

PN-ACD-032
98110

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

LAND USE REGULATORY SYSTEM (ZONING)

**LAND USE AND DEVELOPMENT
REGULATIONS
OF THE CITY OF KAZAN**

**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 Samara, Vyborg 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:

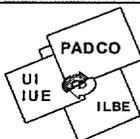
PADCO Inc, suite 1126, 15 ul Chayanova, building 5, Moscow, 125267
Tel (095) 973-4045, Fax 973-4044

Library of the Institute for Urban Economics, suite 126, 19 Prospect Mira,
Moscow, 129010 Tel (095) 971-1778

T Afanasyeva Tel (095) 258-3570

If you have any questions or suggestions please contact the Land Use Project Chief of Party

Mr L Patterson
Suite 612
69 Prospect Mira
Moscow 129110
Tel (095) 755-9406
Fax (095) 755-9407
e-mail landuse@glas.apc.org



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

CONTENTS

PART I CONTENT AND PRINCIPLE PROCEDURES FOR REGULATING LAND USE AND DEVELOPMENT

Section 1 1 General Provisions

Chapter 1 1 1 Basis for introduction and purpose of these Regulations

Article 1 Legal Basis and scope

Article 2 Content and purpose

Article 3 Openness and accessibility of information on land use and development

Chapter 1 1 2 Permitted uses of real estate

Article 4 Application of these Regulations as basis for decision-making on land use and development

Article 5 Types and parameters of permitted uses of real estate

Chapter 1 1 3 Rights to use real estate existing prior to these Regulations

Article 6 General provisions relating to existing rights

Article 7 Use of and construction alterations to legal non-conforming uses

Section 1 2 Parties to relations arising in connection with land use and development

Article 8 Parties conducting land use and development

Article 9 Land Use and Development Commission

Article 10 Department of Architecture and Urban Development (GDAUD)

Article 11 Land Resources and Reform Committee Other agencies authorized to regulate and supervise land use and development

Section 1 3 Creation of land parcels as real estate units

Article 12 Content, purpose and types of activities directed at creation of land parcels as real estate units

Article 13 Planning, subdivision and merger of land parcels

Article 14 Land Parcel Permitted Use Certificate

Section 1 4 Procedure for obtaining, altering and terminating rights to land parcels

Chapter 1 4 1 Primary allocation of land parcels by City Administration for long-term possession

Article 15 Terms and conditions of primary allocation of land parcels by City Administration, types of procedure and cases of their application

Article 16 Allocation of land parcels by City Administration for long-term possession by means of tenders and auctions

Article 17 Allocation of land parcels by City Administration for long-term possession by means of direct negotiations General provisions

Article 18 Allocation of land parcels by City Administration for long-term possession by means of direct negotiations prior to coordination of design and construction documentation

Article 19 Allocation of land parcels by City Administration for long-term possession by means of direct negotiations after approval of design and construction documentation

Chapter 1 4 2 Official registration and re-registration of existing rights to land

Article 20 Cases and procedures related to official registration and re-registration of existing rights

Chapter 1 4 3 Termination of rights to land

Article 21 Basis, conditions and principles to establish procedures for withdrawal of land and other real estate for national and municipal needs

Section 1 5 Constiuction alterations to real estate

Article 22 Right to make construction alterations to real estate and Basis for exercising this right

Article 23 Types of construction alterations to real estate

Article 24 Special approvals for construction plans granted at public hearings

Article 25 Public hearings

Article 26 Coordination of design and construction documentation
Construction permit

Article 27 Implementation of construction alterations to real estate and commissioning of completely constructed projects

Section 1 6 Amending these Regulations

Article 28 Basis for and types of amendments

Article 29 Making amendments and changes initiated by City Administration

Article 30 Introduction of amendments initiated by natural persons and legal entities

Section 1 7 Liability for violation of these Regulations

Article 31 Liability of officials

Article 32 Liability of real estate possessors and other entities

Section 1 8 Definitions

PART II ZONING MAPS DESCRIPTION OF ZONES AND DEVELOPMENT REQUIREMENTS

Section 2 1 Zoning maps Development requirements

Chapter 2 1 1 Zoning Map of the city area of Kazan

Chapter 2 1 2 Zoning Requirements to Development

Article 33 List of Zones

Article 34 Types of permitted uses for each zone Permitted construction and land parcel parameters in different zones

Section 2 2 Maps of land use and development restrictions (based on historical and cultural preservation restrictions)

Chapter 2 2 1 Maps of restrictions

Article 35 Map of historic and cultural preservation restrictions

Article 36 Map of archaeological stratum preservation restrictions

Chapter 2 2 2 Requirements to Development

Article 37 List and Description of Zones of Historic and Cultural Preservation

Article 38 Development Requirements in Historic and Cultural Preservation Zones

Article 39 List and Description of zones of archaeological stratum preservation restrictions Development Parameters for these zones

Section 2 3 Map of restrictions and development parameters based on sanitary, water-protection and other ecological conditions

Article 40 Map of ecological restrictions

Article 41 List and Description of Zones Development parameters in zones of sanitary, water protection and other ecological restrictions

PART III APPENDICES

Temporary Provisions “On Land Use and Development Commission at the Administration of the City of Kazan”

Form of Land Parcel Permitted Use Certificate

**LAND USE AND DEVELOPMENT
REGULATIONS
OF THE CITY OF KAZAN**

**PART I CONTENT AND PRINCIPLE PROCEDURES FOR REGULATION
OF LAND USE AND DEVELOPMENT**

Section 1 1 General Provisions

Chapter 1 1 1 Basis for introduction and purpose of these Regulations

Article 1 Legal Basis and scope

1 These Land Use and Development Regulations of the City of Kazan (hereinafter referred to as Regulations) are a local legal act developed in accordance with laws, rules, regulation and other local legal acts of the Russian Federation and a subject of the Russian Federation, viz the Republic of Tatarstan, laws, rules, regulation and other legal acts of local state authorities and government of the city of Kazan, as well as in compliance with the documents which define major trends of social, economical and town-planning development of the city of Kazan and the preservation and use of its heritage

- «Concept of Urban Development of Kazan» adopted by resolution of the session of Kazan United Council of People's Deputies No 5-3 of December 25th, 1995
- «Differentiated Rates of Land Tax in the City of Kazan» adopted by resolution of the session of the Kazan United Council of People's Deputies No 4-7 of March 28th, 1997
- «Zones of Historic and Cultural Preservation Plan» adopted by Decree of the Council of Ministers of the Tatar Autonomous Soviet Socialist Republic No 334 of September 23rd 1988

2 These Regulations are binding on state agencies, local self-government agencies, officials, individuals and legal entities which exercise and control over urban development (construction) activities within the city of Kazan

These Regulations govern the work of the aforementioned subjects in respect to

- zoning of the city and establishment of requirements (permits and/or restrictions) on uses and parameters of alterations to land parcels and other real estate
- development and approval of designs of land parcel development, construction permits, operation and maintenance of newly built/renovated sites
- subdivision of the city into land parcels as real estate units with boundaries set by way of development of site plans and land-surveying/boundary-fixing plans and projects
- allocation of land parcels to natural persons and legal entities
- preparation of conditions for making decisions on withdrawal of land for national and municipal needs
- compliance with these Regulations by monitoring use and construction alterations of real estate, application of penalties in case of infraction
- provision for openness and accessibility of information on land use and development for individuals and legal and their involvement in decision-making concerning these subjects
- amendments to these Regulations including those initiated by citizens
- other activities related to land use regulation and development

- 3 These Regulations are to be applied along with
- other laws, rules, regulations of local authorities and the government of the city of Kazan insofar as they do not contradict these Regulations
 - laws and standards established by the authorized agencies in order to ensure life safety, health and welfare of people, structural soundness, environmental protection and historical and cultural preservation and other obligatory requirements

4 These Regulations are a local legal act, the permanent effect of which is provided for by means of amendments made to them according to Section 1 6

The legal standards of Part I of these Regulations may be clarified in other local legal acts

Article 2 Content and Purpose of These Regulations

- 1 These Regulations establish in the city of Kazan a land use and development regulatory system which is based upon
- zoning, i.e. subdivision of all the area within the city boundaries into territorial zones with a list of permitted land uses for each of them, and list and parameters of permitted construction alterations of real estate
 - marking the boundaries of land parcels and establishing them as real estate units in respect of which permitted uses and use parameters and permitted construction alterations to real estate sites shall regulated

The right to use and build on a land parcel and other real estate sites located within the same territorial zone applies equally to all the said real estate parcels regardless of the form of possession. Exceptions are the following

- historical and cultural landmarks included on the special lists for which decisions on reconstruction parameters are made by the authorized agencies on a case-by-case basis according to the historical and cultural preservation legislation
 - real estate sites in cases specified in Chapter 1 1 3 of these Regulations
- 2 The purpose of the land use and development regulatory system is to provide for
- implementation of plans and programs (including those which are contained in the approved urban development/town-planning documents) of development of the city area engineering infrastructure, social services, environmental and historical preservation
 - establishment of legal guarantees for use of and construction alterations to real estate for possessors and persons who wish to obtain possession of land parcels and other real estate sites
 - increase in the efficiency of use of city land, including creation of facilities to attract investment in real estate construction and development
 - public access and input to the decision-making process concerning urban development and land use issues
 - efficient control over activity of local state authorities and government exercised by citizens, as well as control over town-planning (development) activities of individuals and legal entities performed by supervising agencies

Article 3 Openness and accessibility of information on land use and development

1 These Regulations including all maps and appendices, shall be open to individuals and legal entities

The local state authorities and government of Kazan shall provide an opportunity to become familiar with these Regulations

- publication of the Regulations in a mass edition and distribution of them among the citizens, including sales of copies of them,
- creation of conditions for familiarization with the Regulations including a full set of maps and appendices in the Land Use and Development Regulation Implementation Department at the General Agency of Architecture and Urban Development and at the administrations of rayons of the city of Kazan,
- rendering services to provide references (extracts) from these Regulations to individuals and legal entities in the aforementioned Department, as well as making required copies including copies of maps and portions of them which describe land use and development conditions as applied to particular parcels and the units of which they are a part (blocks, microrayons)

2 Citizens have the right to participate in the decision-making process concerning land use and development issues in accordance with current legislation and Articles 25 and 30 of these Regulations

Chapter 1 1 2 Permitted use of real estate

Article 4 Application of these Regulations as Basis for making decisions concerning land use and development

1 These Regulations shall be applied by all parties to land and urban development relations as basis for land use and development decision-making (applicable to all real estate except for historic and cultural landmarks)

- city self-governance agencies
- agencies authorized to manage and supervise land use and development
- individuals and legal entities
- law enforcement agencies

Application of these Regulations pertains to

- issues concerning permitted use of land parcels and other real estate sites in the city as a whole and as applied to portions (zones) of it and land parcels
- procedures for implementing actions related to land use and development according to the established procedures

2 These Regulations contain three integral parts

- Part I -- «Content and Principle Procedures of Land Use and Development Regulation»
- Part II – «Zoning maps Description of Zones and Development Requirements»
- Part III – «Appendices»

Part I of these Regulations titled «Content and Principle Procedures of Land Use and Development Regulation» is presented in the form of a text of legal standards and procedures governing

- jurisdiction and procedures for local state authorities and government with respect to preparation of conditions for the creation of a land use and development regulatory system on the basis of area zoning and implementing of the regulation
- jurisdiction and procedures for individuals and legal entities concerning use of and construction alterations to real estate sites
- procedures for supervising the use of land parcels and implementation of construction alterations to real estate sites
- procedures for improvements to these Regulations by means of amendments
- liability of officials real estate possessors and other persons for infringement of these Regulations

Part II of these Regulations, titled «Zoning maps Description of Zones and Development Requirements», contains maps, descriptions of permitted uses of real estate, minimum and maximum parameters of construction as applied to the zones shown on the zoning map of the city of Kazan, as well as other maps showing boundaries and types of land use and development restrictions – on the map of historical and cultural preservation restrictions, map of archaeological stratum preservation restrictions, map of sanitary, water-protection and other environmental restrictions

Where land parcels and other real estate sites are located within two or more territorial zones on the aforementioned maps, types and parameters of permitted use of and construction alterations to the parcels and real estate sites shall be set with all established restrictions, or the strictest ones, taken into account

Part III contains laws, rules, regulations and/or extracts from them which put out in detail legal and other standards of Part I of these Regulations, as well as other documents including forms of application, approval and permit

3 All the area of the city of Kazan within the city boundaries is divided into zones, the boundaries and legend of which are shown on the zoning map (Chapter 2 1 1) Each zone has characteristics prescribed to it according to Chapter 2 1 2 of these Regulations

Boundaries of zones shown on the map in Chapter 2 1 1 shall be established so that each land parcel is clearly and unambiguously identified with only one zone The said boundaries shall be established along

- central dividing lines of main roads [highways], streets and thoroughfares
- boundaries (red lines) of planning units – districts, microrraions, blocks of houses and other planning units
- boundaries of land parcels
- boundaries or center lines of rights-of-way for utility lines
- administrative boundaries of the city and districts within it
- natural boundaries
- other lines and boundaries

Article 5 Types and parameters of permitted uses of real estate

- 1 Permitted use is the use which conforms to
 - list of permitted uses of real estate for an appropriate zone (Article 34 of the Regulations)
 - minimum and maximum parameters of permitted construction alterations to real estate sites for an appropriate zone (Article 34 of the Regulations)
 - historical and cultural preservation restrictions and environmental restrictions specified in Articles 37,38, 39 and 41 of the Regulations
 - obligatory requirements specified in construction norms and specifications
 - other restrictions of real estate use set forth in documents (including agreements on establishing easements and other documents)
- 2 List of permitted uses of real estate (Article 34) includes
 - major permitted uses of real estate which cannot be prohibited, provided they conform to construction norms and safety standards and other obligatory requirements
 - accessory permitted uses which are auxiliary to major ones, where a land parcel has no major use, an accessory use shall not be such but shall be considered a non-permitted one, unless specified otherwise in the Regulations as applied to particular cases and locations of real estate
 - real estate uses which require special approvals at public hearings according to the procedures set forth in Articles 24 and 25 of these Regulations

Engineering and technical facilities, structures and lines which support the permitted uses for particular parcels (electric power, water and gas mains, sewer, telephone lines, etc) are also permitted, provided they conform to the construction norms and specifications and technical safety standards, which shall be confirmed by approval of the design and construction documentation (Article 26) Engineering and technical facilities and structures located on specially allotted land parcels and ensuring use and functioning of real estate sites within one or several zones are the sites which require special approvals by means of public hearing according to the procedures set in Articles 24 and 25 of these Regulations

Real estate uses which are not listed in Article 34 of the Regulations are not permitted for the relevant territorial zone and cannot be permitted, not even with special zoning approval Lists in Article 34 may be amended by the procedures in Section 1 6

Each territorial zone has normally several permitted uses, unless specified otherwise in lists in Article 34

Persons who possess their real estate on a long-term basis have the right to select and change, at their discretion, the real estate use/uses permitted as major and accessory ones for the appropriate territorial zones Where a change of real estate use is not connected with construction alterations to the premises appropriate agencies of the City Administration must be informed of this change from one use of real estate to another Where such change is connected with a construction alteration to the premises, a construction permit according to Article 26 of these Regulations is required and appropriate agencies of the City Administration must be informed of the change from one use of real estate to another

