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The image of the urban planning

Paolo Avarello

In Italy, especially among urban planners, the impression is widely held that the profile and status of urban planning has declined not only for the public at large, but also within universities, and among administrators, professionals and practitioners which do urban planning, though sometimes they are not aware they are doing this. Actually, they think they are doing something different from urban planning when they do things they believe useful, interesting, and even enrapturing.

The loss of public profile of urban planning is perhaps due to its competition with the 'noisy' visible marketing of buildings by the recognised, brand-name, archistars, which everybody admires, but nobody would like to have in his backyard; may-be it is related to the loss of tension between competing ideologies in urban planning, which has grown old-fashioned just like many other ideologies. Everybody seems to be nostalgic for the old urban planning; very few miss the ideologies that supported it and the methods and the practices that made it. The bad press from which Italian urban planning suffers probably comes from two decades during which it has made a hash of its goals and ideals in the mincing machine of 'standards'. It relates de facto to those bureaucratic procedures, complications and delays that characterize Italy in general, and that are the second reason why Italy is at a disadvantage in attracting foreign investment (this being listed just before the weaknesses of infrastructures and just after the unreliability of our judiciary system) despite the growth of real estate prices.

True, Italian urban planning commanded greater respect when cities were rapidly growing, and people were scared a bit, but also excited a bit, since most citizens were moving from the country to the city. Then, urban planners would show up with their multicoloured maps to 'foresee' what was already happening, while designing the 'orderly growth of settlements' and promising a home and green areas and public services for all. From the seventies this happened by law: against the intentions and the actual possibilities of local administrations, that is.

Anyway, the plan was a manifesto of good intentions, released from time constraints, from economic conditions, from the special interests of operators and of local administrations themselves. These were considered negligible details in comparison with the rhetoric of statements of principle, which all the critics still overlook.

Nostalgia and grief for the profile of urban planning have emerged during recent years, when urban planners have actually done a great deal; not when urban planning has slowly begun to get rid of rooted, banal and stifling practices. One could say that the image of urban planning has endured well while rare and 'standardized' urban planning was being done, whereas it has gotten worse now when it is practised much more frequently.

A long way has been travelled since then: through the difficulties of redefining the very terms of planning, its goals and its operational means, and of including subjects to which scant attention had been paid hitherto such as administrative and cultural resistance to change. A difficult path, while regional and local institutions have grown in power and responsibilities, while the

main producers of infrastructures and related services have been privatized and the allowances for infrastructures, social housing, etc. have drastically shrunk.

Urban planning is changing as well, since it necessarily relies on the administrative system, on the power of local institutions, on their jurisdiction and functions, on the welfare they should offer to their citizens, on levies and fiscal mechanisms that should provide the necessary resources. From civil society, through political mediation, one can spot and select social needs, and related priorities and, therefore, the choice of objectives. It is on the land, on its use and, on consumption that sooner or later the administrative choices, and the consequential transformation practices but also the 'non choices' which determine the situation of abandonment and decay, are placed.

Urban planners worry about the bad image of urban planning, but neither recalling the past nor the creative marketing initiatives often hoped for will save us. We have the opportunity, instead, to work for the construction of a new urban planning, which will not need any publicity to spread and be effective, from an image point of view, too, if it will be truly attainable and useful.

Mediterranean ports: models, functions and outlook

Nicolò Savarese

The Motorways of the Sea project was conceived in 1999 as part of the TEN-T Programme (Trans European Network-Transport) as one of the thirty priority projects proposed by the Van Miert Group.

Subsequently, the new European Neighbourhood Policy (ENP), destined to profoundly modify the concept of relations between the EU and neighbouring countries, was starting to take shape. Following the enlargement of the EU to 25 member states, in November 2005, the High Level Group chaired by Loyola de Palacio produced a document entitled Networks for Peace and Development. Extension of the major trans-European transport axes to the neighbouring countries and regions. This document established Motorways of the Sea as one of the five fundamental nubs of the new EU infrastructural and transportation programme.

The global economy

The emphasis on Motorways of the Sea is based on the new scenario imposed on international trade by the vigorous economic growth of China and India and the significant implications that this has on the Mediterranean port system.

In fact, high tonnage ships serve the intercontinental routes along the Suez-Gibraltar axis and as it is no longer convenient to fragment voyages with multiple calls, a new type of port specialised in transshipment functions has evolved. Loading and unloading operations take place directly between the container transport ships and smaller ships (feeders) that are exclusively in

charge of delivering freight to/from the origin/destination ports. Thus, with the objective of optimising the distribution of feeder lines, transshipment ports tend to be situated at the centre of the Mediterranean. This, in turn, determines a clear advantage in terms of the location of southern Italian ports.

Short Sea Shipping and intermodality

The definition of Short Sea Shipping (SSS) includes various different types of short and medium-range traffic with origin-destination ports within the Mediterranean and Black Seas. The pre-eminent success factor of SSS (a concept to which Motorways of the Sea is related) lies in the development of intermodality as a solution to the imbalance in the present modal split of freight transport. The most worrying element, in fact, is not so much the preponderance of road freight as the trend developed over the decade between 1990 and 2000. While the modal share of road transport increased by nearly 40% and rail transport decreased by 10%, it is important to emphasise that SSS underwent, over the same period, an increase equal to that of road freight. Undoubtedly, a significant redistribution of the modal split is highly desirable from many points of view (transportation costs, traffic congestion, environmental pollution, etc.). Nonetheless, the problem of intermodal redistribution does not seem to depend so much on the absolute total investment in infrastructures as much as on the relative competitiveness among the various transportation options. It is not just about reducing maritime transport tariffs to make them more convenient than road transport, but rather about facing all the issues that are related to the door-to-door

chain and acting on the behavioural psychology of small private transportation firms.

The new model of Mediterranean port systems

Complementary ports, which we may identify as 'port clusters', are readily identifiable; for each of the ten identified clusters, the transshipment ports are highlighted.

