , area of parcels provided in ownership or for long-term lease for other activities shall be in general from 0 06 to 0 12 hectares, by special approval - 0 04 - 0 25 hectares,
- only one individual house may be located on one land parcel,
- number of floors in a house - 1-2, by special approval - up to three floors,
- general height of buildings - m,

- no more than 2 parking sites may be located on a parcel,
- detached toilet structures may be built if no sewage system exists on a parcel

Building setbacks shall be established to provide for normal functioning of water sewage system, cleaning of the area, insulation of the adjoining parcel. Accessory structures may be located on parcel boundary line provided that accessory structures on the adjoining parcel are located in the same way.

Parameters of temporary commercial structures are established by special approval.

2 2 3 Subzone R1C - individual housing with permitted agricultural activity on land

The following uses are permitted under the following supplementary conditions:

- 1- breeding of smaller animals (hens, rabbits, etc.) and larger animals (such as cattle) is permitted, but no herding is allowed,
- 2- facilities for storage of agricultural machines is permitted on parcels,

Parameters established for R1 zone are permitted in this zone.

2 2 4 Subzone R2 - low-scale housing

Uses established for R zone are permitted with the following exceptions:

- 1- only public service uses necessary to meet daily needs including urgent medical help, are permitted,
- 2- tourist service uses require special approval,
- 3 - educational uses are permitted only for schools and kindergartens,
- 4 - social and religious activities outside buildings are permitted only by special approval,
- 5- office use is permitted only by special approval,
- 6- industrial activity is not permitted.

The following parameters of parcels and land development are permitted:

- area of parcels provided for schools and kindergartens shall constitute up to 0.04 hectares, area of parcels provided in ownership or for long-term lease for all other activities shall be from 0.04 up to 0.12 hectares and by special approval - up to 0.12 hectares,
- only one individual house may be located on a parcel (with the established building setbacks), or one block/apartment of a sectional house, or one multi-apartment house - condominium,

- building height - m,

- no more than 2 parking sites per one apartment may be located on a parcel

Building setbacks shall be established to provide for normal functioning of water sewage system, building maintenance, insulation of the adjoining parcel. Accessory structures are not permitted on parcels, except for structures for storage of cars

2.2.5 Subzone R3 - high-scale multi-apartment houses

Uses established for R-zone are permitted with the following exceptions

1- only services necessary to meet daily needs including urgent medical help, are permitted,

2 - tourist service is permitted only by special approval,

3 - social and religious activities outside buildings are permitted only by special approval,

4 - educational uses are permitted only for schools and kindergartens, by special approval - location of special educational institutions (colleges, etc),

5 - office uses are permitted only by special approval,

6 - industrial activities are permitted by special approval

The following parameters of parcels and land development are permitted

- area of parcels provided for educational institutions and kindergartens shall constitute up to , area of parcels provided in ownership or for long-term lease for any activity shall be from 0.04 up to 0.12 hectares, by special approval - up to hectares,

- only one individual house with the corresponding setbacks may be located on a parcel, or one block/apartment of a sectional house, or a multi-apartment house - condominium,

- number of floors permitted in a house - up to 12,

- building height - meters,

- no more than 2 parking sites per one apartment may be located on a parcel

Building setbacks shall be established to provide for normal functioning of water supply and sewage systems, sanitary cleaning facilities, building maintenance and insulation of the adjoining parcel. Accessory structures are not permitted except for structures used for car storage, electric power transformation stations and other engineering facilities

2 2 6 Subzone R3C - high-scale multi-apartment housing in the city center

Uses established for R-zone are permitted only by special approval

The size, dimensions and area of parcels provided in ownership or for long-term lease for any activity shall correspond to the size and dimensions of the former parcels. Size and dimensions may be changed by special approval.

Only one individual house, or one block/apartment of a sectional house, or one multi-apartment house - condominium may be located on a parcel.

Location of new buildings with respect to parcel boundaries shall be determined by the location of the existing buildings in this district.

Permitted number of floors - up to six (inclusive)

Maximum building height - m

Accessory structures are not permitted, except for structures used for storage of cars, electric power transformation stations and other engineering facilities (by special approval)

2 2 7 Subzone RB - residential area with social/business functions

Uses established for R-zone are permitted with the following exceptions

1 - industrial activity is permitted only by special approval,

The following parameters of parcels and land development are permitted

- area of parcels provided in ownership or for long-term lease for any activity may not be less than ,

- only one individual house or one block/section of a sectional house or a multi-apartment house-condominium may be located on a parcel,

- permitted number of floors in a house - 12,

- building height - meters

Location of new buildings with respect to parcel boundaries shall be determined by the location of the existing buildings in the districts.