3 A list of minimum and maximum parameters of permitted construction alterations to real estate sites (set for each zone and, accordingly, for each land parcel located within the zone) may include

- dimensions (minimum and/or maximum) of land parcels including linear dimensions of maximum width of the parcels along the front side of the street (thoroughfare) and maximum depth of the parcels
- minimum setback of development from the parcel boundaries
- maximum and/or minimum number of stories (height) of development
- maximum parcel coverage (ratio of total area of land parcel which is developed or may be developed to the total area of land parcel)
- maximum floor area ratio (coefficient of land parcel's use as a ratio of total floor area of the buildings, existing and those which may be built, to the total area of land parcel)

Combinations of the aforementioned parameters and their minimum and maximum values shall be set individually for each zone

Chapter 1 1 3 Rights to use real estate existing prior to these Regulations

Article 6 General provisions relating to the existing rights

1 Rights existing before adoption of these Regulations remain in effect

Rights to perform construction alterations granted in a construction permit remain in effect, provided that by the date of adoption of these Regulations the construction permit has not expired

2 Real estate sites existing before these Regulations come into effect are non-conforming uses in cases where those sites

- are located in the range between red lines established by the approved site plans/draft planning for paving streets, lanes, laying engineering and technical lines
- have a use which is not listed as permitted for the relevant zone (Article 34 of these Regulations)
- have smaller (area and linear dimensions of land parcels, distances between buildings and parcel boundaries) or larger (development density – height, number of stories development percentage, floor area ratio) parameters than those fixed in Article 34 of these Regulations as applied to the relevant zones

3 A resolution of the Head of The City Administration of Kazan may attach non-conforming status to industrial works and other sites/facilities the sanitary protection areas of which, (formally established or practically existing), extend beyond the zone of the facilities' location (according to the legal zoning map, Chapter 2 1 1) and whose functioning causes disproportional damage to possessors of other real estate

Article 7 Use of and construction alterations to legal non-conforming uses

1 The real estate sites mentioned in Article 6 may exist and be used without establishing a fixed period of time for bringing them into conformity with these Regulations

Exceptions are those real estate sites not conforming with these Regulations and with mandatory standards at the same time whose existence and use is hazardous to the life and health of people and to the historical, cultural and natural environment. As applied to those sites, a resolution of the Head of The City Administration of Kazan established a period of time for bringing them into conformity with these Regulations, norms and standards or imposes a ban on the use of such sites until they are brought into conformity with these Regulations and mandatory standards.

Non-conforming sites located in the area between red lines established for paving streets, lanes, laying engineering and technical lines may be dedicated in favor of local state authorities and government according to the procedure set by the legislation and in compliance with Article 21 of these Regulations.

2 All alterations to non-conforming sites, including alterations of types and intensity of use and construction alterations shall be made only in the direction of bringing them into conformity with these Regulations.

The area and volume of real estate sites, the use/uses of which are not listed as permitted for the relevant territorial zone shall not be increased. These sites/facilities shall not be allowed to increase amount of products and services provided without bringing the applied process into conformity with environmental, sanitary, fire-prevention and other safety and health protection norms and standards.

Real estate sites which are not in conformance with these Regulations regarding development parameters (structures hindering or blocking passage, with area and height exceeding permitted limits, etc.) shall be maintained, renovated, and redeveloped provided these activities do not increase the extent of the non-conformity.

3 As applied to land parcels which are not in conformance with these Regulations due to their small area and complicated configuration to such an extent that their use becomes impossible or is considerably impeded, the extent of the non-conformity may be increased, provided there is a special approval of the possessors' construction plans obtained through public hearings according to the procedures in Articles 24 and 25 of these Regulations.

4 Possessors of non-conforming real estate sites falling under the definition of Item 3 of Article 6 may be ordered by a court to purchase from possessors the real estate to which disproportionate damage is being caused, and/or pay for the damage caused in any other acceptable way, including moving the residents to new residences.

Upon completion of the purchase and compensation process, the possessors of the aforementioned non-conforming real estate sites may apply to the Land Use and Development Commission for an amendment to these Regulations regarding change to the boundaries and characteristics of the zones within which the sites are located [rezoning] with subsequent removal of the non-conforming status.

Section 1 2 Parties to relations arising in connection with land use and development

Article 8 Persons conducting land use and development

- 1 These Regulations govern activities of natural persons and legal entities who
 - possess land parcels and other real estate sites on a long-term basis (possession, long-term lease, permanent use, life inheritable property), prepare and implement construction alterations to the real estate they possess (Section 1 5)
 - prepare and conduct construction of temporary structures (such as stalls, kiosks etc) on the land parcels which belong to the municipality and are transferred to these persons on a short-term lease
 - change one type of existing land parcel possession (or the right actually implemented within a certain period of time) to another type of possession including privatization of land parcels occupied by privatized enterprises, or change the right of life inheritable possession or permanent use right to ownership right, etc (Article 20, other legal documents)
 - prepare and conduct subdivision of the area of existing development into land parcels, including the creation of condominiums (Articles 13, other legal documents)
 - participate in tenders and auctions held by the City Administration for the transfer of long-term possession of land parcels for new development and redevelopment (Article 16, other legal documents)
 - apply on their possess initiative to the City Administration for allocation of a land parcel (parcels) for new development and redevelopment (Articles 17, 18, 19, other legal documents)
 - conduct other activities related to the preparation and implementation of land use and development plans

- 2 Persons conducted land use and development in the city of Kazan on behalf of local self-governance agencies and/or state authorities shall conform in their activities to these Regulations

Article 9 Land Use and Development Commission

1 The Land Use and Development Commission (hereinafter referred to as the Commission) is a consultative body under the Head of the City Administration of Kazan. It shall be formed to consistently improve these Land Use and Development Regulations and provide procedures for their application.

The Commission shall be formed on the Basis of a resolution of the Head of the City Administration and shall perform its activity in accordance with these Regulations, the Rules for the Commission and other documents governing its activity which shall be approved by the Head of the City Administration. The aforementioned documents shall be included in Part III of these Regulations as an appendix.

- 2 The Land Use and Development Commission
 - holds public hearings and, based on their results, makes recommendations to the Head of City Administration for decision-making, including recommendations on granting special approvals in accordance with Articles 24 and 25 of these

Regulations, recommendations on amicable settlement of differences relating to the appeals by natural persons and legal entities regarding decisions by the City Administration agencies concerning town-planning, development and land use

- arranges the preparation of proposed amendments to the Regulations concerning procedures according to Section 16 and drafts local laws, rules, regulations and other documents related to the implementation of these Regulations

3 The Chairman of the Commission is the Deputy Head of City Administration who shall be appointed to and relieved from the post of Chairman by the Head of the City Administration of Kazan

Chiefs (or deputy chiefs) of the following agencies of the City Administration shall be included in the Commission according to their positions

- Department of Architecture and Urban Development
- Land Resources and Reform Committee
- Committee for Communal Property Management
- Economics and Forecasting Committee
- Committee for Entrepreneurs' Support
- Environment Protection Committee

By resolution of the City Council of Deputies - 3 deputies shall be included in the Commission

Five persons representing public and private interests of citizens, real estate possessors, commercial and other organizations shall be appointed to the Commission. The aforementioned persons must not be government or municipal employees. This group shall include 2 architects recommended by a local branch of the Guild of Architects of Russia, and 3 people recommended by the City Council.

The Commission shall consist of 15 people.

Resolutions of the Commission shall be passed by simple majority of votes, provided there is a quorum of no less than two thirds of the Commission members. If the number of votes is equal, the Chairman of the Commission has the tie-breaking vote.

The secretary of the Commission shall be an employee of Department of Architecture and Urban Development and not a member of the Commission.

Any member of the Commission shall be relieved of voting on a particular issue if he/she has direct financial interests in the matter, or is a relative of the applicant whose application is considered.

4 Resolutions of the Commission shall be approved by the Head of The City Administration, after which they shall be binding on all persons conducting land use and development.

Article 10 Department of Architecture and Urban Development (GDAUD)

1 The Department of Architecture and Urban Development (hereinafter referred to as GDAUD) is an element of The City Administration which functions as local government authorities for management of town-planning (urban development) activities within the area.

of the city GDAUD exercises its activity in accordance with these Regulations and the Provision for Department of Architecture and Urban Development by the administration of Kazan approved by the Head of The City Administration

The responsibilities of Department of Architecture and Urban Development as applied to the implementation of these Regulations include

- implementation of resolutions of the Head of the City Administration concerning urban development policy, including preparation of assignments, organization of development and participation in coordination of required town-planning documentation
- preparation of proposed amendments to these Regulations
- participation in the preparation of documents concerning allocation of land parcels for long-term possession to natural persons and legal entities for development and redevelopment
- participation in the coordination of design and construction documentation relevant to its compliance with these Regulations and construction norms, granting construction permits, participation in acceptance/commissioning of completed constructed sites
- presentation of its opinion concerning special approvals at the Commission's request
- organization and execution of information monitoring of land use and development processes, status of engineering infrastructure, environmental situation, status of development resources, etc

2 The departments of GDAUD perform the following

- prepare regular reports (at least once a year) for the Chief Architect of the city and the Land Use and Development Commission, and prepare proposals on improvements to these Regulations by means of amendments to them
- prepare materials required for the work of the Land Use and Development Commission, including preparation of draft resolutions of the Head of The City Administration prepare materials for holding public hearings regarding special approvals
- prepare land parcel permitted use certificates by order of The City Administration, natural persons and legal entities in accordance with Article 14 and provisions of Section 1 4 of these Regulations
- maintain the zoning map and make approved amendments to it
- provide information from these Regulations and approved urban development documentation to interested persons
- carry out other work related to the implementation of these Regulations to guarantee their permanent and efficient effect
- grant construction permits (civil and construction work permit and permits for specific kinds of civil and construction work)
- inspect sites under construction and redevelopment, irrespective of financing sources for the purpose of observing technique of the civil and construction work, compliance of the construction with the approved design and construction documentation and compliance with organizational and legal construction procedures
- participate in acceptance/commissioning of completed construction sites

- participate in the preparation of documents to granting possession of officially listed sites, as well as preparation of documents concerning rights, terms and obligations for redevelopment and reconstruction of landmark sites
- participate in the coordination of the subdivision of blocks into land parcels for sites located within historical and cultural preservation zones
- coordinate design and construction documentation for the purpose of harmonizing building frontage facing the street with the appearance of surrounding development for buildings which are not historical landmarks and are located within historical and cultural preservation zones, according to the criteria in Article 38
- prepare and coordinate documents concerning rights, terms and obligations to perform work in the zone marked on the map of archaeological stratum preservation restrictions (Article 36)

3 The Urban Development/Town-planning Council (hereinafter referred to as the Council) is a consultative body under the head of GDAUD, i.e. the Chief Architect of the city of Kazan

The Council acts in accordance with the Provision for the Urban Development/Town-planning Council which shall be approved by the head of GDAUD

The Council consists of (number) members. The Chairman of the Council shall be the head of GDAUD. The Secretary of the Council shall be an employee of the Department and not a member of the Council.

Persons who are not members of the Council may be invited to its sessions.

The Council prepares recommendations for the Chief Architect of the city concerning

- preparation and implementation of urban development/planning policy
- coordination of urban development/town-planning documentation and design and construction documentation as applied to structures and complexes, the construction of which is financed from the state or municipal budget
- amendments to these Regulations
- location of landmarks, monuments and means of visual information
- other issues within the competence of the Chief Architect of the city

Article 11 Land Resources and Reform Committee Other agencies authorized to regulate and supervise land use and development

1 The Land Resources and Reform Committee of the city of Kazan (hereinafter referred to as *Kazgorkomzem*) is an agency within The City Administration supervising land relations, a territorial agency of the Land Resources and Reform State Committee of the Republic of Tatarstan (*Goskomzem*). *Kazgorkomzem* acts on the basis of land legislation of the Russian Federation, the Republic of Tatarstan laws, rules, regulations of local state authorities and the government of the city of Kazan, including these Regulations, resolutions and orders of *Goskomzem* and the Administration of the city of Kazan.

Concerning implementation of these Regulations, *Kazgorkomzem*

- at the request of the Commission provides conclusions concerning special approvals

- participates in the development and implementation of the city land policy and land reform program, including proposed amendments to these Regulations
- creates and maintains state land cadaster and exercises land monitoring
- participates in the organization of tenders and auctions as well as negotiations with applicants for long-term possession of land parcels, acts as a lessor of land parcels on behalf of The City Administration
- on the basis of resolutions of the Head of The City Administration of Kazan, draws up and issues to natural persons and legal entities the documents for land parcel possession
- participates in development of methods and criteria of land estimation, establishment of land payments and the corresponding procedures
- coordinates decisions on land allocation and withdrawal
- monitors the use and protection of land, speaks on behalf of the City Administration in courts of law in cases of violation of the land legislation

Kazgorkomzem performs a set of other functions in accordance with the law and Provisions on this Committee

2 Other agencies

- at the request of the Commission - provide conclusions on special approvals, amendments to the Regulations
- participate in regulation of development in accordance with the legislation

Section 1 3 The creation of land parcels as real estate units

Article 12 Content, purpose and types of activities directed at the creation of land parcels as real estate units

1 Natural persons and legal entities may be only granted possession of land parcels which are formed

Land parcels are considered created when they comply with the legislative requirements on registration of rights in real estate and transactions with them, and have the following features

- necessary restrictions on use and development
- fixed boundaries

2 The aforementioned features are to be defined by

- these Regulations -- in respect of permitted use of real estate as applied to appropriate territorial zones, maximum parameters of permitted construction (Articles 34,) and historical and cultural preservation and ecological safety requirements (Articles 38, 39 41)
- subdivision plans- with respect to establishment of red lines for blocks of buildings parcel boundaries, boundaries of public servitudes (Article 13)

Until the items of Article 34 of these Regulations are completely created, maximum parameters of construction may be set as applied to particular parcels by the permitted use certificates according to Article 14

3 Preparations for creating land parcels may be initiated and financed by state authorities and the government of the city of Kazan, as well as by natural persons and legal entities

Article 13 Planning, subdivision of area into land parcels and their merger

1 Area planning and subdivision shall be initiated and financed by the administration of the city of Kazan when land parcels on new lands are being prepared for transfer to developers, when developed areas are to be redeveloped for more efficient use, and when taking inventory of the city lands

Area planning (re-planning) with parcel boundary fixing shall be initiated and financed by natural persons and legal entities when subdivision or merger of occupied land parcels being conducted, when land parcels on undivided lands (residential areas) have to be allotted, when forming condominiums when defining boundaries of possession, when privatizing lands occupied by privatized enterprises, and other cases set by the legislation according to the procedures set forth in resolution of the RF Government No 105 «On Procedures for Setting Boundaries for Land Use in the Development of Cities and Other Settlements» dated 2/2/96 [February 2, 1996]

2 Planning subdivision of the area into parcels and their merger shall be accomplished by application of interested parties and on the Basis of the decree of the Head of The City Administration of Kazan