On the basis of this geographical distribution, a new model for the entire Mediterranean port system can be delineated. The model implies a new axis, or Meridian Corridor, that unites the southern regions of Spain, Italy and Greece with Cyprus and the Middle East.

This, then, clearly highlights the strategic position of southern Italy where the majority of the principal transshipment ports are concentrated (Gioia Tauro, Taranto, Cagliari). The importance of this port system is not limited to the maritime transportation sector, but extends to many other economic sectors determining a vast and significant territorial impact.

Transportation and intermodal functions

A perfect state of intermodality is attained when all possible transportation modes are, *coeteris paribus*, interchangeable. This, of course, depends on the efficiency of the intermodal exchange nodes. Ports intercept the majority of all modal, scalar and typological varieties of freight transport functions. Moreover, the complexity of the logistical functions at play, the presence of external economies, and the proximity to large urban areas, tend to favour the localization of interports in correspondence with, or at least in close connection to, existing ports.

The integration of ports into the primary transport

network (TEN) and the close interdependence between ports and interports are the first significant territorial implications of the new port system model.

Hard functions: production and commerce

At present, ports tend to expand and even move to extraurban areas. In this way, besides the availability of large spaces in which to stock and move goods, it is possible to develop various intermediate operations between the production and final distribution of the goods such as:

conservation (if the freight contains perishable items), packaging, packing, assembly and processing. These operations can reap great advantages through a customs-free incentive that has brought to the development of many 'free port areas' in the world. Thus, the relation between a port and the productive activities of an area is fundamental. When these activities are concentrated in highly specialized areas (agricultural, industrial and tourist districts), the existence of ports, and especially free ports, can become a valid incentive for their development and prosperity.

Furthermore, whatever the reasons lying behind the warehousing of goods are, this leads to the creation of commercial activities. The ports that served as gateways to great market areas in the past turned into 'emporium' centres. A classic example is Trieste, which in the 17th and 18th centuries became the principal gateway to the Austro-Hungarian Empire. Today, in Europe, only the transshipment ports, directly connected to the eastern markets, can aspire to a renewed function as 'emporia' as long as the adequate material, administrative and economic conditions are satisfied.

Soft functions: business and tourism

Ports are highly sophisticated mechanisms not only on account of their logistical functions, but also in terms of the commercial and financial aspects that they present. This is clearly mirrored in the fact that most WTCs (World Trade Centres) and offshore areas worldwide were developed in close connection with port authorities.

Therefore, the restructuring of old harbours often entails the inclusion of new activities.

It is also important to acknowledge the vitality that ports have injected in the development of new technologies in logistics and in Intelligent Transport Systems (ITS), that allow not only the scheduling of port operations, but also provide operators with all the necessary information to optimise the use of transport networks.

The other functions involved in the restructuring and renewal of harbours and urban waterfronts, concern nautical tourism and leisure activities. Tourist ports in the vicinity of major urban centres can provide superior complementary services to minor tourist ports. Furthermore, tourist functions and induced complementary services are perfectly integrated with business functions increasing their overall environmental quality.

Strategic territorial platforms and the renewed centrality of the Mezzogiorno

One of the most significant contributions provided by MIITT/Dicoter to the definition of the national strategy for the 2007-2013 Structural Funds is the concept of 'strategic territorial platforms'. In fact, infrastructural investments have relevant implications on both economic and productive levels. Therefore, the concept of 'strategic

territorial platforms' includes at least three main elements: transport infrastructures; District production areas; Urban interchange systems.

In particular, ports represent a formidable engine for development not only in terms of transport, but also for highly qualified service functions.

With regard to Southern Italy, the most significant competitive factor lies in its direct connection to the TEN network via Corridors I, V and VIII. This may indeed be decisive if strengthened by two further types of action:

- the completion and expansion of Corridor I, which together with the Tyrrhenian and Adriatic corridors, which are interdependent via efficient transversal axes, constitutes a powerful infrastructural connection between the centre of Europe and that of Mediterranean;
- the reconfiguration of Corridor VIII that due to its enlargement up to Corridor I and beyond, including eastern Sicily and Malta could become of the most important segments in the Meridian Corridor.

The dynamics of international trade *Izi Spa*

International trade has recently undergone profound modifications, especially with regard to maritime transport and ports in the Mediterranean basin. The impact of maritime transport on all commercial interactions throughout the EU is significant: 63.9% of all imports and 57.5% of all exports. In terms of dry or solid goods, the impact is not as significant, but remains important at nearly 50%.

With the exception of oil import, the trade of EU countries on the Mediterranean coastline is conducted for 36% with other countries in the MED area, for 36% with Northern EU countries and for 28% with the rest of the world. France, Italy and Spain detain the largest percentages of overall international trade; and Italy, in particular, ranks first among the Mediterranean countries of the European Union.

According to EUROSTAT data, the advantage of Italy is even more marked: more than 210 million tons per year against 111 for the Mediterranean regions of Spain, 70 for Greece and 28 for the Mediterranean regions of France.

Projections elaborated by the TEN-STAC Community Project reveal consistent increases in trade and the consequent increase in transport demand (excluding oil): + 66.4% international traffic within the enlarged EU; + 89.9% international traffic between the enlarged EU and the rest of Europe and the world.

In terms of global percentages, the differences are minimal:

- Present situation (2000). Road 58.5%, rail 12.2%, sea 19.2%;
- Projection (2020). Road 57.8%, rail 11.6%, sea

20.5%;
- Optimisation (2020). Road 56.3%, rail 12.9%, sea 20.5%.

It must, however, be pointed out that the models employed by TEN-STAC tend, in our opinion, to underestimate the potential of maritime transport with optimal intermodal conditions.