Accessory structures are not permitted on parcels except for structures used for storage of cars (by special approval), electric power transformation stations, other engineering facilities and public toilets.

2 2 8 Subzone RBC - residential area with social/business functions in the city center

Uses established for R-zone are permitted by special approval

Size, dimensions and area of parcels allocated in ownership or for long-term lease for any activity shall conform to the size and dimensions of the former parcels

Size and dimensions may be changed by special approval

Only one individual house, or one block/section of a sectional house or one multi-apartment house-condominium may be located on a parcel

Permitted number of floors in house - up to 6

Permitted building height - meters

Location of new buildings with respect to parcel boundary line shall be determined by the location of neighboring buildings

Accessory structures on a parcel are not permitted, except for structures used for storage of cars, electric power transformation stations and other engineering infrastructure (by special approval)

2 3 Regulations for Historic Preservation Zone (H)

Uses that do not inflict any damage to the historic environment are permitted by special approval

Size and dimensions of parcels provided in ownership or for long-term lease for any activity shall conform to the size and dimensions of the former parcels

Parameters of development in this zone are established by the government historic preservation agency

2 4 Regulations for Industrial Zone (I)

2 4 1 General Regulations

The basis of the planning structure of this zone are parcels on which industrial enterprises, scientific and research complexes, warehouses and transport facilities are located

In general the following uses are permitted

1 - industrial activity,

2 - terminal activity (loading, temporary storage, customs operations),

3 - car service (fuel stations, garages, parking sites, car repair stations),

4 - engineering systems (water supply systems, sewage facilities, gas distribution stations, electric power transformation stations, etc),

5 - office uses,

6 - social and religious activities

2 4 2 Subzone I1 - communal/warehouses zone

Designated for location of services provided in the residential and industrial zones garages, parking sites, engineering facilities, fire stations, warehouses and enterprises with minimum sanitary protection zones located on small parcels

Uses established for I-zone are permitted with the following exceptions

- location of enterprises of 1-5 hazard type is not permitted

2 4 3 Subzone I2 - enterprises of 4-5 hazard type

Uses established for I- zone are permitted with the following exceptions

- location of enterprises of 1-3 hazard type is not permitted

2 4 4 Subzone I3 - enterprises of 2-3 hazard type

Uses established for I - zone are permitted with the following exceptions

- location of enterprises of 1-hazard type is not permitted

2 4 5 Subzone IPC - area of the sea port and port enterprises in the city center

Office uses are permitted All other uses established for I- zone are permitted by special approval

2 5 Regulations for Landscape and Recreational Zone (L)

2 5 1 Subzone LC - garden communities

The basis of the planning structure of this zone - are parcels designated for individual non-commercial agricultural production and summer recreation

The following uses are permitted

1 - individual non-commercial agricultural production,

2 - residential area for summer period,

3 - public services

The following uses are permitted by special approval

1 - sport activities,

2 - use of buildings and land for sanitary cleaning activities and engineering infrastructure

Parcel size in garden communities shall be from 0.06 hectares up to hectares

Only one individual house may be located on a parcel

Permitted number of floors in a house - 1-2

Permitted building height - meters

No more than 1 parking site may be located on a parcel

Detached toilet structures may be built on parcels if no sewage facilities exist there

Building setbacks shall be established to provide for normal functioning of water sewage and supply system, building maintenance, insulation of the adjoining parcel. Accessory structures may be located directly on the parcel boundary line provided that the neighboring accessory structures are located in the same way

Breeding of smaller animals (hens, rabbits) is permitted in this area

2.5.2 Subzone LA - parks used for recreation purpose

The basis of the planning structure of this zone - are parks designated for active recreation of citizens and tourists

The following uses are permitted

1 - games and theater activities on open grounds,

2 - sport activities and facilities,

3 - museums and other educational activity,

4 - social and religious activity,

5 - services for visitors

The following uses are permitted by special approval

1 - campings and hotels for tourists,

2 5 3 Subzone LN - area of parks, forests and other natural landscapes

The following uses are permitted

- 1 - forest use
- 2 - agricultural use

The following uses are permitted by special approval

- 1 - sport activity,
- 2 - museum and other educational activity,
- 3 - mass games and theater activity on open grounds,
- 4 - campings for tourists,
- 5 - services for visitors

2 5 2 Subzone LB - riparian areas

The following uses are permitted

- 1 - forest uses with the restrictions established for water protection zone

The following uses are permitted by special approval

- 1 - permanent residential use,
- 2 - sport activities,
- 3 - museums and other educational activities,
- 4 - mass games and theater activities on open grounds,
- 5 - campings and hotels for tourists,
- 6 - services for visitors

2 6 Regulations for Zone of Defense and Other Military Designation (SPEC zone)

Functional uses of land in this zone and development parameters for the period of possession of land are established by the governmental defense and state security agencies. Upon completion of this period, this area shall be transformed into another zone.