The aforementioned works include

- development and approval of the site subdivision plan
- registration of the land management file
- setting boundaries of parcels in the field on the basis of the site plan

3 At the stage of the site plan development, the following work shall be accomplished

- preparation of design assignment
- design development
- discussion coordination and approval of the design

The design assignment shall be prepared by GDAUD The preparation shall be based upon

- these Regulations for types and parameters of permitted real estate uses, and dimensions (maximum and minimum) of land parcels as applied to the appropriate zone (Articles 34), in cases when part of the aforementioned characteristics has not been included in these Regulations, the approved urban development/town-planning documentation shall be taken into account as applied to the appropriate area
- construction norms and specifications, other mandatory standards of town planning
- agreement between the City Administration of Kazan and the person performing the planning and division of the area [planner] on conditions of reservation of land parcels for public needs – construction of roads, passageways, utility lines and siting of service facilities as well as other conditions

The subdivision plan includes the basic site plan, red lines plan, land parcel boundaries plan, the scheme of transport and pass routes, engineering network, the scheme of “vertical” planning and explanatory notes

The Land Use and Development Commission shall hold a public hearing concerning coordination of the prepared site plans/draft planning according to Article 25 of these Regulations

The coordinated site plan shall be approved by the Head of The City Administration of Kazan

- 4 On the basis of the approved subdivision plan, GDAUD registers the land management file containing
 - explanatory note
 - extract from the cadaster plan with the specified location of the area subdivided into parcels
 - list of land users (if they exist)
 - list of coordinates of landmarks of boundary system points
 - certificate of setting and approving land parcel boundaries
 - certificate of commissioning the boundary network for the purpose of its supervision
 - land area calculation sheet

The land management case shall be coordinated with *Kazgorkomzem* and approved by resolution of the Head of the City Administration of Kazan

5 The subdivision plan is the basis for setting parcel boundaries in the field

Parcel boundaries shall be set in the field at the request of parcel possessors or applicants for possession, i.e. developers who have organized the preparation of a site plan and development of a subdivision plan

Land parcel boundaries shall be set in the field in the presence of possessors, proprietors, tenants (including those of adjacent parcels) or their delegates whose powers are to be proved by powers of attorney issued according to established procedures

Article 14 Land Parcel Permitted Use Certificate

1 Land Parcel Permitted Use Certificate (hereinafter referred to as the Certificate) is a legal document of the City Administration which sets restrictions on parcel use and constitutes the foundation for

- primary allocation of long-term rights in a land parcel (possession or long-term lease) to individuals and legal entities prior to coordination of design and construction documentation according to the procedure of Article 16 and 18 of these Regulations
- development and coordination of design and construction documentation, granting construction permit according to the procedures of Article 26 of these Regulations
- preparation of agreements with engineering and technical services (power, water and gas supply, sewer system, telephone network, etc) on technical conditions of implementation of the permitted use of the land parcel

Apart from the cases of primary allocation of long-term rights in the land parcel, the Certificate may also be granted in other cases upon application of a real estate possessor and/or other interested persons

The Certificate shall be approved by the Head of The City Administration of Kazan – in cases where Article 34 of these Regulations do not apply to the zone the parcel is located in. When the aforementioned clauses of Article 34 do apply, the Certificate is an extract from these Regulations and shall be approved by the Chief Architect of the city of Kazan

The Certificate may be prepared on condition that the parcel be located within the block of buildings for which a subdivision plan drawn up according to the procedure of Article 13 of these Regulations is available

The validity period for the Certificate is unlimited, its content (in the relevant part) may only be altered after amendments to these Regulations have been made under procedures of Articles 29 and 30). When making secondary transactions with a land parcel, the permitted use must be observed by its new possessor

2 Land Parcel Permitted Use Certificate has a fixed form approved by the Head of The City Administration (Part III, Appendix 2) and includes

- land parcel identification data (registration number of the certificate, address and cadaster number of the land parcel, description of the zone/zones the parcel is located in according to the map of Part II of these Regulations)
- basis for establishing the land parcel permitted use characteristics
- list of land parcel permitted uses (in the form of an extract from Article 34 of these Regulations)
- minimum and maximum parameters of permitted development – maximum number of stories and height, minimum distance between the premises and the boundaries of the parcel floor area ratio, other parameters (the aforementioned parameters are to be given in the form of extracts from Article 34 of these Regulations or the values obtained in the course of preparation of the Certificate)
- historical and cultural and archaeological stratum preservation, sanitary, water-protection and other environmental requirements for the development (to be given in the form of extracts from Articles 38 39 and 41 of these Regulations)
- other land parcel use restrictions, such as easements, other rights of third persons (to be fixed in the form of references to the appropriate documents)
- land parcel plan with fixed boundaries, reference points coordinates, markings of the premises located within the parcel (as of the moment of development of the Certificate), including non-conforming [to these Regulations] ones, indication of linear dimensions and area of the parcel (the plan shall be drawn up as an extract from the subdivision plan)

3 The land parcel permitted use certificates shall be formulated by the Land Use and Development Regulations Implementation department of GDAUD. In the cases set out in Article 24 of these Regulations, the certificate preparation process includes public hearing according to the procedure of Article 25

The preparation of certificates shall be paid for by applicants at prices to be approved by the Head of The City Administration

Certificates shall be registered and copies, shall be maintained in GDAUD

Section 1 4 Procedure for obtaining, altering and terminating rights to land parcels

This section sets out in accordance with the legislation, general legal norms for establishing a procedure for obtaining, altering and terminating rights to land parcels on the basis, considering laws rules, regulations which local state authorities and the government of Kazan shall develop to regulate this process in detail

Chapter 1 4 1 Primary allocation of land parcels by the City Administration for long-term possession

This Chapter governs the process of primary allocation of land parcels by The City Administration to natural persons and legal entities in the form of long-term possession for development and redevelopment Other cases of allocation of land parcels, including short-term tenure (for construction of kiosks, stalls etc), as well as cases not relating to any construction work, shall be governed by special laws, rules, regulations of local state authorities and the government of the city of Kazan

Article 15 Terms and conditions of primary allocation of land parcels by the City Administration, types of procedure and their application

1 Rights to land parcels belonging to the local government authorities and the government of the city of Kazan may be transferred to natural persons and legal entities provided the parcels are

- created as real estate units in accordance with the provisions of Section 1 3 of these Regulations
- free of third party rights to them

In cases where transfer of land parcels, affects or may affect the rights of third persons (tenants other occupants of premises and sites located on the parcels) local state authorities and the government of the city of Kazan shall guarantee the exercise of their rights (including appropriate compensation if the rights are infringed) according to the procedures set by legislation

2 The transfer of rights to land parcels belonging to local state authorities and the government of the city of Kazan to natural persons and legal entities (primary allocation of land parcels) shall be implemented by way of tenders and auctions (Article 16) or direct negotiations between the authorized agencies of The City Administration and persons applying for these rights (Articles 17, 18 and 19)

Tenders and auctions shall be held in all cases except when direct negotiations with the Applicants who initiate the transfer of rights to land parcels are permitted

Direct negotiations shall be held in cases where a natural or corporate person has submitted an application and relevant proposals on allocation of a land parcel (with or without a specified location) to The City Administration, provided that by the date of application The City Administration has not approved and published in the local press designs or plans for construction development of the area the parcel is located in

The City Administration retains the right to hold a tender or an auction for the application This right may be exercised by the Administration provided the primary Applicant is relieved

of future payments for obtaining the tender (auction) documentation prepared by The City Administration, while in case of failure his expenses relating to preparation of the non-fulfilled application and submitted design proposals shall be refunded by the city budget

Article 16 Allocation of land parcels by the City Administration for long-term possession by means of tenders and auctions

This procedure shall be applied in cases defined in Article 15 of these Regulations in accordance with Article 14 of these Regulations (in respect of the mandatory inclusion of land parcel permitted use certificates in tender or auction documentation) as well as in compliance with the «Provision for Holding Tenders and Auctions for Sales of Land Parcels and Other Land Transactions in the City of Kazan» approved by resolution No 814 of the Head of The City Administration of Kazan on 6/18/96 [June 18, 1996] and other legal acts that can be included in Part III of the Regulations as Appendices

Article 17 Allocation of land parcels by the City Administration for long-term possession by means of direct negotiations

- 1 This procedure shall be applied in cases defined in Article 15 of these Regulations
- 2 Rights to land parcels belonging to local state authorities and the government of the city of Kazan may be transferred for payment (or without it, in cases defined by legislation) to natural persons and legal entities (Applicants) in the form of possession or long-term lease for a period of less than 49 years

The type of the aforementioned rights of long-term tenure of land parcels – possession or long-term lease, as well as the length of leasehold period (within 49 years) shall be determined by Applicants unless specified otherwise in legal normative acts of the city of Kazan

- 3 Long-term rights to land parcels may be granted prior to approval of the design and construction documentation (Article 18) or afterwards (Article 19)

Article 18 Allocation of land parcels by The City Administration for long-term possession by means of direct negotiations prior to coordination of the design and construction documentation

- 1 This procedure shall be applied in the cases defined in Articles 15 and 17 of these Regulations
- 2 An application from a natural person or a legal entity for a land parcel (several adjoining parcels, block of buildings) for proposed development or redevelopment with the desired type of right (possession or long-term lease) and the procedures for obtaining it (prior to coordination of design and construction documentation) shall be addressed to the Deputy Head of The City Administration for Construction Issues and filed

The application may be drawn up in free form (unless a model application form is established) and should contain (besides the aforementioned plans) information on the Applicant and his/her plans regarding dimensions of the parcels, actual or desired location of

the parcel, and type of site to be developed or redeveloped. The application may be accompanied by rough drawings illustrating the investment and construction plans of the Applicant, other materials and documents.

The Deputy Head of The City Administration for Construction Issues, guided by Article 15 of these Regulations, shall resolve the issue of possibility of allocation of a land parcel (parcels) by way of direct negotiations or tender or auction within seven (7) days. The Applicant shall be notified in writing of the decision.

In cases where the decision for direct negotiations is made, the Deputy Head of The City Administration delegates authority GAAUD, in cooperation with the Land Resources and Reform Committee and the Economics and Forecasting Department, to develop and present for coordination within four weeks of the date of filing of the application (or any other period of time agreed upon with the Applicant) a draft resolution of the Head of The City Administration on allocation of the land parcel along with the draft documents to be attached to the resolution.

- Deed of possession of the land parcel or long-term leasehold agreement (depending on the Applicant's desires)
- Land Parcel Permitted Use Certificate
- draft agreement on public servitude, where applicable

In accordance with the Applicant's wish stated in the application, the delegation of authority by the Deputy Head of The City Administration for Construction Issues may contain a clause directing the engineering and technical services of the city in cases where they are not directly subordinate to The City Administration, recommending that they prepare, with participation of the Chief Engineer's Department of GDAUD, draft agreements on technical specifications for power, water and gas supply, connection to sewer, telephone network etc between the Applicant and these services. These agreements shall not be a mandatory enclosure to the draft resolution of the Head of The City Administration. Their absence shall not prevent the allocation of long-term rights for the land parcel to the Applicant.

3 The Land Use and Development Regulations Implementation Department of GDAUD, guided by Article 14 of these Regulations and Appendix 2, shall prepare a draft land permitted use certificate.

The Economics and Forecasting department shall prepare its opinion on the assessed market value of the land parcel and shall coordinate the amount and schedule of payments with the Applicant.

On the basis of the prepared draft certificate, the opinion and negotiations with the applicant, the Land Resources and Reform Committee prepares a draft State act on land parcel possession or draft long-term leasehold agreement for the period determined by the Applicant (less than 49 years).

On the basis of the draft documents approved by the Applicant, GDAUD shall prepare a draft resolution of the Head of The City Administration for allocation of the land parcel.

4 After the resolution of the Head of The City Administration is issued, the Applicant shall transfer to the bank account of Administration the appropriate amount of money (set in the opinion) for the parcel's market value assessment. The Land Use and Reform Committee shall conclude a long-term leasehold agreement on the parcel with the Applicant, or conveys

him to the State act on land parcel possession The agreement or State act shall be accompanied by the Land Parcel Permitted Use Certificate

5 A person who obtains long-term rights in a land parcel shall contract with a properly licensed geodetic agency to set the parcel boundaries in the field, after which all the rights in the land parcel shall be registered in the established legal manner

6 All further activities of a person who possesses a land parcels on a long-term basis regarding preparation and coordination of design and construction documentation, obtaining construction permit, execution and completion of construction shall be performed according to the procedure of Articles 26 and 27 of these Regulations

Article 19 Allocation of land parcels by the City Administration for long-term possession by means of direct negotiations after coordination of design and construction documentation

1 This procedure shall be applied in the cases defined in Articles 15 and 17 of these Regulations

2 An application from a natural person or legal entity for a land parcel (several adjoining parcels block of buildings) for proposed development or redevelopment with the desired type of right (possession or long-term lease) and procedure for obtaining it (prior to coordination of design and construction documentation) shall be addressed to the Deputy Head of The City Administration for Construction Issues and filed

The application may be drawn up in free form (unless a model application form is established) and should contain (besides the aforementioned plans) information on the Applicant and his/her plans related to dimensions of the parcel, actual or desired location of the parcel, and type of site to be developed or redeveloped The application may be accompanied by rough drawings illustrating the investment and construction plans of the Applicant, other materials and documents

The Deputy Head of The City Administration for Construction Issues, guided by Article 15 of these Regulations, shall resolve days the issue of the possibility of allocation of a land parcel (parcels) by direct negotiations or tender or auction within seven (7) days The Applicant shall be notified in writing of the decision

In cases where the decision for direct negotiations is made, the Deputy Head of The City Administration delegates the authority to GDAUD, in cooperation with the Land Resources and Reform Committee and the Economics and Forecasting Department to draft a resolution of the Head of The City Administration for the design permit along with the draft documents to be attached to the resolution

3 A copy of the resolution for the design permit and the documents to be attached to it (Land Parcel Permitted Use Certificate and short-term leasehold agreement for the design period) shall be transmitted to the Applicant who shall contract with a properly licensed natural persons and legal entities to develop the design and construction documentation

After the design and construction documentation has been coordinated according to the procedures of Article 26 of these Regulations, the Applicant addresses an application for long-term rights for land to the Head of The City Administration

By recommendation of the Deputy Head of The City Administration

- The Economics and Forecasting Department shall prepare its opinion on assessed market value of the land parcel and shall coordinate the amount and schedule of payments with the Applicant
- The Land Resources and Reform Committee shall prepare a draft long-term lease for the land parcel or draft a State act of possession of the land parcel (depending on the Applicant's desires) and coordinate the terms and conditions of the agreement with the Applicant. A draft agreement fixing public easement shall be drawn up where applicable
- GDAUD, having agreed upon the price and terms of the agreement with the Applicant, shall prepare a draft resolution of the Head of The City Administration on allocation of the land parcel as a long-term lease or in possession

5. Additional steps in this procedure shall follow the sequence of Items 4, 5 and 6 of Article 18 of these Regulations

Chapter 1.4.2 Official registration and re-registration of the existing rights to land parcels

Article 20 Cases and procedures related to official registration and re-registration of existing rights to land parcels

Official registration and re-registration of existing rights to land parcels applies to the cases where