The Meridian Corridor as a connective armature of the productive platforms in Mezzogiorno

Maurizio Carta

When drafting the National Strategic Framework of Development the National Department for Coordination of Spatial Policies (Dicoter), has speeded up the strategic spatial process of the Mezzogiorno as an area where to focus a number of structural choices for the national competitiveness. The operative proposals are driven by a vision that can guide the improvement of innovation, the growth of productive clusters, the connection of territorial platforms, and the recentering of urban areas by a requalification of nodes and the provision of collective services. One of the principals aims is the redefinition of metropolitan functions enhancing the role of global gateways that cities are increasingly playing within the most advanced processes of urban regeneration and global competitiveness, to 'transform' the power generated by flows of social and commercial resources in terms of mobility across the Mediterranean region. Dicoter studies try to extrapolate an image of the Italian territory aimed at creating a national development that goes beyond the traditional split between local and global, geographic level and administrative context, nodes and networks. In fact, a new vision is being proposed. It can integrate institutional levels, intervention sectors, players and interventions, feeding a multilevel governance able to drive an Italy of 'selective interdependencies' as a scenario of competitiveness, cohesion and cooperation within the European and international development context. According to the institutional documents drafted, the

Dicoter vision is built on:

- territorial productive platforms, consisting of emerging districts or clusters that have transformed themselves to access to the large international arena;
- urban hubs, i.e. those city-territory systems that can act as 'switches' between the large European and international flows and local areas, by nature prepared to act as 'innovating environments';
- infrastructure connection bundles, an effective combination of different flow networks to ensure the easy communication by goods and individuals as well as the propagation of intangible services.

Starting from 2010, the challenge of territorial competition that will take place in the Euro-Mediterranean region shall strengthen, consolidate and connect value elements to long networks, to help them survive despite the presence of competitive subjects on the market of territorial supply. In the light of the above, Dicoter has produced an "Implementation Study" for the activation of a Mediterranean east-west intermodal infrastructure called "Meridian Corridor". The new infrastructural corridor shall act as a redistributor of flows, as an activator of new networks and as a local system enhancer, contributing to a more general 'recentering' of the Mediterranean to competitively rebalance the Euro-Mediterranean integrated system. The goal of the study is to generate a new competitiveness scenario where the Southern territorial systems can act, with special reference to the Sicily-Calabria-Basilicata-Puglia system; through the Meridian Corridor, the design of trans- and pan-European corridors, terminals and ports, nodes and connections, strongly focused on the road-train

strengthening of the Central European 'hypercenter', will be rebalanced.

The activation of the Meridian Corridor is therefore a real 'territorial device' (not only for transport or trade) leading to the creation of a Mediterranean armature to requalify resources, to develop access and the economy and to promote excellence (cultural, rural and manufactural), within the framework of a Mediterranean Strategic Plan.

During the phasing out of 2007-2013 Structural Funds, this latter will help define agreed policies towards common development objectives in the MEDA area, based on the balance and competitive use of local resources.

The competitiveness and cohesion principles of the Lisbon Agenda and the Third Report on Cohesion clearly indicate the way to go: promoting and encouraging a 'multicenter based production', by identifying, supporting and increasing new 'peripheral centers' that can become territorial hinges between the European and new armatures in the southern Mediterranean, in the Balkans and the Middle East.

A concise analysis of flows across the Mediterranean, with the consequent neighbourhood relations, exchanges and opportunities, allows to understand the goals of talks and agreements in view of a Strategic Plan for the Mediterranean that the coastal countries might start as a deliberate action legitimized by accepting and sharing a common view and agreement on a number of common objectives.

The study is strongly based on the potential economic and territorial advantages resulting from the interception of Mediterranean flows, and particularly the possibility to develop high-tech

specializing services or first processing activities that can increase the value added of goods in some sectors.

The strategic vision of the feasibility study for the Meridian Corridor, together with other studies put in place by Dicoter, can effectively drive the enhancement plans of port-city-infrastructure-territory integrated systems.

The general aim of the strategic spatial policy in the South, within the vision promoted by Dicoter, is therefore a targeted intervention to establish clusters and platform connections, recentering urban areas through the requalification of nodes (railways and ports) and the existence of collective services, and especially through the redefinition of metropolitan functions that can enhance the role of gateways that cities are increasingly playing within the most advanced urban regeneration and territorial competitiveness processes, producing new urban ranks fed by the new territorial economies, acting as 'power transformers', and by new synergies with infrastructure armature.

The Meridian Armature project becomes, therefore, a 'Mediterranean strategy', a great development mission and operative option for seaside countries, a federation of demands and needs, as well as of interests, skills and excellence.

In the Mediterranean Strategic Plan, the new national planning season of cities and territorial systems, clearly descending by "Progetto 80", is an opportunity to give new impulse to the ESDP mission towards a more polycentric development. Our task is building up a network development through strengthening the connections among the large infrastructure networks and systems of medium cities and through the

connectivity of long
networks with local
systems, as their
'development backbone'.

Intermodal logistics and Motorways of the Sea

Gian Paolo Basoli

The new scenario of European Community policy aims to promote enterprise competitiveness through an action plan favouring the integration of logistic services and transport infrastructures. The objective of the European Commission is to develop alternatives, to road transport, based on integrated and intermodal logistics capable of optimising the entire operative chain of freight transport. Public authorities can and must play an active role in creating the pre-conditions that will back logistics supply innovation.

Logistics and intermodality

Intermodal logistics is defined as a system of services that includes various phases of planning, organization, management, control and implementation of freight transport in door-to-door chains. A comparative analysis between European and American logistics highlights the constant growth of European expenditure (in relation to the GDP) in this sector and the loss of competitiveness. Road transport is highly vulnerable to bottlenecks due to geographic, administrative and customs barriers. Even road/rail intermodal transport presents problems caused by the low number of rail lines and the lack of interoperability amongst rail systems. On the contrary, Motorways of the Sea (MoS) satisfies the requirements of sustainable development by reducing the factors of environmental and social risk represented by congestion and delays in the distribution chain, accidents, environmental deterioration and increased energy consumption. The loss of competitiveness is

simply the consequence of these negative effects. Logistics based on MoS services provide high quality, economically convenient and competitive advantages to full road transport.