2 7 Regulations for the Memorial Zone (MEM)

This area may be used for location of cemeteries, memorials, religious activities

Permitted accessory use - services for visitors

Any construction alterations in this zone require special approval

2 8 Regulations for Zone of Medical Facilities and Health Resorts (MED zone)

Medical facilities and health resorts may be located in this area

By special approval - services , sports facilities, residential houses for employees working in this zone and their families

2 9 Regulations for Environment Control Zone (METEO)

Parameters of the existing development and the existing uses shall be preserved in this zone
Any changes of development parameters or types of the existing uses are possible only by approval of the government meteorological service agencies

3 ADMINISTRATIVE PROCEDURES

3 1 Commission for Land Use, Planning and Development

3 1 1 Creation of the Commission

Land Use and Development Commission is a consulting and coordinating agency of the City Administration

The Chairman of the Commission is Deputy Head of the Administration of the Municipal Entity “Vyborgski rayon” Vice-Chairman of the Commission is the Chief Architect

The commission shall include the heads of the corresponding governmental and municipal agencies responsible for issues of planning and development of the city and the representatives of elected agencies and public organizations

The staff of the Commission is approved by the Head of the administration of the Municipal Entity

3 1 2 Authority of the Commission

Commission issues permits for functional use of land that requires special approval

Commission issues construction permits in the “variances” cases

Commission gives recommendations to the Head of the Administration on making amendments to these Regulations

Commission has the right to explain, when necessary, the substance and concepts of the established urban development regulations

3 1 3 Organizational Structure of the Commission and Scope of Work.

Commission holds its sessions when necessary Minutes are written for each of the session The sessions of the Commission are open to all concerned natural persons, legal entities and mass media

In order to execute its powers in accordance with these regulations, the Commission performs the following duties

- reviews, discusses and takes decisions on issues within its competence,
- requests the developers, when necessary, to submit additional feasibility studies, calculations and expert conclusions from the corresponding agencies that are necessary for obtaining special permits,
- organizes, when necessary, studies on separate issues that might arise while implementing these regulations,
- organizes public hearings

3 2 Coordination of Development Plans, Alteration of Land Uses and Development Parameters

3 2 1 General Procedures

A real property owner has the right to request the Administration to consider (review) his development plans or plans of alteration of land use, new construction and reconstruction

Any natural person or legal entity that is not the owner of land or buildings, has the right to request the Administration to consider his development plans with respect to this real property only with the permission of the owner of this property

These plans shall be submitted as “Primary Design proposals” and addressed to the Chief Architect This application shall be accompanied by documents confirming the owner’s content and conditions established by him

Plans for construction of an individual house may be submitted only in the form of application

These “Primary Design Proposals” shall be developed by a natural person or legal entity having a license for architectural activities This document shall contain the basic concept of the proposal and shall conform to the existing urban development requirements

If the applicant’s plans conform to the urban development requirements established as “generally permitted in Chapter 2 of these Regulations, the Chief Architect approves these plans

If the applicant’s plans conform to the urban development requirements established as “permitted by special approval” - the Chief Architect must inform the applicant of the necessity to obtain a “special approval permit”

If the applicant’s plans deviate from the urban development requirements due to impossibility to use this parcel in accordance with the requirements (because of its physical parameters) - the Chief Architect must inform the applicant of the necessity to obtain a “variances permit”

In other cases of non-conformity of developer’s plans to the requirements, the Chief Architect must reject these plans as non-conforming

The applicant has the right to appeal this decision in the Commission for Land Use, Planning and Development

3 2 2 Special Permit Procedures

To obtain a special permit a natural person or legal entity submits the application to Land Use and Development Commission The following documents shall be submitted with the application

- a site plan indicating the adjacent land parcels and real estate that might be affected by the proposed type of use, or building or structure under construction,