- land occupied by privatized enterprises is being privatized
- real estate possessors change one use of possession granted earlier (or actually exercised for a certain period of time) to a different one, including change of life inheritable possession of a land parcel with a single-family house to ownership, etc

The procedures for actions related to the aforementioned cases is governed by the legislation and laws, rules, regulations included in Part III as Appendix to these Regulations

Chapter 1.4.3 Termination of rights to land parcels

Article 21 Basis, conditions and principles for establishing procedures for taking land and other real estate for national and municipal needs

1. Basis, conditions and principles for establishing procedures for withdrawal of parcels and other real estate for national and municipal needs shall be governed by current legislation

2. The Basis for local state authorities and the government of the city of Kazan to make decisions on the withdrawal of land parcels for national and municipal needs are site plans/draft planning for areas of the city approved according to the established procedures and taking into account the provisions of these Regulations (in the part of mandatory public hearing)

The grounds for a decision to withdraw is proper if the following conditions exist

- there is evidence proving proper national and municipal needs

- there is no other means of meeting the national and municipal need other than withdrawal of part or all of the land parcel

3 National and municipal needs of the city of Kazan which may considered grounds for the withdrawal of land parcels and other real estate are the following

- necessity to build public facilities, engineering, transportation and social infrastructure in accordance with an approved plan, viz boulevards, parks, public gardens, embankments, beaches, streets, roadways, bridges, tunnels, overpasses and other transport facilities, engineering mains, engineering facilities, non-commercial health institutions, law enforcement institutions, fire departments and depots, public schools
- necessity to redevelop areas built over with delighted or dangerous buildings, provided the by-out price is paid to real estate possessors, either under an agreement between The City Administration (or the developers delegated by The City Administration) and the possessors and/or tenants which provides adequate dwelling places, or another land parcel with its value offset against the buy-out price

4 The decision to withdraw real estate may only be made after the approval of relevant urban development/town-planning documentation defining boundaries of land parcels which may only be developed after the parcels and/or sites located on them have been withdrawn. Possessors of the real estate to be withdrawn should be notified of the withdrawal in writing no later than one year before withdrawal by the agency which has made the withdrawal decision

Section 1 5 Construction alterations to real estate

This Section contains general legal standards governing the implementation of construction alterations to real estate by persons having long-term rights in it, i.e. possession, long-term lease, life inheritable property, permanent use

Activities of the persons who do not have long-term rights to land parcels and other real estate sites and the build temporary structures - stalls, kiosks, mini-markets and other similar sites - are governed by laws, rules, regulations of the city of Kazan which may be included in these Regulations as an appendix

The provisions of this Section do not pertain to real estate sites listed as historical and cultural landmarks construction alterations to which shall be regulated on a case-by-case basis in accordance with the historical and cultural preservation legislation

Article 22 Right to make construction alterations to real estate and the basis for exercising this right

Persons who possess land parcels and/or other real estate sites on a long-term basis (possession, long-term lease, life inheritable property, permanent use) or their proxies [representatives] have the right to implement construction alterations to real estate in the city of Kazan (execute development, redevelopment, extensions, demolition of the sites, and perform other alterations to them) Long-term possession of land parcels belonging (at the time of transfer) to local state authorities and government of the city of Kazan shall be granted to natural persons and legal entities according to the procedures set forth in Chapter 1 4 1 of these Regulations

The right to make construction alterations to real estate shall only be exercised in the presence of construction permit granted on behalf of the Head of The City Administration of Kazan, by the Architectural and Construction Control Inspectorate according to the procedures set forth in Chapter 26 Exceptions are the cases defined by Item 2 of Article 23

Article 23 Types of construction alterations to real estate

- 1 Construction alterations to real estate are subdivided into alterations which
 - do not require a construction permit
 - require a construction permit (without obtaining special approval at public hearings or with such approved in the cases defined in Item 3 of this Article)

1 A construction permit is not required for the types of construction alterations which by their purpose nature and scope will not violate these Regulations, nor obligatory standards and specifications

The list of such types of construction alterations to real estate shall be prepared by GDAUD, coordinated with the Land Use and Development Commission and, after being approved by the Head of The City Administration of Kazan, shall be included in Part III of these Regulations as an appendix

The aforementioned types of construction alterations to real estate may include, specifically, maintenance minor renovation and changing of interior layout, replacement of equipment (provided this would not diminish the safety level nor alter the load-bearing members of the premises), finishing work and other similar minor alterations to real estate

Approval and a construction permit are not needed for changing from one permitted use of real estate to another one provided

- the use chosen by the real estate possessor is listed in Article 34 (for the appropriate zone) as a main or accessory use
- these activities do not alter the physical parameters and construction characteristics of the real estate site

3 A construction permit is required to make construction alterations to real estate which do not come within the scope of definitions in Item 2 of this Article

Prior to obtaining a construction permit a special approval granted at public hearing according to the procedures set forth in Articles 24 and 25 shall be required for the uses of real estate (types of activities and development sites respectively), which are designated in Article 38 of these Regulations as uses requiring such approval

Article 24 Special approvals for construction plans granted at public hearings

1 Special approvals of construction plans granted at public hearings shall be required in cases defined in Item 3 of Article 23

The aforementioned approvals may be obtained

- at the stage of primary allocation of rights to land parcels to natural persons and legal entities by The City Administration (Chapter 1 4 1)

- at the stage prior to obtaining construction permits by real estate possessors

2 An application for special approval shall be addressed to the head of GDAUD. The application shall contain

- a request for a special approval to be granted at public hearing
- a parcel development plan specifying the location of existing and planned structures and their description (total area, number of stories etc), open spaces, parking lots
- general information on the amount of resources to be used at the planned site (power supply, water supply, number of employees, freight turnover, requirements for spur tracks) adverse impact on the environment (volume of atmospheric pollution and production wastes and their degree of hazard), anticipated number of visitors and required parking

The application form approved by the Head of The City Administration shall be included in Part III of these Regulations as an appendix

3 On receiving the application, GDAUD

- in case the application is complete, files it
- prepares a written conclusion of GDAUD on the subject of the request
- inquires about written conclusions on the subject matter of the request from the Environmental Protection Committee (in cases where the parcel is located within the boundaries of sanitary, water-protection and other environmental restrictions zones, Article 40)

The preparation of written conclusions shall be based upon

- compliance of the construction plans with these Regulations and mandatory universal standards and specifications
- no harm to the natural and historical environment, rights of possessors of adjacent real estate and other natural persons and legal entities

Written opinions shall be furnished to GDAUD within three weeks (21 days) of the date of the Agency's request for them

4 Recommendations concerning special approvals shall be adopted by the Land Use and Development Commission following the results of its consideration of written opinions and a public hearing held according to the procedure set forth in Article 25 of these Regulations

The decision to grant's special approval shall be made by the Head of The City Administration based on the Commission's recommendations

A special approval may be granted with or without changes to construction plans of the land parcel possessor

5 The decision on whether to grant or deny special approval shall be made no later than two months (60 days) from the date of the appropriate application, except for the cases where an agreement with the Applicant on a different period of time has been reached

The denial of a special approval may be appealed in court

A special approval is valid for a period of two years from the date it is granted. In cases where construction is not started within this period, the approval shall be renewed upon its expiration.

Article 25 Public hearings

1 Public hearings shall be held in order to provide for public access and to ensure the right of citizens to participate in the decision-making process as well as their right to monitor the adoption and implementation of The City Administration's resolutions concerning land use and development.

Public hearings are held by the Land Use and Development Commission when the following issues are to be considered:

- special approvals, including those concerning the real estate sites which do not comply with these Regulations (variances)-Article 34
- approval of site plan used for developing plans of subdivision of an area into land parcels
- amendments to these Regulations

Public hearings shall also be held at the stage of coordination of the city master plan [*Genplan*] (city development concept).

2 Materials for public hearings (opinions prepared according to the procedure set forth in Article 24 and other essential materials) are to be prepared by GDAUD.

Within three days of the date of the filing of an application by natural person/persons or legal entity/entities, GDAUD advises the Land Use and Development Commission of the request for a public hearing. The Commission publishes an announcement about the forthcoming hearing not earlier than one month (30 days) and not later than two weeks (14 days) before the event.

The announcement shall be given in the form of

- a publication in a local newspaper
- an announcement on local radio and/or television
- an information bulletin placed on a board in The City Administration building and a sign on the land parcel under consideration

The announcement shall include

- the subject matter of the issue under consideration
- the time and place of the public hearing
- the date, time and place when and where members of the public may view the relevant information (type of planned development, location of the parcel, the use applied for, etc.)

3 In the course of a public hearing, minutes shall be kept. Hearing results and the recommendations adopted by the Commission shall be drawn up by it in the form of an appropriate draft resolution of the Head of The City Administration.

Article 26 Coordination of design and construction documentation Construction permit

1 The design and construction documentation shall be developed under a turnkey contract between the persons who possess land parcels and other real estate sites on a long-term basis and the natural persons or legal entities appropriately licensed to do design work

The restrictions on use of and construction alterations to real estate which are established in Part II of these Regulations and are applicable to the appropriate zone where a particular parcel is located as well as construction norms and specifications and other mandatory standards and requirements shall constitute a general assignment for development of design and construction documentation and the basis for its subsequent approval with respect to the limiting parameters (maximum and/or minimum) and characteristics of the project plan. During the period when these Regulations do not contain maximum and/or minimum values for land parcel permitted development for the relevant zones (Items of Article 34 are missing), the purpose of these Regulations specifically for general assignment for development, and basis for further coordination, of design and construction documentation shall be guaranteed by the Land Parcel Permitted Use Certificate (Article 14)

Other forms of design assignments shall be canceled as of the date these Regulations come into effect, except for the relevant items of a design turnkey contract between the Customer (real estate possessor) and the Contractor-Designer

2 The content of the design and construction documentation, the list of coordinating/approving agencies and deadlines for approvals shall be set in a differentiating manner according to type of site being designed, its location in a particular zone. This information is contained in the «Instructions on the Procedure for Development, Coordination, Approval and Content of Design and Construction Documentation for the Construction of Enterprises, Buildings and Structures SNiP 10-01-95» and other legal acts that may be included in Part III of these Regulations as appendix

3 Complete design and construction documentation shall be submitted to GDAUD as an attachment to the application for construction permit. GDAUD files the application and furnishes requests to the relevant agencies for coordination of the submitted documentation

4 Land Use and Development Regulations Implementation Department of GDAUD checks whether the documentation complies with Part II of these Regulations, or with the Land Parcel Permitted Use Certificate submitted earlier, as well as terms and conditions of the special approval (granted at a public hearing) when applicable. In cases when the land parcel of the planned development or redevelopment is located within the boundaries of historical and cultural preservation zones (Article 35) and archaeological stratum preservation zones (Article 36) the Historical and Cultural Preservation and Use State Control Department of GDAUD shall be involved in coordination of design and construction documentation. This Department checks if the documentation complies with the provisions of Article 37 of these Regulations

5 In cases where the land parcel of the planned development is located within the boundaries of sanitary, water-protection and other environmental restrictions zones (Article 40), The Ministry of Natural Resources of the Republic of Tatarstan and State Sanitary and Epidemiological Control Center shall be involved in coordination of design and construction documentation. In this case the subject of the documentation coordination is its compliance with the provisions of Article 41 of these Regulations

Engineering services of the city shall check whether the submitted design and construction documentation complies with agreements between the services and real estate possessor on fulfillment of technical conditions of implementation of the permitted development for the parcel made prior to or in the course of document preparation

Design and construction documentation shall be coordinated with other agencies according to *SNiP* [Construction Norm and Specifications] 10-01-95 and other legal acts that may be included in Part III of these Regulations

Denial of approval may only be based upon non-compliance of design and construction documentation with the subject matter of coordination/approval set forth in these Regulations. In cases of non-compliance, the design and construction documentation shall be returned to the applicant to bring it into compliance

Coordinating/approving agencies provide their written conclusions to GDAUD within the period of time fixed in legal documents that may be included in Part III of these Regulations. Failure to provide the conclusions within the established time period of time shall be considered as coordination/approval of design and construction documentation

In cases related to project design financed partly or entirely by state or municipal budget, the design and construction documentation shall be subject to coordination with/approval by Urban Development/Town-planning Council under the Chief Architect of the city of Kazan. This type of coordination/approval shall be carried out before other agencies begin to coordinate the documents. In the aforementioned cases the subject matter of coordination/approval shall be the social utility, economic efficiency, functional convenience of operation and architectural and artistic merits of the designed project/site

4 Design and construction documentation coordinated/approved according to established procedure (in its working part) shall be transmitted to the Architectural and Construction Control Inspectorate to be checked for its compliance with construction norms and safety regulations, filing and granting the construction permit

The construction permit gives one the right to commence construction (or particular items of construction)

The decision to grant or deny a construction permit shall be made and transmitted to the Applicant in writing no later than 30 days from the date of submission of the design and construction documentation to the Inspectorate, or within a different period of time agreed to by the Applicant

The decision to grant a construction permit may contain an item about changes to the submitted design and construction documentation

The denial of a construction permit may be appealed in court

5 A land parcel or any other real estate possessor who has obtained a construction permit (or his/her agent) shall notify the Architectural and Construction Control Inspectorate in writing about the commencement of construction seven (7) days before the actual commencement. In cases where a real estate site is located in historical and cultural preservation or archaeological stratum preservation zones, the notification about the date of commencement

shall also be furnished to the Historical and Cultural Preservation and Use State Control Department of GDAUD

Article 27 Implementation of construction alterations to real estate and commissioning of completed construction sites

1 Supervision of construction is exercised by the Architectural and Construction Control Inspectorate and other control and monitoring agencies, which are authorized to exercise this supervision according to the current legislation and laws, rules, regulations governing the control and monitoring procedure in the field of construction

Real estate possessors and/or their agent (contractors, developers) shall provide free access to the construction site and the opportunity to view the relevant documents and inspection of work completed for representatives of control and monitoring agencies

2 The right to occupy and use a newly built or renovated site arises when the site complies with the coordinated/approved design and construction documentation, mandatory construction norms and specifications and other mandatory requirements, which shall be confirmed by occupation and use permit

The commissioning/acceptance of completed construction sites shall be performed according to these Regulations and other laws, rules, regulations

3 On the completion of construction or redevelopment of a site, its possessor or his representative submits a request for inspection of the site to GDAUD

The head of GDAUD when appropriately authorized, forms and approves membership of the acceptance commission based on the type and special features of the site. In other cases, membership of the commission shall be approved by the Head of The City Administration of Kazan by recommendation of the head of GDAUD

Within seven days of the date of the request's submission, or other period of time agreed upon with the Applicant the acceptance commission establishes the fact of compliance of the site with the coordinated/approved design and construction documentation, obligatory construction norms and specifications and other mandatory requirements and grants permit for site occupation and use

4 The site occupation and use permit is the Basis for state registration of the newly built or renovated real estate site and beginning of its use

5 If the site does not comply with the aforementioned requirements, the commission shall prevent/suspend use of the site by imposing sanctions on the possessor according to legislation. Until the cause for non-compliance is eliminated, use of the newly built or redeveloped site is prohibited

6 The commission's denial to issue the land use permit may be appealed in court

7 Supervision over use of existing real estate shall be exercised by control and monitoring agencies which are appropriately authorized according to legislation