The EU maritime traffic statistics 1994-2005 shows an average increase higher than 30% on account of two particularly favourable conditions: the high development rate of short sea shipping and the increase in transoceanic container traffic.

With regard to intercontinental traffic, competitiveness amongst ports is based on infrastructural comparison. For MoS, on the other hand, critical issues are shifted to the territory 'behind' the wharf and competitiveness is related to other aspects, such as the availability of operative space, motorway and railway accessibility, and interference with city traffic. The availability of good port services is similarly important.

Terminal Services: operations must be carried out rapidly and efficiently in order to allow a free flow of traffic through the terminal.

Nautical Services: the MoS paths regularly and frequently reach the same port and therefore the cost of port services must be reduced to the minimum.

Customs and Security Services: security problems must be foreseen and acted upon in a preventive manner.

Transporter Services: these include the need for large parking areas with all the necessary services, including the possibility of communicating with all main port operators. Information and telecommunications: a progressively increasing part of all services must make use of ICT technologies (gates equipped with telepass, one-stop-shop administrative functions, and call centres for the

transporters that require assistance or intend to evaluate the MoS alternative.

Motorways of the Sea

At present, two maritime service networks are present in the Mediterranean: the first, connected to transoceanic traffic from the Far East, utilizes Italian transshipment ports (Gioia Tauro, Taranto and Cagliari) and redistributes freight to the major national hubs; the second, which consists of internal Mediterranean traffic, connects pairs of ports with high frequency and periodicity of use along the MoS.

The development of MoS can be accelerated by two important factors: naval technology (which leads to increases in commercial velocity and transport capacity) and logistics (which allows the improvement of port system efficiency). In particular, the creation of more efficient logistic platforms is based on the concept of 'port clusters': the concentration of traffic in platforms constituted by groups of ports that present an elevated capacity for the production of logistical and intermodal services.

The Italian port system, practically uniformly distributed along the entire coastline, requires that port clusters be identified in order to present the following advantages: limiting the effects of competition and eliminating the so-called "last mile bottleneck". Therefore, all efforts must be oriented towards the improvement of road-rail interconnections within individual port platforms.

Technology for maritime transport safety

The maritime corridors that are already operative in the Mediterranean basin require action to assure an adequate level of safety, as defined by the international

IMO regulations. In this perspective, the European Commission (EC) has indicated the following objectives: the safety of all ships, from passengers to freight, the protection of marine environments and the monitoring of accidents. In order to attain these goals, the EC has promoted the SAFEMED Project (2006/2008) which is based on the VTIMS (Vessel Traffic Information Management System) and the Galileo Satellite System. VTIMS provides monitoring services in ports and is based on radar systems that have already been widely experimented in air-traffic control. The Galileo System is based on satellite radio-navigation and can play a fundamental role in improving safety conditions in rescue operations, but also in the selection of optimal routes in relation to sea and weather conditions. Moreover, the Galileo Programme will also take advantage of the existing Mediterranean Shortsea Promotion Centres (SPCs) Network.

EU financing channels

The PACT (Pilot Action for Combined Transport) Programme was launched in 1997 and financed for 55 million euro. The majority of the resources have been used in rail projects, while the remaining funds were destined to short sea shipping, internal navigation and joint transport. For 2003-2007, the PACT Programme has been substituted by the Marco Polo Programme, which can finance projects in all of the three mentioned areas. At present available funding amounts to 100 million euro, but this will be increased to 400 million euro.

Through this programme, the EC has allotted, for the first time, financing to enterprises presenting projects on the transferral of road freight transport to rail and maritime services. The projects, presented by

European enterprise consortiums, provide a very important contribution to identifying the future lines of action and represent an initial indication for the definition of a Master Plan for the Mediterranean. The new EU budget outlook reserves significant resources for strengthening the competitiveness of European enterprises by implementing the Lisbon Strategy, centred on technological research and innovation programmes and the development of the TEN Networks. In fact, TEN-T resources for the Corridors and MoS amount to 7,200 million euro to which we must add the 400 million euro of the Marco Polo II Programme and the 900 million euro of the Galileo Programme.

A thematic strategy on the urban environment

Elio Manti

With the Communication from Commission to the Council and the European Parliament relative on Thematic Strategy on the Urban Environment, COM (2005) 718 11 January 2006, the European Commission has defined a reference frame for environmental policies and for sustainable development in European urban areas. Thematic Strategy on the Urban Environment is one of the seven thematic strategies expected by the 6th Environment Action Programme (2).

The Strategy remarks that the integrated approach to the urban environmental management realized by adopting strategic action plans is the one which allows better performance. It strongly advises local authorities to adopt appropriate measures to further a wide recourse to integrated management. Due to the environmental importance of transport and urban mobility, the Strategy exhorts local authorities to elaborate and enact sustainable urban transport plans. In 2006, the European Commission will publish a set of technical guidance on concerning integrated environmental management and sustainable urban transport plans. The Strategy wants to implement the quality of the urban environment, making cities more attractive and healthier places to live, work and invest in, and reduce adverse environmental impact of cities. However, limiting the Strategy action field to the effective implementation of the environmental legislation and to the management of strictly-environmental aspects seems like to be very reductive. The installation of the Strategy instruments can represent a

chance to rethink to the city's governance model, by implementing their sustainable development orientation.

