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The SP of Siena and town-planning innovation in Tuscany
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The efforts made in Siena to give a convincing logic to the contents that Regional Law 1/05 assigns to the SP are appreciable, also for their contribution towards a virtuous interpretation of that SP model, organizing the contents thereof in a logical succession that integrates the structural dimension with the strategic one. Starting from an interpretation of the "Present state and ongoing trends", elaborated on the basis of the analyses of the "Factual picture", and with the involvement of the citizens, the SP of Siena constructs a "city Idea" referred to shared ordering principles and identifies policies and action lines (viewed as a whole called *Design of governance*) as a policy component of the SP, which successively feeds the Statutory component (invariables, statutes of resources) and the Strategic component (territorial development strategies). It is useful to dwell on these aspects, as they determine not unimportant effects on the *form of the plan*. The Statutory component of the PS stems directly from RL 1/05 its object being the invariables and the statutes. The effort of the SP to interpret and reorganize the dictates of law, clarifying meanings and relations among the essential resources of the territory and interpreting the invariables in a more convincing way than the legal definition, is evident. The *Report* in fact clarifies that invariables, more than single resources, are "territorial situations" which in quantity/quality of resources provide both intangible and material services and benefits of an intrinsically public nature, postulating a management that is so complex that it

calls for "an expansion of the sphere of operations of the municipal administration", on which is based "limitation of the right of enjoyment of assets" (Art. 6, RL 1/05), within the limits of the principles laid down by State laws. The Strategic component of the SP is subdivided into territorial development strategies, transformations into Elementary Organic Territorial Units (Utoe), links with the acts and instruments of territorial governance, and lastly the assessments, with contents of different completeness and systematic nature. To define the territorial development strategies the SP constructs actions and policies, better defined in the NTA, "with reference to four great families to foster ... a verification ... of the coherency between single policies and technical-administrative acts ... [and] ... a more effective communication of the contents of the plan". The four great families are "safeguarding against pollution and making the territory safe ... ecosystems and landscape ... evolution of the city and of settlements ... mobility and networks". Some more elements can however be obtained from the graphic document *Territorial development strategies* which, in the legend items relating to the "Evolution of the city and of settlements", identifies and locates areas and strategic projects and which are presumably the places in which to locate a large part of the building quantity attributed to each Utoe.

Reflections on the SP of Siena and on municipal planning in Tuscan RL 105
The SP of Siena bears testimony to a great effort of interpretation and application of RL 1/05. In effect the construction methods and the contents of the SP restore the consistency and the

motivations of the choices which, a long way removed from traditional town planning, today have to do with territorial governance. Choices that qualify the SP as a document that attempts to re-rationalize disciplines and measures that under various titles regulate individual and collective ways of behaviour in the use of the territory. Policies, statutes and strategies are fully declined: from sustainability of the consumption of natural resources to making the territory safe and secure; from environmental and landscape quality to the morphological and functional quality of settlements; from the efficiency to the environmental sustainability of infrastructural networks. Starting with the recognition of this exhaustive and complete background, it is however useful to linger on the more town-planning contents of the SP, i.e. those that pertain to policies and strategies whose implementation cannot, *sooner or later*, leave aside 'territorialization', that is from taking place in places on whose location and position depends the effectiveness of said policies and strategies. For the settlement system the SP contains some precise quantitative indications, and subdivided between rehabilitation and new building. A dimensioning of the plan whose choices appear devoid of reliable motivations, except those that make general reference to criteria of sustainability. For locating the transformations the SP, in accordance with the indications of RL 1/05, articulates in detail the quantities for Utoe, supplying indications (but only in a few cases) as to the use of the building capacities attributed, specifying whether it is a matter of "densification of the fabric ... thickening the