- a draft plan of the land parcel indicating the location of the proposed building,
- information about the possible consequences of the construction including consumption of energy, water and labor resources, transport and road infrastructure, pollution of the environment by exhaust fumes, wastes and degree of their adverse effect on the environment, anticipated number of parking lots. The Commission has the authority to require the applicant to obtain expert conclusions from the corresponding city agencies, independent experts, public organizations, etc

Discussing and preparing decisions on issuance of a special permit, the Commission shall take into consideration the following factors

- the use of the object shall conform to the policy of the Master Plan or the requirements established for this particular zone,
- the historic appearance of the city shall not be negatively effected by the decision taken,
- the environment shall not be damaged,
- the interests and rights of other natural persons or legal entities shall not be limited,
- the results of public hearings shall be taken into consideration

A special permit is valid for two years from the date of issuance. This term may be extended upon request of the applicant for one more year provided the zoning regulations have not been amended. If the applicant has not started construction during that period, a new application must be submitted.

Decision of the Head of Administration adopted on the basis of these recommendations is issued in the form of a Resolution.

3 2 3 Variances

To obtain a “variances permit” (to implement development with deviations from the regulations), the applicant must submit to the Land Use and Development Commission the information confirming that

- non-conformity to the zoning regulations is minimal and it is necessary for the effective use of the area,
- the interests of the city and the rights of neighbors are not violated,
- the proposed use corresponds to the functions established for this zone

3 3 Coordination and Approval of Planning and Design Documentation and Construction Plans

In addition to the procedures for coordination of planning and design documentation established by Federal and oblast regulatory documents, the Chief Architect must exercise control over the conformity of design solutions to the established urban development regulations.

3 4 Confirmation of the Conformity of Real Property Uses and Development Parameters to the Urban Development Regulations When a Construction Object Is Commissioned and in the Process of Its Use

The use of a building or a parcel after construction completion is possible only after confirmation of the completed object to the urban development requirements established in these Regulations

This conformity is confirmed by the architecture and urban development agency through study of the planning and design documentation and by comparing the results of parcel inspection and the requirements established by these regulations

The compliance is registered in the Certificate for Use of the Land Parcel. The model Certificate is presented in the Attachment to these regulations

3 5 Public Hearings

The purpose of public hearings is to inform the public and involve it in the decision-making process. Public hearings are organized

- when special permit application is submitted,
- when a variance permit application is submitted,
- when areas are re-planned in order to create new land parcels,
- when amendments to any of the provisions of these Regulations are made

Public hearings shall be held while the planning and design documentation is being processed before the permit is granted by the Administration

The notice about public hearings shall contain information about the type of the proposed development, location of the land parcel, buildings and structures, name of the author of the planning and design documentation and the place and time of first-hand acquaintance with the materials and public hearings

The notice shall be published no later than 15 days and no more than 45 days before the public hearings

The notice shall be published in the following form

- Written information shall be sent to the owners or lessees of the adjacent land parcels, buildings and structures and to other concerned parties that might be affected by the consequences of the decision
- The public is notified by means of any of the following
 - advertisement in a city newspaper,
 - local radio or television information,
 - placement of a sign on the land parcel that is the subject of the application

3 6 Procedures for Making Amendments to the Regulations

Amendments to these regulations are introduced by the architecture and urban development agency, other governmental agencies, land owners or concerned citizens and are effective after the amendment procedure has been completed. The amendment procedure includes the following steps:

- 1) a draft amendment is submitted to the Land Use and Development Commission,
- 2) the Land Use and Development Commission studies possible consequences that may be caused by this amendment and submits its recommendations on the amendment to the city Mayor,
- 3) the Head of the Administration and Municipal Assembly conduct public hearings and then approve or reject the amendment.

ATTACHMENT**CERTIFICATE No****OF THE RIGHT OF USE OF THE LAND PARCEL**

This is to certify that the land parcel located in part of the city of Vyborg of Vyborgski rayon of Leningradskaya oblast, and having the cadaster number 47-B1 , and buildings located on this parcel having the registration numbers and located at

conform to the existing urban development requirements of zone established in the Land Use and Development Regulations of the City of Vyborg, approved by the Resolution of the Municipal Assembly of the Municipal Entity "Vyborgski rayon of Leningradskaya oblast" No of taking into account the deviations approved by the following documents

The owner of this parcel has the right to use this parcel and buildings located on it, in accordance with the regulations established for this zone and taking into account the approved deviations

Chairman of the Architecture
and Urban Development Committee
of Vyborgski rayon of Leningradskaya oblast