The Strategy, in conjunction with the Declaration on guiding principles for sustainable development and the Bristol Accord, reshapes the reference frame for urban policies, strengthening the links between environmental, economic and social aspects of development. On 16-17 June 2005, the European Council approved the *Declaration on guiding principles for sustainable development* containing the key objectives and the guiding principles which will serve as basis for the new sustainable development strategy. The Declaration divides more specifically the founding principles of the sustainable development and describes them as merit contents, and as method, decisional process. The Communication underlines how environmental, economic and social dimensions are strictly integrated in urban areas and explicitly refers to the contents of the Bristol Accord's *Sustainable Communities*, subscribed by the Union Ministers on December 2005. The Accord has been supported by the United Kingdom and concerns the approach that local and national governments should have for creating sustainable communities defined as places where people can live and work, today and in the future. Communities that can steadily manage social, economic and environmental problematic by satisfying the needs of present and future generations and by respecting those of other communities are called 'Sustainable Communities'. The Commission kindly suggests local authorities to adopt necessary measures to ensure the recourse to the urban environmental

integrated management and encourages regional and national authorities to support this process.

About the urban environmental integrated management, Strategy has adopted the directions elaborated by Working Group on 'Urban Environmental Management Plans and Systems' in order to investigate and provide advises concerning the elements of the Urban Environmental Management Plan and the Urban Environmental Management System. The Plan is a strategic document that defines short, medium and long-term environmental objectives and policies for an urban area. It establishes a clear vision, a general strategy and an action plan, aimed towards the achievements of objectives and targets, and defines the action execution times.

The Urban Environmental Management Plan is defined and realized on the strength of participatory and intersector approach; covers a 15 to 20 year period, with re-examination every 4-5 years; the final decision on objectives and targets belongs to the competent authorities; is based on a reporting procedure to inform citizens and stakeholders; foresees the evaluation process. Concerning the application area and the realization responsibilities of the Plan, the Working Group has introduced the *functional area* concept which allows to think about urban areas rather than administrative boundary. The urban areas' approach opens the problem of the cooperation between local authorities, which have to recognize adequate procedures in order to share principles, objectives, ways and shapes of intervention. After establishing the Plan purpose, application area and contents, it is necessary to proceed with its realization through an

Environmental Management System. In this regard, there are several systems and tools actually adopted in the European urban areas to implement the Urban Environmental Management Plan and the environmental policies on urban areas, such as EMAS, ISO 14001, Eco-Budget and CLEAR. The Communication recommends local authorities to elaborate Sustainable Urban Transport Plans. To identify the contents and the definition, adoption and realization procedures of such plans, the Communication refers to the work made by the Working Group on 'Sustainable Urban Transport Plans'. Similarity between Mobility Urban Plan and Sustainable Environmental Transport Plan, Art. 22 L. 340/2000 establishes the Mobility Urban Plans "in order to satisfy public mobility needs, ensure acoustic and atmospheric pollution-level breaking-down, energy-consumption reduction, road-transport and transport-safety level augmentation, minimize the individual use of the private car and reduce traffic congestion, increase transport capacity, increase citizen percentage transported by public systems with car pooling and car sharing solutions and reduce urban area overcrowding phenomena". It is to understand how and in which measure the Mobility Urban Plan can represent the tool that generates Strategy's provisions on sustainable mobility and transports. In realizing the Strategy, the European Union will have to: support member states and local authorities in promoting best practices and in spreading them; encourage network constitution and exchange of experience between cities; offer a financial support for environmental-priority investment; develop guidelines; establish

national focal points for city support.

A relevant part of support activities of the European Union can involve best practices' exchange and selection.

The Commission is going to evaluate the opportunity to activate a "European framework programme for the exchange of experience on the urban development" in the field of Cohesion Policy suggested for 2007 to 2013 period beginning from the experience that it is performing with the European Urban Knowledge Network project. The Commission undertakes to study a thematic portal feasibility/viability addressed to local authorities. Another relevant field regarding the Strategy propagation is the formation activity.

The role of the cities in structural funds programmes for 2007-2013

Mara Cossu

The new European cohesion policy, and its implementation by member states, is being drawn up in the framework of a whole and comprehensive sustainability approach, towards social cohesion and economic goals (Lisbon strategy) and environmental quality (Goteborg strategy). In this context, the role of local territorial systems is crucial: cities have been identified by the European Commission as *motors for growth and jobs* and the new funding policy has the function to support this role, following British sustainable communities model.

In synthesis, the European Commission brought out a vision of urban policy, to be implemented through structural funds, deeply related to complex programmes held on in the recent past programming years, such as Urban programme. This kind of tool interlinks the three spheres of sustainability all along its elaboration and implementation, even in the audit phase.

In the new programming period, programmes such as Urban are not anymore considered as single identities and flow into the big container of cohesion policy. The scope of this assimilation is the transmission of their innovative contents into ordinary Commission policies, although the effectiveness of this transmission is to be demonstrated.

Referring to urban areas, the main concern seems to be the setting up of integrated projects, able to face a complex urban reality, not circumscribed to administrative boundary, and to interpret urban structure and territorial interconnections to

formulate adequate answers.

In carrying out the interpretation of territory processes, the Italian Strategic Reference Framework identifies two territorial models, *metropolitan city* and *territorial systems*, which structural funds operations should refer to. This complex level of interpretation, could enable the formulation of complex answers, so as to take into consideration and face urban sprawl and design or redesign the role of the networks, of every kind and specie. It also allows thinking that integrated answers will be formulated to deal with cross-border phenomena between city and its *rounding universe*, recognising and strengthening functional, environmental and economic relations.

In this framework, some issues still remain open. First the role of institutional partnerships for urban areas. Local actors ask for a complete involvement into the whole programming cycle, from elaboration to implementation. They feel that demanding the drawing up of rules and methods for partnership to regions will cause a restraint of their involvement to the implementation phase.

Secondary, the role of the *metropolitan cities* should be clarified. They are several times mentioned as territorial dimension, but never taken into consideration as juridical subject for institutional partnership. It is also still unpredictable which relations structural funds financed projects will engage with the other plans and programmes operating on the same urban area. In particular, an interaction with urban strategic plans seems to be desirable. Finally it will probably be necessary to draw up new tools for implementing the audit and evaluation process in urban areas, as

requested by structural funds programmes.