Representatives of control agencies are empowered to perform exterior and interior inspection of real estate sites obtain necessary information from real estate possessors, and study documentation relating to the use of and alterations to real estate

Real estate possessors shall render assistance and cooperation to representatives of control agencies in the performance of their duties

Section 1 6 Amending these Regulations

Article 28 Basis for and types of amendments and changes to these Regulations

1 The basis for amending these Regulations is an appropriate resolution of local state authorities and the government of the city of Kazan which resolution shall be adopted in sight of the need to consider changes to current, and adoption of, new laws, laws, rules, regulations of the Russian Federation, the subject of the Russian Federation, viz the Republic of Tatarstan local state authorities and the government of the city of Kazan, as well as in sight of the needs to implement land use and development proposals including those initiated by natural persons and legal entities

These Regulations may be amended on other legitimate Basis by resolutions of local state authorities and the government of the city Kazan

2 Amendments to these Regulations applicable to the text of the procedural standards (Part I), descriptions and boundaries of previously fixed and/or newly proposed territorial zones (Part II) shall be approved by the representative body and government of the city of Kazan, unless the laws, rules, regulations passed by the body specify otherwise

Amendments to these Regulations applicable to the appendices which provide details of procedural standards (Part III) shall be approved by the Head of The City Administration of Kazan shall not contradict the provisions of Part I and Part II of these Regulations

Article 29 Making amendments and changes initiated by The City Administration

1 Draft amendments to Part I and Part II of these Regulations shall be considered at a public hearing held by the Land Use and Development Commission with participation of the parties whose interests are affected

Draft amendments to Part I and Part II of these Regulations approved by the Head of The City Administration of Kazan shall be submit by him to the local representative body and government for approval

Amendments to these Regulations shall become effective upon the date that notice of the relevant resolution of the local representative body and government (applicable to Part I and Part II of these Regulations) and the Head of The City Administration (applicable to Part III of these Regulations) is published in the media

2 Amendments to these Regulations concerning lists of permitted uses of and construction alterations to real estate sites boundaries of territorial zones (Part II of these Regulations) and details of procedures (Part III of these Regulations) may be approved only with positive recommendations from GDAUD and the Land Resources and Reform Committee

**Article 30 Making amendments and changes initiated
by natural persons and legal entities**

1 The basis for consideration of amendments to these Regulations initiated by natural persons and legal entities shall be an application providing the required basis [substantiation] Such basis shall show that the restrictions set by these Regulations

- prevent the efficient use of the particular real estate site/sites
- lead to a disproportionate reduction in the value of a particular real estate site
- hinder the exercise of the public interests in development of a particular area or damage those interests

2 The application shall be submitted to the Land Use and Development Commission and, in addition to the aforementioned basis, shall contain proposed alterations to the permitted use characteristics for the relevant parcels, as well as the following data

- relationship between the proposed use characteristics and the current use of adjacent sites
- compliance of the land parcel dimensions with the proposed use
- impact of the proposed alterations on the environment

The Commission shall arrange consideration of the application by setting a public hearing to which possessors of the real estate located in proximity to the site/sites to be changed, as well as representatives of the land use and development regulating and control agencies shall be invited The attitude of the aforementioned bodies regarding the subject matter at issue shall be put in writing in the appropriate opinions furnished to the Commission prior to the public hearing, the opinions should be accessible for review by all the persons concerned

Recommendations of the Commission shall be provided to the Head of The City Administration who in case of favorable solution, shall forward the relevant proposed amendments of these Regulations to the local representative body and government

4 In cases where the dimensions and configuration of a land parcel make it impossible to use the parcel in accordance with these Regulations, decisions concerning amendments of these Regulations regarding such a parcel may only be made upon a positive recommendation by GDAUD

Section 1 7 Liability for violation of these Regulations

Article 31 Liability of officials

Government officials are liable for violation of these Regulations including

- refusal to provide information or providing deliberately distorted, incomplete or false information on permitted uses and alterations to real estate contained in these Regulations
- violating procedures and deadlines for granting general and special approval and construction permit
- violating procedures and deadlines for granting permit for occupation and use of a newly constructed or reconstructed site
- other violations

A fine shall be imposed through court procedures according to legislation of the Russian Federation and the subject of the Russian Federation, viz the Republic of Tatarstan, on government officials who violate these Regulations

Article 32 Liability of real estate possessors

Real estate possessors regardless of the established tenure period are liable for violation of these Regulations, including

- violation of these Regulations relating to permitted types of uses and parameters of construction alterations
- implementation of construction alterations without general or special [zoning] approval or without obtaining a construction permit in accordance with these Regulations
- use of newly constructed or renovated site without a permit to occupy and use the site
- other violations stipulated by legislation

A fine shall be imposed through court procedures according to the legislation of the Russian Federation and the subject of the Russian Federation, viz the Republic of Tatarstan, on real estate possessors who violate these Regulations

The payment of a fine shall not release these real estate possessors from eliminating the violations within the established frames

In case of a refusal to eliminate a violation within the establish time frames, the violation shall be subject to compulsory correction according to procedures stipulated by legislation

Section 1 8 Definitions

area planning organization – structural subdivision of the area into planning units, blocks and parcels by means of planning, development and land surveying projects

accessory use – a type of activity or a building (construction, premises) which is different from the main type of use or real estate, but functionally related to it/them

construction, construction alterations to real estate – new construction, reconstruction, renovation, extension or technical re-equipment (of buildings, structures, engineering and transport infrastructure elements improvement and landscaping sites)

construction alterations – alteration of initial use of a land parcel, or building, or structures located on it, removal or demolition of new or existing buildings or structures, excavations or drilling (except for sampling) removal of vegetation from the land parcel during preparation for construction alteration of dimensions of the land parcel

development ratio – the part of a land parcel which may be occupied by buildings and structures (%)

frontage boundary of land parcel – the side of a parcel adjoining the street

floor area ratio – coefficient of land parcel's use as a ratio of total floor area of the buildings to the total area of the land parcel Permitted total area of a building is calculated by multiplying the ratio by the land parcel's area

height of building – the vertical distance, measured starting from the planning mark of the area up to the highest point of the flat roof, or up to the highest point of the pitch of the roof

infrastructure – urban engineering and transport system and social service system

land parcel – part of the Earth's surface which has fixed boundaries, location and legal status

land parcel minimum area – the smallest area of a land parcel set by development requirements as applied to a particular zone

land parcel covered area percentage – the part of a land parcel under buildings, structures, sidewalks, passes, parking lots and other water-impenetrable surfaces expressed as a percentage

permitted land use – type of activity or functional use of real estate permitted for a given zone under special approval

residential apartment building – residential building, the apartments of which have exit to common stair wells and a plot of land common for the entire building

real estate – land parcels and everything which is firmly attached to the ground, i.e. the sites moving of which is impossible without disproportionate damage to their purpose, including perennial plantings buildings and structures

servitude – limited right that one may have in somebody else's land

single family large house [farm-type/detached] residence – a residential building for one family sited on a plot of land

surveying – a system activities directed at setting, restoring and fixing boundaries of a land parcel and determining its location and area in the plan and in the field

town home – apartment building consisting of two or more apartments, each of which has an isolated from other apartments access to a separate plot of land **conditionally**

town-planning documentation – plans developed for part of the city area for the purpose of their planning organization – site plans, subdivision plans, development projects

town planning – definition of aims strategies and plan of development of a populated area
The major town planning document is the city *genplan* [master plan] (city *genplan* concept)
The Genplan is implemented according to established procedures/

zoning – regulation of land use and development by means of subdivision of the city area into zones with established boundaries and use conditions for each of them

zones – area units within the limits of which permitted use regulations and development parameters are established

zoning map – a map showing the locations of the zones within the city limits with different land parcel uses and development requirements

PART II
ZONING MAPS DESCRIPTION OF ZONES AND DEVELOPMENT
REQUIREMENTS

Section 2 1 Zoning maps Development Requirements

Chapter 2 1 1 Zoning Map of the city of Kazan

Chapter 2 1 2 Development Requirements

Article 33 The List of Zones

Residential zones

R-1	Individual detached houses	
R-2	Low-rise buildings of mixed type	
R-2I	Low-rise buildings of mixed type in the	historic area of the
	city	
R-3	Medium-rise residential	
R-3I	Medium-rise mixed residential development in the historic area of the city	
R-4	High-rise residential with 5-10 floors	
R-4I	High-rise residential with 5-0 floors in the historic area	
R-5	High-rise residential with 9-20 floors	

Central business and commercial zones

BH	«Kremlin» Special historic district
BC	Business core of the city center
BCH	Business core of the city center, historical preservation zone
BT	Trade Core of the city center
BTH	Trade Core in the historic center
B1	Commercial and business activity zones
B1-H	Commercial and business in the historic center
B2	Community services zones
B2H	Community services in the historic areas

Industrial/Communal Zones

CW	Communal Warehouses
CWH	Communal Warehouses in the historic areas
I1	enterprises of V degree of hazard
I1I	industries of V degree of hazard in the historic areas
I2	industries of II-IV degree of hazard

Zones of Special Use

S3	zone of special use
S3H	zone of special use in the historic areas

Recreational zones

P-1	Specially protected nature areas
P-2	Park zone
P2H	park zone in the historic areas
P-3	Recreational and landscaping zones
P3H	recreational and landscaping in the historic areas
P-4	Community garden zone

F - Farming zone

Article 34 Lists of permitted uses of real estate in various zones Parameters of permitted construction and parameters of land parcels for each zone

Residential zones

R-1 Individual detached houses

1 List of permitted real estate uses

Major permitted uses of land parcels

- 1-3-story detached residential houses for one or two families
- 1-3-story attached residential houses for one or two families
- orchards truck-gardens
- pharmacies
- dispensaries
- places of worship

Accessory permitted uses of real estate

- sheds for small domestic animals
- greenhouses
- hothouses
- water storage tanks
- individual baths, artesian wells, individual water-wells
- outhouses
- individual labor (without breaking good-neighbor relations principles) in accordance with sanitary and fire-prevention standards
- detached or attached garages or an open parking lot but not larger than for 2 vehicles per parcel

Uses by special approval obtained at public hearings according to Articles 24 and 25 of these Regulations

- kindergartens, other institutions of preschool education
- primary and secondary schools
- multipurpose and specialized clubs (meeting halls and auditoriums)
- gyms, recreational halls (with or without a swimming pool)
- outpatient clinics
- post offices, telephone and telegraph offices
- stores selling basic necessities no larger than 300 sq m
- kiosks stalls temporary retail and service pavilions
- station of maintenance of public order neighborhood police stations
- public water-wells
- drugstores
- ambulance stations
- places of worship

2 Parameters of land parcels and parameters of permitted construction

Types of parameters and units of measurement		detached single-family house	town house for two families	residential unit for one family in multi-apartment house
Parameters of parcels				
min area	m ²	200	200	200
min width along the street front	m	11.5	8.5	6
Parameters of permitted construction				
max parcel development	%	60	75	45
min building setback from front boundary	m	0	0	6
min building setback from side boundary	m	3	a) 0 if adjoins another part of the house b) 3 - in other cases	a) 0 if adjoins neighboring blocks b) 3 - in other cases
min setback from rear boundary	m	3	3	10
max building height	m	12	12	12
max wall height	m	9	9	9

Notes to the Table

Note 1 Land parcels can be divided into smaller parcels provided that the areas of newly formed parcels shall not be less than the minimum parameters established for this zone. Exceptions are only possible through special approval procedures according to Articles 24 and 25 of these Regulations.

Maximum number of newly constructed buildings on a parcel shall be calculated as follows: not more than one residential unit per each 200 square meters.

Note 2 Variances from the building setback parameters set up in the Table are allowed provided that

- there is mutual agreement of owners of parcels
- distance between the major buildings equals or exceeds 6 meters, and distance between auxiliary structures equals or exceeds 2 meters

R1H - Zone of individual residential housing in the historic preservation zones

Analogous to R1 zone. But additional requirements must be met here according to Article 38 of these Regulations - compliance of buildings being constructed with the architectural environment and requirements to facade decoration.

R2 Low-rise buildings of mixed type

1 List of permitted real estate uses

Major permitted uses of land parcels

- 1-4-story detached residential houses for one or two families
- 1-4-story attached residential houses for one or two families
- 1-5-story apartment buildings
- orchards, truck-gardens, yards
- kindergartens other institutions of preschool education
- primary and secondary schools
- pharmacies
- dispensaries
- club-houses (meeting halls and auditoriums)
- communication, telephone exchanges
- baths
- sports Basis
- places of worship

Accessory permitted uses of real estate

- sheds for small domestic animals, for single family large house-type [farm-type] development only
- greenhouses for single family large house-type [farm-type] development
- hothouses for single family large house-type development
- outhouses for single family large house-type development
- individual baths for single family large house-type development
- individual labor (without breaking good-neighbor relations principles) in accordance with sanitary and fire-prevention standards
- water-storage tanks
- artesian wells, individual water-well for single family large house-type development
- store selling basic necessities on the first floor of an apartment building, provided the total area of the store does not exceed 400 sq m and the front side of the building facing the street is at least 20 m wide
- detached or attached garage or open parking lot but not larger than for 2 vehicles per parcel for single family large house-type [farm-type] development
- detached or attached garage for 1 car per residential unit of an apartment building
- outdoor parking lot allowing for one parking place per residential unit

Uses by special approval obtained at public hearings according to Articles 24 and 25 of these Regulations

- gyms, recreational halls (with or without swimming pool), swimming pools
- kiosks, stalls, temporary retail and service pavilions
- public catering establishments within apartment building development, built-in and annexed, provided the total area is up to 400 sq m and the front side of the building facing the street is at least 20 m wide
- home offices
- hairdressers and barber shops dress-making and tailor shops, household appliance repair shops jewelry shops bakeries other sites for apartment building development
- station of maintenance of public order [police and voluntary law-enforcement brigade]
- homes for the disabled and old people, children's homes, orphanages, homeless shelters
- places of worship

2 Parameters of land parcels and parameters of permitted construction

Types of parameters and units of measurement		detached single family house	town house for two families	residential unit for one family in multi-apartment house	multi apartment houses up to 3 floors
Parameters of parcels					
min area	m ²	200	200	200	600
min width along the street front	m	11.5	8.5	6	27
Parameters of permitted construction					
max parcel development	%	60	75	45	50
min building setback from front boundary	m	0	0	6	3
min building setback from side boundary	m	3	a)0- if adjoins another part of the house b)3 - in other cases	a) 0-if adjoins neighboring blocks b) 3 in other cases	6
min setback from rear boundary	m	3	3	10	6
max building height	m	12	12	12	12
max wall height	m	9	9	9	9

Notes to the Table

Note 1

The maximum/minimum parameters applicable to non-residential real estate must conform to the table parameters

Note 2

Land parcels can be created through division of an initial parcel into smaller parcels under condition that the areas of newly formed parcels are not be less than the parameters established for this zone. Exceptions are only possible through special approval procedures according to Articles 24 and 25 of these Regulations