filament ... productive upgrading ... functional development ... limited completion measures", or, for the Utoe of greater transformation capacity, indicating with toponyms or geographical references the places and lines of development. The graphic document *Territorial development strategies* identifies the areas of the strategic projects according to a technique not based on traditional town-planning zoning; the same elements are used (pinpointing areas, attributing quantities), but they are not placed in direct relation: the quantities are attributed, in absolute values (without indices), to vast chunks of territory (the Utoe range from 150 to 3,200 ha in area), while the transformation areas, a very minor part of the Utoe, are identified at a scale of 1:20,000, and specific building quantities are not attributed thereto. The indications as a whole thus assume a programmatic character. Although RL 1/05 qualifies the SP as an "instrument of territorial planning", which is more-over in keeping with the fact that the technical contents and the juridical effectiveness of the SP do not seem able, nor do they intend to constitute a variant of the general town-planning discipline in force, a task that is instead assigned to the RU, which is to be drawn up and approved "respecting territorial planning instruments", and thus the SP itself. The *Report* in effect underscores its character as a *programming instrument*, that is as one preparatory for the general and implemental town-planning discipline, targeted on giving substance and content thereto, inserting it in the broader framework of the Municipality's functions in the matter of territorial governance. This is confirmed by the fact that all

the choices that involve the definition of perimeters, in layouts that permit the land registry identification of the property, are referred to the RU, including those of the integrated transformation areas and of the complex action plans. While this is in keeping with the programmatic profile of the SP, nevertheless it means that the RU is burdened with all the contents of definition of the town-planning discipline, and it is not difficult to imagine that its form will end up being substantially that of the traditional plan, or an instrument that in one fell swoop defines the town-planning discipline of the whole municipal territory. It is true that, thanks to the SP, it would be an instrument motivated very differently, compared with the traditional Master plan, but from the aspect of planning technique there would be a reversion to traditional zoning, extended to the entire territory, hardly responsive to the diversities of the situations and to the necessities of adaptation in the course of time.

Nor was it by chance that RL 1/05 introduced the Complex Action Plans, distinguishing them from the Complex programmes of settlement rehabilitation (Art. 74). Whereas the latter are quite rightly included among implemental plans, the former have contents typical of general discipline, even though with limited validity and effectiveness. While the Complex Action Plan can be activated starting from the SP, without going by way of the RU, the planning process can thus avoid attributing to a single instrument, instantaneous in time and omnicomprehensive in space, the task of defining the general town-planning discipline of the entire municipal territory. The most significant innovation that territorial governance needs today, is the start-up of a process

that will permit the progressive construction of the plan, that will enable the definition of development choices to proceed in parallel with their formalization; in other words, to make the different level of definition of projects correspond with different levels of plan formalization. The subdivision of the plan into different instruments is useful if it increases the opportunities of progressive formalization of the forecasts of the general discipline. Regional reform models, although they subdivide the municipal plan into a number of instruments, assign to only one of these a regulative and conformational capacity, not grasping the substance of the necessary innovation. This stems from the awareness that forecasts of considerable substance and town-planning significance need a fairly complex and open programmatic-strategic phase, which should be regulated, shared and negotiated, for the construction of action projects; such forecasts, as a consequence, cannot and must not be formalized prior to this phase. On the contrary, there is an important series of forecasts of relatively modest substance, which can be regulated without needing particular programmatic phases, and translated into an immediately applicable general discipline. Having recourse necessarily to the modalities and techniques as per RL 1/05, the SP noble in its arguments and complete in its forecasts, has not fully clarified how to allow for the differences of substance of the transformations, and thus of the various processes to be activated to construct projects and their relative sustainability and feasibility. What is lacking in substance is the interpretation of the times of the plan, in relation to the various possible processes of defining the measures.

Everything is in this way left for the RU, even the identification and outlining of the Complex Action Plans. It is possible that this lack depended on circumstances of political type, given that RL 1/05 closely ties these plans to the length in office of the Council that promoted them. But if such is the case, the time limits imposed by the law can also have negative effects, discouraging the use of a fundamental instrument to prevent the risk of the RU resembling too closely the traditional Master plan, thereby reducing the innovative power of this Tuscan law.