A new paradigm to test

Andrea Filpa, Michele Talia

After a relatively short incubation period, lasting less than three years from the start of the proceeding to its adoption by the Municipal Council, Siena now has a new urban development plan. The differences between the preceding Master Plan, drawn up by a group of planners coordinated by Bernardo Secchi, and the new Structural Plan (the result of efforts which, although with some outside contributions, has been carried out by the Municipality's Planning Department) are indeed enormous although it would be a mistake to put down the distance separating the two instruments to the peculiar features, evident as they may be, of the respective *planning forms*. In the ten years separating the two technical-administrative processes, in fact a resolute modification of the planning system took place first in Tuscany and then in the rest of the country, and this, while on the one hand more effectively limiting the margins of freedom within which the town planner can exercise his culture and his talent, on the other hand identifies sectors of research and experimentation which hitherto did not seem feasible. Along the apparently narrow path outlined first in Regional Law 5/95, and further defined by LR 1/05, the SP work group moved with unsuspected freedom, not only finalizing a procedure able to ensure a constant balance between the *statutory dimension* and the *strategic dimension* of the Plan, but also identifying concrete grounds for the application of two components of the planning process that had by now become crucial, namely having recourse to

assessment techniques and seeking a greater involvement of the public. Thanks to an ever more effective tool kit, the planner can today submit town-planning choices to increasingly more severe checks, which translate in fact into the possibility of grasping the idiom of the evaluator and of the communicator, and at the same time of visualizing the feasibility, the impact and the possible sharing of his own draft plan. In the SP of Siena these new working capacities have been developed in three complementary sectors. In the first place recourse was frequently had to the institutions of equalization and of compensation, useful in offering a way of implementation both to the objectives of environmental or landscape protection and rehabilitation, and to the policies of economic development and of support for the housing demand of low-income families. At the same time great efforts have been made to secure the participation of the citizens, and this has translated not only into activating a privileged relationship with the girls and boys of Siena, assigned the responsibility of a design table, but also foreseeing a City House in which to hold, on a permanent basis, the debate on urban dynamics and on transformation projects. Lastly a planning process solidly based on the programming method was envisaged, such as to associate the single phases into which the planning operation will be subdivided with a careful consideration of the balance sheet constraints and of the implications deriving from an integrated management of the discipline of land use and sectoral measures. Thus far even the innovative choices were able to take off substantially in keeping with the fundamental

inspiration of the regional legislative framework, but occasions were not lacking in which the need was felt of a broader-ranging reform of territorial governance, which could enable the spatial and temporal constraints stemming from the current legislative context to be overcome, including for example the lack of attention given to vast area policies or the absence of prospective references and elements with which to give concrete form to the widely demanded strategic projection.

At such moments as these the paradigm of *prudent innovation*, and hence the undertaking to avoid inconclusive choices and leaps in the dark which a wisely conservative community such as that of Siena would not be able to understand, has been sorely tried, but has proved able to stand up to it.

This is witnessed, for example, by the decision to draw up a territorial reference framework not foreseen in regional legislation (SMAS), to assist in the formation of the new SP; this made it possible to involve the five adjoining municipal administrations in a co-planning exercise, testing the solidity of choices in the sectors of housing, infrastructure and environment, and so proposing a model that may usefully be referred to during the forthcoming revision of the provincial plan.

But it is also thought of having recourse to the technique of scenarios and adopting a long-term perspective (the city idea) in dimensioning the plan, indispensable for introducing that vision of the future able to motivate the most exacting decisions, and therefore improving the coexistence of citizens and institutions.

After the season of *elite planning*, also *prudent innovation* is able to open

up horizons of a certain depth, in particular attributing to the local government a crucial role in disciplinary research. In the experience of the SP of Siena, the result of individual or small-group elaboration, formed part of a process of collective maturing of the institution, with the effect of perhaps reducing its visibility, but with the undoubted advantage of attributing to it a noble paternity which enhances its legitimation and transferability.

The city concept and strategic vision

Michele Talia

Opposed to the undoubted quantitative results produced in Tuscany by the new planning system, there is still considerable uncertainty in assessing the qualitative results of this extraordinary urban planning season. According to some, the novelties introduced by Regional Law no. 5/95 have been deactivated by a form of planning overly concerned with preserving the primacy of the regulatory dimension, and therefore bound not to go deeply into those strategic aspects which instead prove to be decisive for the innovation of the plan.

The most important contents of the Structural Plan of Siena respond to this criticism above all where they evidence that the attention given to the relation between elaborating a fertile *city concept* and the main planning choices can protect town-planning discipline against the risks of a management too closely bound up with contingent matters. And in fact the city concept which has been made the hub of the new SP not only sought to reconstruct the way in which the urban community perceived itself, but has shaped a vision of the future compatible with the aspirations towards change forming part of the local identity.

A useful contribution has been offered in this regard by the scenario techniques, first used for analyzing the possible impacts of vast-area policies, and then for comparing the effects on the environment, on the landscape, on local development and on the settlement structure of the main strategic guidelines. Thanks to the use of alternative medium and long-term scenarios, the SP has been able to focus on

the junction that guarantees the connection between a structural dimension able to guarantee the conservation of the non-negotiable resources, and a strategic dimension with which to convey the essential, qualifying contents of the civil, cultural and spatial project to be implemented with the forthcoming *Regolamento urbanistico*. In applying this working method to a complex situation such as that of Siena, special attention was given to seeking a balance between the urgency of up-grading the housing structures to the requirements of present-day society, and the impulse to preserve the places of identity and of memory. Included in this sector are the initiatives aimed at favouring the provision of housing for rent.