Maximum number of new residential units being constructed on a parcel shall be calculated as follows: not more than 1 residential unit per each 200 square meters - where detached single-family houses, two-family town houses and multi-apartments houses are constructed. For multi-apartment houses of up to three floors the established parameter is - 5 residential units per each 200 square meters of a parcel

Note 3

Variances from the established building setback parameters are possible under the condition that

- there is mutual agreement between the owners of parcels
- distance between major buildings equals or exceeds 6 meters, and distance between the auxiliary structures equals or exceeds 2 meters

R 2H Low-rise buildings of mixed type in the historic area of the city

This zone is analogous to the Zone R2

Due to its location within the historic preservation zone, additional requirements must be met here according to Article 38 of these Regulations - compliance of the buildings being constructed to the existing architectural environment and requirements of facade decoration

R-3 Medium-height housing of mixed type

1 List of permitted real estate uses

Major permitted uses of land parcels

- 2-3-story attached residential houses with Basis [plots of land] of 200-300 sq m for one family
- 2-5-story apartment buildings
- kindergartens, other preschool institutions
- primary and secondary schools
- pharmacies
- dispensaries
- multipurpose and specialized club-houses (meeting halls and auditoriums)
- communication [post, telephone and telegraph] offices
- baths
- sports Basis tennis courts
- places of worship
- hairdressers and barber shops, dress-making and tailor shops, household appliances repair shops, jewelry shops, bakeries, other services
- stores selling basic necessities with total area up to 300 sq m
- cafes snack-bars, self-service restaurants (with or without a limited range of alcoholic beverages) in a detached house with total area up to 300 sq m

Accessory permitted uses of real estate

- one detached or built-in [roofed] garage or 1 parking place per residential unit on parcels of attached two-family houses
- up to 2 detached or attached or two parking places per each three residential units on land parcels for three-families attached houses
- one detached or built-in [roofed] garage or one parking place per each three residential units on apartment buildings parcels

Uses by special approval obtained by means of public hearings according to Articles 24 and 25 of these Regulations

- hotels
- gyms recreational halls (with or without swimming pool)

- outpatient clinic, provided the total area does not exceed 600 sq m and the front side of the building facing the street is at least 20 m wide
- ambulance stations
- general hospitals
- kiosks stalls, temporary retail and service pavilions
- shopping centers, commodity exhibitions in the buildings with total area up to 400 sq m on the parcels no larger than 600 sq m
- cafes snack-bars, restaurants, bars (with a range of alcoholic beverages)
- police stations
- places of worship
- public toilets
- parks

2 Parameters of land parcels and parameters of permitted construction

Types of parameters and units of measurement		single-family residential unit in multi-apartment town house	multi-apartment houses up to 5 floors
Parameters of parcels			
min area	m ²	200	1 200
min width along the street front	m	6	35
Parameters of permitted construction			
max parcel development	%	50	50
min building setback from front boundary	m	6	3
min building setback from side boundary	m	a)0 if adjoins neighboring blocks b)3 -in other cases	8
min setback from rear boundary	m	10	10
max building height	m	12	20

Notes to the Table

Note 1

The parameters of permitted construction applicable to non-residential real estate shall comply with the parameters established in the Table

In buildings combining different types of uses, non-residential uses shall be located on the first floor under residential uses and have a separate entrance

Note 2

Creation of parcels through division of a parcel into smaller parcels can be conducted only provided that the areas of newly formed parcels are not less than the minimum parameters established for this zone (applicable to the corresponding use) Exceptions are possible only through special approval procedures according to Articles 24 and 25 of these Regulations

R3H - medium-rise residential zone of mixed development within the historic preservation zone

This zone is analogous to the R3 zone

Due to its location within the historic preservation zone, additional requirements must be met here according to Article 38 of these Regulations - compliance of buildings with the existing architectural environment and requirements to the facade decoration

R 4 High-rise housing with 5-10 floors

1 List of permitted real estate uses

Major permitted uses of land parcels

- 5-10-story apartment buildings
- kindergartens, other preschool institutions
- primary and secondary schools
- multipurpose and specialized club-houses (meeting halls and auditoriums)
- sports grounds, tennis courts
- pharmacies
- outpatient clinics with total area up to 600 sq m
- dispensaries
- stores selling basic necessities no larger than 400 sq m
- home offices in a detached house with total area up to 200 sq m
- places of worship

Accessory permitted uses of real estate

- open-bay garages for cars of individual living in this zone
- garages attached to residential houses
- box-type garages only on the parcels of new development or redevelopment of apartment buildings
- parking lots in front of community services

2 Parameters of parcels and permitted construction on them

Types of parameters and units of measurement		multi-apartment houses with 5 floors	multi apartment houses with 6-10 floors
Parameters of parcels			
min area	m2	1 200	1 800
min width along the street front	m	35	48
Parameters of permitted construction			
max parcel development	%	50	30

min building setback from front boundary	m	3	3
min building setback from side boundary	m	8	12
min setback from rear boundary	m	10	20
max building height	m	20	30

Notes to the Table

In buildings combining different uses, non-residential uses shall be located on the first floor under residential uses and have a separate entrance

R4H - zone of high-rise housing with 5-10 floors within the historic preservation zone

This zone is analogous to R4 zone

Due to its location within the historic preservation zone, additional requirements must be met here according to Article 38 of these Regulations - requirements of compliance of buildings to the existing architectural environment and requirements to facade decoration

R 5 Mixed-type 9-20-story residential houses

1 List of Permitted Real Estate Uses

Major permitted uses of land parcels

- 9-20-story apartment buildings
- kindergartens, other preschool institutions
- primary and secondary schools
- multipurpose and specialized club-houses (meeting halls and auditoriums)
- sports grounds, tennis courts
- pharmacies
- outpatient clinics
- dispensaries
- stores selling basic necessities
- home offices in a detached house with total area up to 200 sq m

Accessory permitted uses of real estate

- open-bay garages for cars of individuals living in this zone
- parking lots in front of the community services

Uses by special approval obtained by means of public hearings according to Articles 24 and 25 of the Regulations

- gyms recreational halls (with or without swimming pool)
- cloths sewing workshops, repair centers, hairdressers', etc
- post offices telephone and telegraph stations

- cafes snack-bars in a detached building with total area of up to 300 m²
- kiosks, stalls, temporary retail and service pavilions
- housing and communal services offices
- neighboring police stations
- places of worship
- parks

2 Parameters of parcels and permitted construction on them

Types of parameters and units of measurement		multi-apartment 9-10 storey houses	multi-apartment 11-20 storey houses
Parameters of parcels			
min area	m ²	1 800	2 200
min width along the street front	m	48	54
Parameters of permitted construction			
max parcel development	%	30	20
min building setback from front boundary	m	3	3
min building setback from side boundary	m	12	12
min setback from rear boundary	m	20	20
max building height	m	30	40

Notes to the Table

In buildings combining different uses, non-residential uses shall be located on the first floor under the residential uses and have a separate entrance

Central Business and Commercial Zones

BH Special «Kremlin» historic district Business Core central zone

1 List of Permitted Real Estate Uses

Major permitted uses of land parcels

- multi-apartment houses up to 3 floors
- residential units in mixed-use buildings on the upper floors above the premises where business and trade activities are permitted in such a manner that no uses are mixed on the same floor
- hostels, hotels, tourist centers
- kindergartens other pre-school institutions
- schools
- colleges
- high educational institutions, universities
- multi-purpose clubs
- libraries archives, information centers

- museums, exhibit halls
- discos
- cinemas and theaters
- drugstores
- post offices telephone stations
- cloths sewing workshops, hairdressers'
- saunas
- trading centers exhibitions
- cafes, snack-bars, self-service restaurants
- bank branches for community and tourist services
- administrative and public organizations
- courts
- scientific and design organizations except for biological profile and industrial technologies laboratories
- editors offices, publishing houses
- computer centers
- TV and radio studios
- ad agencies
- places of worship
- gyms, swimming pools
- sports and entertainment complexes
- kiosks and stalls
- craftsmen workshops
- public toilets on the area not more that 60 m²
- police stations

Accessory permitted uses

- outdoor or built-in (roofed) automobile parking lots underground or above-ground inside public buildings per each 30 sq m [35 88 sq yd] of their total area

Uses by special approval obtained at public hearings according to Articles 24 and 25 of the Regulations

- casinos
- boulevards parks gardens
- multi-apartment houses up to 5 floors
- sports and entertainment complexes
- ambulance stations
- hospitals
- hospices
- markets
- fuel stations

- 2 Parameters of parcels and permitted construction are included in this Section step-by-step as they are being developed according to Article 29 of the Regulations

BCH - Business core of the city center, historical preservation zone

1 List of Permitted Real Estate Uses

Major permitted uses of land parcels

- city gardens boulevards, orchards
- apartment buildings
- flats in apartment buildings permitted to be used for business or commerce on the first floor [ground floor] or in an annexed or detached building
- residential units in mixed-use buildings, on floors above the premises [rooms] permitted to be used for business or commerce in such a way that different uses shall not be mixed on the same floor
- residential units in mixed-use buildings, the units shall be located above the second floor, up to the second floor, inclusive, premises [rooms] for business and commerce are permitted
- dormitories related to industries and education
- hotels, guest houses, tourist service centers
- kindergartens and other preschool institutions
- primary and secondary [high] schools
- institutions of specialized secondary education
- institutions of higher education
- multipurpose and specialized clubs (meeting halls and auditoriums)
- libraries, archives information centers
- museums, exhibit halls
- dance halls, discos
- movie and video theaters
- theaters, concert halls
- sports Basis
- pharmacies
- outpatient clinics
- dispensaries
- dress-making and tailor shops household appliances repair shops, hairdressers barber shops and other similar services
- post offices telephone exchanges
- baths
- stores with unrestricted [diversified] type and range of goods, including outdoor ones, including stores for basic necessities
- shopping centers, commodity exhibitions
- restaurants, bars (with a range of alcoholic beverages)
- cafes, snack bars, self-service restaurants
- home offices
- administrative institutions and public organizations
- courts notary s offices, other law institutions
- bureaus and offices of various organizations, firms and companies
- banks and bank branches other financial institutions
- scientific design and planning establishments, except for laboratories of biological or industrial technologies
- publishing houses and editorial offices
- computer centers
- television and radio stations

- advertising agencies
- places of worship

Accessory permitted uses of real estate

- outdoor or built-in [roofed] car parking lots, underground or above-ground inside public buildings per each 30 sq m of their total area
- commercial underground or above-ground inside buildings with total area over 400 sq m , on lots with total area over 500 sq m

Uses by special approval obtained at public hearings according to Articles 24 and 25

- casinos
- gyms recreational rooms (with or without a swimming pool)
- general sports and entertainment complexes
- ambulance stations
- general hospitals
- kiosks, stalls, temporary retail and service pavilions
- workshops of small custom-made articles (woodwork, fancy casting, forging, handicraft)
- public toilets on lots no larger than 60 sq m
- homeless shelters
- open and covered markets
- police stations
- gasoline stations

TC- zone of the commercial core of the city center

1 List of Permitted Real Estate Uses

Major permitted uses of land parcels

- city gardens, boulevards orchards
- apartment buildings with mandatory use of the first floor (or two bottom floors) for business commerce and other services
- flats in apartment buildings permitted to be used for business or commerce on the first floor [ground floor] or in an annexed or detached building
- residential units in mixed-use buildings, on top floors above the premises [rooms] permitted to be used for business or commerce in such a way that different uses shall not be mixed on the same floor
- hotels guest houses, tourist service centers
- institutions of specialized secondary education
- institutions of higher education
- multipurpose and specialized clubs (meeting halls and auditoriums)
- libraries archives, information centers
- museums, exhibit halls
- dance halls, discos
- movie and video theaters
- theaters concert halls, circuses

- places of sports and entertainment
- pharmacies
- consultative outpatient clinics
- dispensaries
- dress-making and tailor shops, household appliances repair shops, hairdressers and barber shops and other similar services
- post offices, telephone exchanges
- baths
- stores with unrestricted [diversified] type and range of goods, including outdoor ones including stores selling basic necessities
- shopping centers commodity exhibitions
- open and covered markets
- restaurants bars (with a range of alcoholic beverages), including outdoor ones
- cafés snack bars, self-service restaurants, including outdoor ones
- home offices
- administrative institutions of federal, republic, city and district significance
- courts notary's offices, other law institutions
- bureaus and offices of various organizations, firms and companies with total area up to 600 sq m beginning with the second floor, whereas the bottom floors shall be occupied by commercial services
- banks and bank branches, other financial institutions
- publishing houses and editorial offices
- computer centers
- television and radio stations
- advertising agencies
- places of worship

Accessory permitted uses of real estate

- outdoor or built-in [roofed] automobile parking lots, underground or above-ground inside public buildings per each 30 sq m of their total area
- commercial underground or above-ground inside buildings with total area over 400 sq m on lots with total area over 500 sq m
- sports Basis

Uses by special approval obtained at public hearings according to Articles 24 and 25 of the Regulations

- bureaus and offices of various organizations, firms and companies with total area over 600 sq m
- dormitories related to industries and education
- casinos
- gyms recreational halls (with or without a swimming pool)
- ambulance stations
- general hospitals
- kiosks stalls temporary retail and service pavilions
- workshops of small custom-made articles (woodwork, fancy casting, forging, handicraft)
- homeless shelters
- public toilets on lots no larger than 60 sq m [71 76 sq yd]
- police stations

- gasoline stations
- 2 Parameters of parcels and permitted construction are included in this section step-by-step as they are being developed according to Article 29 of these Regulations

TCH - zone of the commercial core of the city center located within the historic preservation zone

This zone is analogous to TC zone

Due to its location within the historic preservation zone, additional requirements shall be met here according to Article 38 of the Regulations - compliance of the buildings to the existing architectural environment and requirements to facade decoration

B 1 Commercial and business zones

1 List of Permitted Real Estate Uses

Major permitted uses of land parcels

- city gardens boulevards, orchards
- apartment buildings with mandatory use of the first floor (or two bottom floors) for services
- residential units in mixed-use buildings, on top floors above the premises permitted to be used for business or commerce in such a way that different uses shall not be mixed on the same floor
- hotels, guest houses, tourist service centers
- external transport facilities (railroad station, river-boat station, bus station and coach terminal)
- institutions of higher education
- libraries archives information centers
- museums, exhibit halls
- dance halls, discos
- movie and video theaters
- theaters concert halls
- dispensaries
- dress-making and tailor shops, household appliances repair shops, hairdressers and barber shops and other similar services
- post offices telephone exchanges
- baths
- shopping and public catering establishments (restaurants, bars, cafes, snack-bars, self-service restaurants), including main functions outdoors
- commodity exhibition
- home offices
- administrative institutions, offices
- courts, notary's offices, other law institutions
- bureaus and offices of various organizations, firms and companies

- banks and bank branches
- publishing houses and editorial offices
- computer center
- television and radio stations
- advertising agencies
- places of worship

Accessory permitted uses of real estate

- outdoor or built-in [roofed] car parking lots, underground or above-ground inside public buildings per each 30 sq m of their total area
- commercial underground or above-ground inside the buildings with total area over 400 sq m on lots with total area over 500 sq m

Uses by special approval obtained by means of public hearings according to Articles 24 and 25 of the Regulations

- casinos
- kiosks stalls, temporary retail and service pavilions
- workshops of small custom-made articles (woodwork, fancy casting, forging, handicraft)
- public toilets
- open and covered markets
- police stations
- large service establishments which by parking standards require parking lots for more than 50 cars

2 Parameters of parcels and permitted construction are included in this section gradually as they are being developed according to Article 29 of the Regulations

BIH - zone of commercial and business activities within the historic preservation zone

This zone is analogous to B1 zone

Due to its location within the historic preservation zone, additional requirements shall be met here according to Article 38 of these Regulations - requirements of compliance of buildings to the existing environment and facade decoration

B-2 Community services zones

1 List of Permitted Real Estate Users

Major permitted uses of land parcels

- city gardens boulevards, orchards
- apartment buildings
- flats in apartment buildings permitted to be used for business or commerce on the first floor or in an annexed or detached building
- residential units in mixed-use buildings on top floors above the premises [rooms] permitted to be used for business or commerce in such a way that different uses shall not be mixed on the same floor

- residential units in mixed-use buildings where the units shall be located above the second floor, up to the second floor inclusive premises for business and commerce shall be permitted
- hotels guest houses, tourist service centers
- institutions of specialized secondary education
- institutions of higher education
- multipurpose and specialized clubs (meeting halls and auditoriums)
- libraries, archives, information centers
- museums, exhibit halls
- dance halls discos
- movie and video theaters
- gyms swimming pools
- hippodromes motor vehicle race tracks
- pharmacies
- outpatient clinics
- dispensaries
- dress-making and tailor shops, household appliances repair shops, hairdressers and barber shops and other similar services
- picking points for laundries and dry cleanings, self-service laundries
- post offices, telephone exchanges
- baths
- shopping and public catering establishments (restaurants, bars, cafes, snack-bars, self-service restaurants, including main functions outdoors
- home offices in a detached building with total area up to 200 sq m
- administrative institutions, offices
- bureaus and offices of various organizations, firms and companies
- courts notary s offices other law institutions
- bank branches
- scientific, design and planning establishments, except for laboratories for biological or industrial technologies
- advertising agencies
- places of worship

Accessory permitted uses of real estate

- outdoor or built-in [roofed] car parking lots, underground or above-ground inside public buildings per each 30 sq m of their total area
- commercial underground or above-ground inside the buildings with total area over 400 sq m on the lots with total area over 500 sq m

Uses by special approval obtained at public hearings according to Articles 24 and 25 of the Regulations

- dormitories
- casinos
- kiosks stalls, temporary retail and service pavilions
- workshops of small custom-made articles (woodwork, fancy casting, forging, handicraft)
- public toilets
- open and covered markets
- police stations

- gasoline stations
- uses permitted as of right exceeding the parameters specified in land parcel development requirements, as well as large service establishments which by parking standards require large parking lots (over 50 cars)
- multilevel garages

2 Parameters of parcels and permitted construction are gradually included in this section as they are being developed according to Article 29 of the Regulations

B2H - community service zone within the historic preservation zone

This zone is analogous to B2 zone

Due to its location within the historic reservation zone, additional requirements shall be met according to Article 38 of the Regulations - requirements of compliance of buildings with the existing architectural environment and facade decoration

Industrial and communal [general services] zone

CW - communal and warehouses zone

1 List of Permitted Uses

Major permitted uses of land parcels

- public gardens, boulevards
- public catering establishments
- administrative institutions, offices, bureaus
- scientific research, design and planning institutions
- commercial above ground and underground garages, outdoor short-term vehicle parking
- individual garages, garages-type facilities, places of long-term vehicle parking lots
- transit transport sites with bus, truck and automobile parking places
- streetcar trolley and bus depots
- truck fleet yards
- fleets of taxis, car rentals
- auto repair enterprises
- gasoline stations
- warehouses and yards for products and material storage
- industries of V (5th) degree of hazard, sanitary protection belt 50 m [54.7 yd]

Uses by special approval obtained at public hearings according to Articles 24 and 25 of the Regulations

- multipurpose and specialized club-houses (meeting halls and auditoriums)
- places of worship
- dormitories related to industries and education
- institutions of specialized secondary education

- kiosks stalls, temporary retail and service pavilions
- stores selling basic necessities in a detached building with total area up to 200 sq m
- various types of housing
- cemeteries
- prisons
- military installations
- industries of IV degree of hazard (with sanitary protection belt up to 100 m)

2 Parameters of parcels and permitted construction are gradually included in this section as they are being developed according to Article 29 of the Regulations

I-1 Zone of industries of V degree of hazard

(sanitary protection belts 50 m - 54 7 yd)

1 List of Permitted Real Estate Uses

Major permitted uses of land parcels

- production and industries of the aforementioned degree of hazard
- public gardens, boulevards
- administrative institutions, offices, bureaus
- scientific research, design and planning institutions
- outdoor short-term vehicle parking, individual garages, garages-type facilities, long-term vehicle parking lots, transit transport sites with bus, truck and car parking places
- auto repair enterprises
- gasoline stations

Uses by special approval obtained by means of public hearings according to Articles 24 and 25 of the Regulations

- multipurpose and specialized club-houses (meeting halls and auditoriums)
- places of worship
- kiosks stalls, temporary retail and service pavilions
- stores selling basic necessities in a detached building with total area up to 200 sq m
- cemeteries
- prisons
- military installations
- production and industries of heavier degree of hazard (with sanitary protection belt over 100 m)

2 Parameters of parcels and permitted construction are gradually included in this section as they are being developed according to Article 29 of the Regulations

I2 - Zone of industries of II-IV degree of hazard
(buffer zone over 100 m [109 4 yd])

1 List of Permitted Real Estate Uses

Major permitted uses of land parcels

- production and industries of the aforementioned degree of hazard
- public gardens, boulevards
- administrative institutions offices bureaus
- scientific research, design and planning institutions
- outdoor short-term vehicle parking, individual garages, garage-type facilities, long-term vehicle parking lots, transit transport sites with bus, truck and car parking places
- auto repair enterprises
- gasoline stations

Uses by special approval obtained by means of public hearings according to Article 24 and 25 of the Regulations

- multipurpose and specialized club-houses (meeting halls and auditoriums)
- places of worship
- kiosks stalls, temporary retail and service pavilions
- stores selling basic necessities in a detached building with total area up to 200 sq m
- cemeteries
- prisons
- military installations
- waste testing areas, dumps

2 Parameters of parcels and permitted construction are gradually included into this section as they are being developed according to Article 29 of the Regulation

S3 - Zone of special use

1 List of Permitted Real Estate Uses

All the real estate uses listed below require special approval granted at public hearings according to Articles 24 and 25 of the Regulations

- ambulance stations
- civil, military and maternity hospitals
- institutions of higher education and scientific research centers
- institutions of secondary education
- establishments of Ministry of Defense, Ministry of Internal Affairs, Security Service
- complexes of worship
- places of worship
- cemeteries

- facilities for permanent and temporary storage of means of transportation
- public gardens, boulevards
- sports Basis, tennis courts
- gyms, swimming pools, health and fitness complexes centers
- hotels, guest houses
- dormitories
- living quarters for service and training personnel
- training Basis, garden plots
- maintenance facilities relating to major use of the area, repair shops
- club-houses, movie theaters
- museums, exhibit halls
- information centers
- libraries
- public catering establishments self-service restaurants, bars, cafes, snack-bars, restaurants
- post, telephone and telegraph offices
- pharmacies
- hairdresses and barber shops
- picking points for laundry and dry cleaning
- baths, saunas
- administrative institutions, offices
- bureaus and offices of various organizations, firms and companies
- bank branches
- dispensaries
- homeless shelters
- public toilets

2 Parameters of parcels and permitted construction are gradually included in this section as they are being developed according to Article 29 of the Regulations

S 3 H - Zone of Special Use within the historic preservation areas

This zone is analogous to S3 zone. Due to its location within the historic preservation zone, additional requirements shall be met here according to Article 38 of the Regulations - requirements of compliance of buildings with the existing architectural environment and facade decoration

Recreational zones

P-1 Specially protected nature areas

Permitted use (as well as parameters of permitted construction alterations) of the land parcels and other real estate sites located within the boundaries of environmental and cultural preservation zones shall be established on case-by-case basis (as applied to each land parcel or site) by environmental and historical preservation agencies according to the procedure established by the valuable natural landscapes and historical and cultural landmarks preservation and use legislation

P-2 Park zone

1 List of Permitted Real Estate Uses

Major permitted uses of land parcels

- city parks
- sports complexes [arenas] and stadiums

Accessory permitted uses of real estate

- 1 automobile parking place per one hectare of park area
- picnic Basis, auxiliary facilities and recreation infrastructure
- playgrounds
- sports grounds
- rental of play and sports accessories
- amusement complexes, play rooms
- dance pavilions, discos
- summer theaters and stages, video theaters
- public toilets
- dispensaries
- public catering establishments
- decorative design elements sculptural compositions

Uses by special approval obtained at public hearings

- zoological gardens, petting zoo, beaches and life guard stations
- places of worship
- neighboring police stations
- kiosks, stalls, temporary retail and service pavilions
- tree cutting

P2H park zone within the historic preservation area

This zone is analogous to P1 zone

Due to its location within the historic preservation zone, additional requirements shall be met here according to Article 38 of these Regulations - requirements of compliance of buildings with the existing architectural environment and facade decoration

P-3 Recreational and landscape zones

1 List of Permitted Real Estate Uses

Major permitted uses of land parcels

- forest-parks, meadow-parks water-parks
- forest tracts
- embankments

Accessory permitted uses of real estate

- automobile parking place per 1 hectare of park area or preserved landscape
- decorative design elements sculptural ensembles

Uses by special approval obtained at public hearings according to Articles 24 and 25 of the Regulations

- sanatoriums, holiday homes
- children's health improving institutions
- camp sites
- picnic Basis, auxiliary facilities and recreation infrastructure
- beaches boat rentals and life guard stations
- playgrounds
- sports grounds
- rental of play and sports accessories
- kiosks, stalls, temporary retail and service pavilions
- public toilets
- public catering establishments
- decorative design elements, sculptural compositions
- sports practice camps
- dispensaries
- cemeteries
- crematoria
- tree cutting

- 2 Parameters of parcels and permitted construction are gradually included in this section as they are being developed according to Article 29 of the Regulations

P-3H - recreation and landscape zone within the historic preservation area

This zone is analogous to P-3 zone

Due to its location within the historic preservation zone, additional requirements shall be met here according to Article 38 of the Regulations - compliance of buildings with the existing architectural environment and facade decoration

P-4 Community orchard zone

1 List of Permitted Real Estate Uses

Major permitted uses of land parcels

- orchard house
- orchards truck-gardens
- crop cultivation - flowers vegetables, fruit

Accessory permitted uses of real estate

- sheds for small domestic animals (dogs, poultry, rabbits etc)

- individual baths
- household structures
- greenhouses
- hothouses
- outhouses
- individual labor (without breaking good-neighbor relations principles)
- water-storage tanks on private plot of land
- outdoor parking place for 1 car on private plot of land
- water holes

Uses by special approval obtained at public hearings according to Articles 24 and 25 of the Regulations

- outdoor parking lot allowing for 1 car per 10 plots of land
- buildings for administration and guards
- community vegetable storage places and icehouses
- garbage disposal sites
- public water storage tanks
- fire-fighting water reservoir
- beaches
- kiosks, stalls, temporary retail and service pavilions
- baths

F - Farming zone

1 List of Permitted Real Estate Uses

Major permitted uses

cultivation of agricultural products in the open air”

Accessory uses

forest protective stripes

Section 2 2 Maps of historical, cultural and archaeological stratum preservation restrictions

Chapter 2 2 1 Maps of Restrictions

Article 35 Map of historical and cultural preservation restrictions

Article 36 Map of archaeological stratum preservation restrictions

Chapter 2 2 2 Development Requirements

Article 37 List and description of zones shown on the map of historic and cultural preservation restrictions

- 1 The map of historic and cultural preservation restrictions (Article 35) shows
 - zone I - the State Historic and Cultural Museum-Reserve "Kremlin of Kazan" where historic monuments of Federal and national significance are located,
 - zone II historic preservation zone with historic monuments of Federal, national and local significance, other newly found monuments and real estate which is not included in the list of historic monuments and vacant land parcels,
 - zone III - zone with real estate not included in the list of historic monuments and vacant land parcels
- 2 The boundaries of the above mentioned zones coincide with the boundaries of competence of historic and cultural preservation agencies with respect to coordination of plans of making alterations to real estate, including coordination of design and construction documentation described in Article 26
- 3 The subjects of coordination are established with respect to the real estate included in the list of historic and cultural monuments and to real estate not included in this list

The issues which are subject to coordination are as follows designation, parameters, restoration characteristics of real estate in each particular case

- 4 The subjects of coordination for real estate not included in the list of historic monuments and located in zone II are
 - 1) boundaries of historical estates and size of land parcels,
 - 2) building setbacks from parcel boundaries
 - 3) building height,
 - 4) compliance of buildings with the architectural environment,
 - 5) decoration of facades

The subject of coordination for the real estate not included in the list of historic and cultural monuments (including vacant parcels designated for development) located in zone III, is the height of development

The procedure for coordination of construction plans for the real estate not included in the list of historic monuments and located in zones II and III, is described in the Draft Plan of Historic and Cultural Preservation Zones approved by the Resolution No 334 of the Council of Ministers of TASSR of 23 09 88

- 5 The list of agencies which are responsible for coordination of construction plans, the subjects of their competence and the subjects of coordination are shown in the Table below

Zones of competence of agencies which are responsible for coordination of design and construction documentation		Agencies which coordinate construction plans and design and construction documentation for historic preservation zones	Subjects of coordination of construction plans and design and construction documentation
Zone	Zone		

	characteristic		
Zone I (real estate included in the list of historic and cultural monuments of Federal and national significance)		The Chief Department of the State Control for Use and Preservation of Historic Monuments The Chief Department of Architecture and Urban Development	Issues considered on case-by-case basis -designation (permitted uses) -parameters of reconstruction and renovation
Zone II (real estate included in the list of historic monuments of Federal and national significance)		Chief Department of the State Control for Use and preservation of Historic Monuments Chief Department of Architecture and Urban Development	Issues considered on a case-by-case basis -designation (permitted uses) -parameters of restoration and renovation
real estate included in the list of newly found historic monuments		GDAUD Department of Historic Preservation	Issues considered on a case-by-case basis -designation (permitted uses) -parameters of reconstruction and restoration
real estate not included in the list of historic monuments and vacant parcels		GDAUD Department of Historic Preservation	-boundaries of historic estates and parcel size -building setbacks -building height -compliance with architectural environment decoration of facades
Zone III (real estate not included in the list of historic monuments and vacant parcel)		GDAUD Department of Historic Preservation	building height

Article 38 Development requirements in zones shown on the map of historical and cultural restrictions

- 1 Requirements of this Article are established for real estate not included in the list of historical monuments and located within zone II, and are applied together with the requirements established in Article 34 - types of permitted real property uses, parameters of parcels and permitted construction

These requirements include the following

- compliance of buildings with the existing architectural environment
 - design characteristics of real estate determined by the characteristics of facade decoration, “small architectural forms”, etc
- 2 These requirements are established in the form of figures, prescriptions, schemes of typical architectural solutions and are included in this article as they are being developed