Another basic criterion identified is that of seeking a greater propensity to establish productive and service activities having a higher value added; and stemming from this are the choices regarding the rationalizing of the supply of productive areas, the strengthening of functions of excellence, the reallocation of urban elements of attraction, and the improvement of accessibility to the historic centre and to other places of particular interest. Such is the case of shifting the outdoor and the indoor sports stadiums to a new sports centre located in the area presently occupied by the outdoor stadium. In selecting plan objectives, strategic importance was attached to respecting the environment and safeguarding the countryside, assigning to the management of the natural resources the task of promoting the city image. Particular attention should be given to the up-grading of the ecological network by means of developing areas of concentration of environmental values, maintaining the elements of

biodiversity, and lastly the formulation of statutory rules by which to transform the traditional free belts around infrastructures into special environmental corridors, or foreseeing environmental compensation measures aimed at integrating the areas of open territory compromised by the new urbanization works.

In finalizing a city concept which can be appreciated by all citizens, the SP promoted the search for an urban form not depending only on the values and resources of the old city; it strived to demonstrate that high urban quality can be achieved also in newly established areas. For this reason a growth guideline was identified, aimed at concentrating a considerable part of foreseen housing developments in the southern quadrant, where a vast range of measures should provide a boost for integrated planning which could prove to be competitive with regard to the more central, consolidated urban fabric. With respect to this aspiration the SP of Siena lays down the procedural, programmatic and management conditions to ensure that the implementing of the choices contained therein will be able to achieve morphotypological results compatible with a project of a present-day city.

Moving in this direction is the emphasis assigned both to the coordination of the operative instruments of Siena and of the adjacent municipalities, and to the balancing of foreseen new housing areas and the provision of more infrastructures. To ensure that this choice of method will produce the hoped results it is necessary for the entire planning system to confide in the instrument of evaluation, which could constitute an effective link between the structural and the operative dimension of

the planning.

The form of the plan and its components

Andrea Filpa

Reflections on the organizational structure of the SP of Siena have brought out a number of requisites that the plan should have satisfied, namely: *clarity of the language* and of the structure of the plan, given that it is an instrument for administration and that the citizen ought to be enabled to understand it and thus to assess it; the *capacity to interact* with the other instruments of governing the city; the *capacity to control* the quality of the town-planning and architectural transformations; *its coherency with the choices* of vast area governance; *the capacity to guarantee continuity* in the urban rehabilitation activities already started.

The general organizational criterion of the SP was suggested by the conviction of having to construct an instrument capable of operating in different time horizons, with correspondingly different languages and different levels of specification of choices of government, constructing relations with other acts and instruments. The starting point of the design of the SP is the *city idea*, having a long time horizon, estimated as 20-25 years, and which has been built up through the convergence of many different elements. The *city idea* summarizes the contemporaneous contribution that will accompany the temporal segment of the life of the city to be guided by the SP. Starting from the city idea, the three stages of the SP, termed *political component*, *statutory component* and *strategic component*, are consolidated.

The role of this component is that of rendering clear the policies and the action lines considered necessary for

giving concrete form to the *city idea*.

The ensemble of the *city idea* and of the policies and action lines has been called the *Governance project*, and has been the subject of an in-depth debate with the local community.

With the basic lines of the SP consolidated, a start was made on formulating the *Territorial Statute*, which in the spirit of Regional Law 1/05 has the task of identifying the invariables and fixing the rules of managing resources.

By structural invariable is understood a particular way of being in the territory which it is believed can guarantee inalienable environmental and settlement balances not negotiable in the process of transforming the territory (the hinge elements of the identity of places as per Art. 5, 2, of LR 1/05).

Identifying a structural invariable in the SP has a precise purpose: that of committing the municipal administration in managing a portion of territory in such ways as to make it an element of the collective identity.

In the SP of Siena the territorial statute has been subdivided into six resource statutes, understood as ensembles of choices and rules of managing the essential resources of the territory, to be adopted as antecedents with respect to the territorial development strategies. The six resource statutes have been represented as follows: *statute of the air*, including matters pertaining to light, noise, electromagnetic and atmospheric pollution; *statute of the water*, which concerns protection of aquifers and the hydraulic risk; *statute of the soil*, containing the discipline of geological risk, in large part loaned from regional measures; *statute of ecosystems and of the landscape*, intended to guide the coevolution of aspects linked with

safeguarding biodiversity and the quality of the rural landscape; *settlement statute*, dealing with the settlement system, both from the standpoint of its physical management and from that of living/housing quality; *network statute*, including the functional systems of the road network, of the railway network, of the networks of the water cycle, of the wastes cycle, of the electricity and gas transport of the telecommunication network.

The statutory component fixes in substance the conditions that the strategic component has to respect in order to pursue the plan policies in a logic of sustainability of the territorial development processes. The statutory component is thus the junction point of a line which from the Governance project derives the objectives and rules of resource management, laying the foundations for the development strategies and subsequently for the project and for the transformation of the territory, in which passage the baton is handed over to the *Regolamento urbanistico* which will be following one another in the period when the SP is in force.

The strategic component, the most operative part of the SP, assumes as its references the supply of resources made in the factual framework, the intentions contained in the Governance project, and the objectives and rules contained in the statutory component and proposes a summary thereof expressing the territorial development strategy of the SP, understood not only as a container of the things to be done but also as the road to take with a plurality of instruments and of subjects. In this sense the SP of Siena has deemed it useful to subdivide the Strategic Component into four distinct

but complementary parts; the first two centred on the transformations to be carried out, the third one centred on the institutional and operational aspects of the implementation of the SP, and the fourth one containing the assessment apparatus.

The first part contains the territorial development strategies, and describes the overall framework of the transformations considered necessary for putting the Governance project into concrete practice in the period when the plan will be in force. The second part is dedicated to projects of UTOE (Elementary Organic Territorial Units) which refer to the parts of the city in which to carry out homogeneous strategic policies. The third part explains, with connections with the planning system with which the SP has to dialogue, both internally (RU, municipal policies and acts) and externally (regional and provincial planning and programming). This part contains perhaps one of the most original elements of the SP of Siena, namely connections with the planning of the adjoining municipalities. The strategic component concludes with the assessment apparatus of the plan, which has been developed for four complementary sectors.