Article 39 List and Description of Zones shown on the map of archaeological stratum preservation restrictions Development requirements established for this zone

- 1 This map (Article 36) shows
 - zone of archaeological works which is divided into the zone of preserved archaeological cultural layer and the area of cultural layer,

- zone of archaeological survey
- 2 The boundaries of the said zones coincide with the boundaries of competence of the Chief Department of State Control of Use and Preservation of Historic Monuments of the Ministry of Culture of Tatarstan
- 3 The requirements to excavation works within these zones are established by the legal documents adopted by the authorized agencies

Section 2 3 Map of sanitary, water protection and other environmental restrictions and the corresponding development requirements

Article 40 Map of environmental restrictions

Article 41 The list and description of zones Development requirements to the parcels located within the zones shown on the sanitary, water-protection and other environmental restrictions map

1 **Zone 1** – This is a water-protection zone of the Kuibyshev Reservoir combined with the Volga water inlets buffer zone (including a littoral protection belt - 100 m

The purpose of the Zone is to prevent microbial and chemical contamination of the sources of potable water supply and water resources by means of establishing special system of economic activities

Laws, rules, regulations and the documents governing the system of economic and any other type of activities are as follows

- Russian Federation Law «On Preservation of Environment»
- Russian Federation Law «On Sanitary and Epidemiological Safety of the citizenry»
- Decree of the RF Government «---» No 1404 dated November 23, 1996
- Sanitary norms and regulations *SanPiN 2 1 4 027-95*
- Draft zoning of sanitary protection of water inlets of the city of Kazan (approved ---)
- Rules on sanitary protection zones for Volga water inlets Approved ---

Land use and development within the boundaries of the zone is defined by prohibition of

- development of industries with technological process involving the discharge of waste water which is capable of contaminate water supply sources with indissoluble and toxic substances
- siting and construction of POL storehouses, poisons and fertilizers, industrial waste water sumps, slime storage sites and other facilities involving a chemical contamination hazard
- siting of permanent vehicle parking lots
- siting and construction of motor vehicle refueling, washing and repair of motor vehicles
- allocation of new garden plots
- arrangement of unauthorized piers and open storage places for timber and construction materials
- allocation of parcels for individual construction (within the boundaries of the littoral protection belt)

Design and construction documentation for the sites located in the zone shall be verified for the purpose of its compliance with the clauses specified in Item 1 of this Article The coordination shall be carried out by the Central Territorial Department of Ministry of Nature of the Republic of Tatarstan, a panel of experts for the same Ministry, and State Sanitary and Epidemiological Control Center

Excavation of sand and gravel, deepening of the river bed, as well as changing processes of operating enterprises involving an increase in the risk of contamination shall be approved by the Sanitary and Epidemiological Control Committee and the Ministry of Nature of the Republic of Tatarstan

2 **Zone 2** - Water-protection zones

- Water-protection zone of the river Kazanka, including a littoral protection belt 100 m wide

- Water-protection zone of the Lake Kaban including a littoral protection strip 100 m wide
- Water-protection zone of the river Noksa, including littoral protection belt 50 m wide
- Water-protection zone of Kuibyshev Reservoir is drawn by the stream from Kirovsky Bridge (including a littoral protection belt 100-800 m wide, considering the impact of the city sewer system), lakes, and streams with a littoral protection stripe 50 m wide

The purpose of the Zone is to prevent contamination, pollution, silting and depletion of the water unit, to preserve the habitat of species of flora and fauna by means establishing a special regime of economic activities

Laws, rules, regulations and documents governing the system of economic and any other sort of activities are the following

- Russian Federation Law «On Preservation of Environment»
- Decree of the RF Government «---» No 1404 dated November 23, 1996

Land use and development within the boundaries of the zone are defined by prohibition of

- siting and construction of poisons, POL and fertilizer storehouses, facilities for refilling equipment with toxic chemicals, Basis for storage and concealment of domestic and agricultural refuse, cemeteries, sewage sumps
- siting of vehicle parking lots
- in the littoral protection belt - storage of manure and garbage, land plowing, placing and storage of piles of washed out dirt, siting of summer-house and orchard and truck-garden plots, allocation of parcels for individual construction, siting of refueling facilities, motor vehicle washing and repair

Design and construction documentation for the sites located in the zone shall be verified for the purpose of its compliance with the clauses specified in Item 2 of this Article. The coordination shall be carried out by the Central Territorial Department of Ministry of Nature of the Republic of Tatarstan, a panel of experts from the same Ministry, and State Sanitary and Epidemiological Control Center

3 Zone 3 - protection zone of industrial water facilities (area of ground water inlet aeration)

The purpose of the zone is to protect the water-bearing level from microbial and chemical contamination

Laws, rules, regulations and documents governing the system of economic and any other sort of activities are the following

- Written conclusion of the board of experts of the Ministry of Nature of the Republic of Tatarstan No 1400/06 dated May 19, 1997
- Written conclusion of Sanitary and Epidemiological Control Committee of the Republic of Tatarstan No 01/02/26 85 dated November 28, 1996

Land use and development within the boundaries of the zone are determined by prohibition of

- discharge of waste water into the subterranean levels
- underground storage of solid wastes and exploitation of mineral resources

- siting of POL, poisons and fertilizers storage Basis, industrial waste water sumps, slime pits and other facilities involving the risk of chemical contamination of subterranean waters

Design and construction documentation for the sites located in the zone shall be verified (coordinated) for the purpose of its compliance with the clauses specified in Item 3 of this Article. The coordination shall be carried out by the Central Territorial Department of Ministry of Nature of the Republic of Tatarstan, a panel of experts from the same Ministry, and State Sanitary and Epidemiological Control Center. The aforementioned agencies shall also approve any modification of production process of operating enterprises located within the boundaries of the zone. The same agencies, along with geological control agencies, shall approve new well drilling and new construction involving disruption of soil.

PART III APPENDICES

Appendix 1

Temporary Provisions "On Land Development and Use Commission at the Administration of the City of Kazan"

Land Development and Use Commission (hereinafter - Commission) is created in order to fulfill the legal document Land Use and Development Regulations in the City of Kazan based on the order of the Head of Administration of Kazan

1 General Provisions

- 1.1 Commission is a permanent consulting agency at the Head of Administration of Kazan
- 1.2 Commission conducts its activities based on the legal document "Land Use and Development Regulations in the City of Kazan" and other legal documents approved by the City Administration Head

2 Procedures for creation of Commission

- 2.1 The participants to Commission are approved by the City Administration Head
- 2.2 Commission shall include 15 people
- 2.3 One third of Commission shall be representatives of the City Council of People's Deputies, one third - representatives of the Administration, one third - representatives of business associations, real property owners, professional and public organizations of Kazan
- 2.4 The City Council appoints its representatives in Commission
- 2.5 The City Administration Head appoints its representatives in the Commission Commission includes heads and deputy heads of the Chief Architecture and Urban Development Department, Property Committee, Land Reform Committee and other administrative agencies
- 2.6 Representatives of business circles, property owners, professional and public organizations in the Commission are approved by the City Administration Head at the recommendation of the City Council
- 2.7 Members of the Commission may not be governmental or municipal officers
- 2.8 The Administration Head appoints the Chairman of the Commission, who in his turn appoints its Deputy from the Commission Members
- 2.9 The term of the Commission shall not exceed years
- 2.10 Termination of the membership in the Commission may be conducted

-by the application of a member

-by the decision of the Administration Head with respect to the members representing interests of the Administration

-by decision of the City Council with respect to its representatives

-by the decision of the Administration Head based on the City Council recommendations with respect to members representing business circles, property owners and professional and public organizations

3 Liabilities and Rights of the Commission,

3.1 The Commission shall

conduct public hearings on coordination of investment intentions and consideration of proposals for amendments to the existing Regulations,

provide to the city Administration Head the regular reports (once a year) and recommendations on issues of investment and construction activities and improvement of procedures for application of the Regulations,

ensure openness of the process of decision-making on land use and development for the public and possibility to discuss the above issues in public,

provide (if requested by the interested persons) copies of minutes of its meetings

3.2 Commission has the right to

request from the Administrative agencies the official conclusions and other materials relating to the issues discussed at the public hearings

involve independent expert into work on preparation of the corresponding recommendations

publish materials on its activities

4 Principles of the Commission activities

4.1 Commission performs its activities in the form of meetings, including public hearings

Decisions of the Commission are prepared in the form of draft resolutions of the city Administration Head, reports, minutes and other forms

4.2 Regularity for meetings is determined by the Chairman not less than

4.3 Meetings are conducted by the Chairman or his Deputy

4.4 Commission is authorized to make decisions if not less than two thirds of the membership

4.5 Resolutions of the Commission shall be passed by simple majority of votes. If the number of votes is equal the Chairman of the Commission has the tie-breaking vote

4.6 Any member of the Commission shall be relieved of voting on a particular issue if he/she has direct financial interests in the matter, or is a relative of the applicant whose application is considered

4.7 Results of each meeting are confirmed by the Chairman and the Secretary of the Commission in the Minutes of the Meetings

4.8 Commission has its archive containing all minutes and other materials

Minutes of meetings are open to public and all interested persons and can be obtained for a fee that shall not exceed the expenses for its production

5 Procedures for Public Hearings

5.1 Public hearings are conducted on issues and in the order established by the legal document "Land Use and Development Regulations of Kazan" and this Resolution

5.2 Meetings of Commission relating to public hearings are open to all interested persons

5.3 Public hearings may be conducted in the working days or on the week-ends. On a working day public hearings may not be appointed earlier than 16:00

5.4 At the beginning of a meeting the Commission determines the order of its work based on

nature of the issue under discussion

content of the obtained conclusions of experts and authorized agencies

number of persons willing to participate in discussion and the duration of speeches that shall be at least 5 minutes (upon the speaker's consent)

5.5 Commission makes its decision not later than 3 days after completion of public hearings. Its decision is published in open press within 7 days after adoption

5.6 Copies of the decision are sent to the Administration Head within 2 days after its adoption

5.7 Orders of the Administration Head made on the basis of the decisions (recommendations) of the Commission and results of public hearings, are published in press

6 Financial and technical support of the Commission activities

6.1 Members of the Commission conduct their activities free of charge

6.2 Technical support of the activities of the Commission is exercised by its Secretariat

The number of employees, their functions and budget are approved by the City Administration Head

6.3 The City Administration represented by provides to the Commission the required premises for meetings, public hearings, archive, and makes rent and other payments due

APPENDIX 2

CERTIFICATE OF THE PERMITTED LAND PARCEL USE

Approved by _____

The City Administration Head
“ ___ ” _____ 199

This Certificate is approved by the Administration Head of the City of Kazan when p 3 2 of this form is filled in In other cases (p 3 1 is filled in), the Certificate is considered an extract from the “Land Use and Development Regulations of Kazan” (hereinafter - the Regulations), approved by the Resolution No ___ - of the executive and administrative agency of Kazan dated ____ and is confirmed only by the signature of the Chief Architect of the City of Kazan which confirms the compliance of the Certificate with the Regulations

<p>1 Identification information on the land parcel</p> <p>1 1 Registration number</p> <p>1 2 Location</p> <p>1 3 Cadaster number</p> <p>1 4 Land parcel is located within zones shown on maps in Part II of the Regulations</p> <p>1 4 1 Zoning map of Kazan (chapter 2 1 1) Name of Zone _____</p> <p>1 4 2 Map of the historical and cultural preservation restrictions (article 5) Name of zone _____</p> <p>1 4 3 Map of the archaeological stratum preservation restrictions (article 36) Name of Zone _____</p> <p>1 4 4 Map of sanitary water protection and other environmental restrictions (article 40) Name of Zone _____</p>

<p>2 Legal significance and application of the Certificate</p> <p>This Certificate is a legal document of the executive and administrative agencies of the city of Kazan The Certificate determines the designation of and the restrictions in the use of the land parcel and serves as the basis for primary provision of long-term land possession rights (ownership rights or long-term - up to 49 years - lease rights) to natural persons and legal entities through tenders and auctions, direct negotiations with applicants, land privatization The Certificate can be issued and provided by the request of property owners and other interested persons In secondary transactions with the land parcel the established permitted use shall be observed by its new owner</p> <p>The validity of the Certificate is not limited Its content may be changed only after making amendments to the Regulations according to Articles 29 and 30 of this legal document</p> <p>The Certificate is an appendix to the documents certifying the right of possession of land and the basis for</p>
--

- development and coordination of the design and construction documentation, issuance of the construction permit according to Article 26 of the Regulations,
- preparation of agreements with the engineering/technical services (power, water-, gas supply, sewage, telephone and other systems) on technical conditions of use of this land parcel

3 Basis for establishing parameters of the land permitted use

3 1 Articles 34, 38, 39, 41 of the Regulations

3 2 Articles 34 (only in respect of the permitted uses)38, 39, 41 and the approved urban development documentation (this position is filled in if Article 34 does not contain the established Parameters of permitted construction)

3 3 Subdivision Plan

Approved by the Resolution No ____ of the Head of Administration of the city of Kazan dated _____

4 The list of permitted land uses (extracts from Article 38 of the Regulations applicable to the corresponding zone of location of the land parcel)

A Major permitted uses
(uses which can not be prohibited provided that all construction standards are observed)

B Accessory permitted uses
(if no major use exists on a parcel, the accessory use is not considered as the major and is not permitted)

C Special approval uses

(special approval must be obtained through public hearings conducted by the Land Development and Use Commission according to Article 25 of the Regulations)

5 Parameters of the permitted construction and reconstruction

(filled in as extracts from Article 34 of the Regulations, or if the corresponding positions are not found, by establishing the said parameters based on the approved urban development documentation)

Minimum building setbacks from parcel boundaries

from front line ___ m

from side boundaries ___ m

from rear boundary ___ m

Intensity of construction on land

maximum building height

-meters

-number of floors

-maximum % of parcel development

(ratio of the parcel area under construction to the total parcel area)

-maximum coefficient of land efficiency

(ratio of the total building floor area to the parcel area)

6 Development requirements based on the historic and cultural preservation restrictions, archaeological stratum preservation restrictions, sanitary, water protection and other environmental restrictions

This section of the Certificate is filled in if the parcel is located within the corresponding zones (positions 1 4 2 , 1 4 3 , 1 4 4 are filled)

This section has references to Articles 38, 39, 41 If the parcel is located within the historic preservation zone (Article 35), there can be made references to the approved documents

7 Other restrictions of land rights (servitudes, other rights of third persons, if such restrictions exist, they are registered as references to the corresponding documents including those which were prepared with this Certificate

8 Parcel Plan, M 1 _____, Cadaster Number __, Area __ m2

Legend

- parcel boundaries
- existing structures
- non-conforming structures
- minimum building setbacks from boundaries
- boundaries of public servitudes
- other signs

8 1 Sheet of coordinates of the cross points of the parcel boundaries

8 2 Sheet of non-conforming structures

These structures are marked on the plan and the basis for each non-conformity shall be provided

The Certificate is prepared and registered by the Chief Architecture and Urban Development Department of Kazan and conforms to the Regulations

**Chief Architect of Kazan
Head of GUAD**

Dated _____