Policies for the historic city

Valeria Lingua

The SP considers the ancient centre and its valleys as invariables, acknowledging their continuing role as the *central place of municipal identity*, representing the *ensemble of the activities and of the social identities* expressed by the local community. The high value of the historic centre in terms of culture and identity is determined by the presence of higher-level functions which make Siena a high-ranking city, inserted in a network of relations that go beyond the provincial level.

At local level the historic centre has been affected by outflows of population to the residential peripheral districts and the countryside and by a progressive expansion of the tertiary sector. The object to be reached thus appears to be that of a correct balance among the functions, both promoting the rehabilitation for dwelling purposes of various owned buildings, and targeting part of the contributions of the Special Laws for Siena on upgrading housing located within the walls. The results obtained have been further reinforced by the forecasts of the city master plans, and by the implementation plans that have involved the historic centre, in particular the measures for the management of mobility and the functions.

In 1995 the historic centre was inserted in the UNESCO sites and was therefore recognized as 'patrimony of humanity'. The Structural Plan, identifying the historic centre as an invariable, accepts these implications and sets a series of objectives and policies for the conservation, management and development of landscape and historic-artistic values, starting from

the statute of the city and of the settlements. After verifying the repositing of certain dynamics typical of the walled city also in the adjacent settlements outside of the walls, the Structural Plan foresees the extension of the perimeter of the historic centre by means of including the 20th century additions. For the historic centre and its 'outliers', the objectives regarding the preservation of the integrity of the urban layout, the continuation of maintenance and restoration operations, increasing the diversification of the quality functions and economic activities in the historic fabric, and lastly the reorganizing of mobility, take on particular importance.

In outlining the distinctive elements of the strategic component, the forecasts in the SP for Utoe no. 1, defined as 'Unesco Site', the plan recognizes the necessity to maintain the role as the place representing the ensemble of the identities and functions expressed by the Sienese community. For this purpose, the strategy of the SP is aimed at preserving the integrity of the town-planning and architectural layout by means of the maintenance and restoration of the historic assets, maintaining the presence and the social role of the *Contrade* (districts), improving mobility by means of new traffic regulations and of the 'Ztl' times also in order to enhance the quality of public spaces.

Thanks to these policies and to the necessary extension of the perimeter of the historic centre, the assertion of commercial or directional monofunctionality can be hindered by fostering the diversification of quality economic activities and functions also within the historic fabric of the northern and southern outliers beyond the city

walls (Utoe 2 and 3), safeguarding shops and handicraft service activities of historic value and favouring housing. Regarding the role and the recognizability of the city in the supralocal circuit the SP foresees a number of important strategic actions, including, the development works on the former Ospedale Santa Maria della Scala, the broader-ranging project defined as the 'Urban Park' and the setting up of the Parco del Buongoverno intra moenia.

From wide area policies to SP strategies

Valeria Lingua

The policies assumed by the Structural Plan of Siena specify at municipal level the policies expressed in the Metropolitan Scheme of the Siena area (SMAS), carrying out the necessary insertion of local strategy in a broader, agreed strategy at supralocal level.

The studies on the housing policies for the factual framework of the SMAS had evidenced the lack of territorial homogeneity of the typological mix of the new housing produced and a distribution of the value of houses determined mainly by their nearness to Siena. Housing policies of the SMAS pursue intermunicipal coordination for the location of additional housing offered and of the typological mix, in particular with reference to settlements at the boundaries. The objectives of the SP in this sector thus foresee the signing of planning agreements to resolve problems of development of boundary areas regarding the provision of services, the need to amplify the supply of housing and to increment the TPL.

The studies for the SMAS evidenced a 35% increase in commuters in the last 5 years. For this reason the mobility policies aim to achieve adequate levels of accessibility by optimizing public rail transport, upgrading and reorganizing waiting times in exchange car parks and promoting of pedestrian and cycle ways. Regarding policies for urban functions of excellence, the SMAS pursues the twofold aim of upgrading the supply of high-ranking services and increasing their use, also favouring processes of decentralization compatible with the organizational and logistics requirements of each function.

The landscape management policies are

aimed at safeguarding the resources of the territory, maintaining and improving the quality of the countryside, also by means of improving the belts of contact between compact urban settlements, infrastructure and open territory.

The policies for productive sites and for tourism have as their aim the creation of low cost accommodation facilities at metropolitan scale and the full use and reorganization of the current availability of sites for productive settlements.

Many of the big strategic choices of the Municipality of Siena make co-planning with the adjacent municipalities. This confirms that the 'metropolitan' dimension in the Siena area represents in any case a useful framework in which to place the formation of the town-planning instruments in forthcoming years.

In this sense, it becomes fundamental for metropolitan policies to be projected in a strategic plan, to be arrived at through the drawing up of feasibility studies, in-depth studies, agreements, understandings and conventions which will make the action of the single municipalities effectively unitary.

The settlement system

Gabriele Comacchio,
Paola Loglisci

The overall framework of the settlement model of the Metropolitan Scheme of the Siena area is characterized by its subdivision into urban areas of various size and by a more marked presence of these forms of agglomeration both to the north-west and to the south of the Municipality of Siena. The survey aimed at studying in-depth the characteristics of each urban areas in relation to the morphology, its location in municipal territory, the logistics opportunities and the presence or otherwise of production, distribution and service companies. The work of analysis and interpretation carried out has been summarized in the *Catalogue of forms of settlement in the Siena area*, which made a classification subdivided into various typologies, drawing a distinction among: *dynamic urban areas*, where the recent phases of the urbanization process reflect the trend towards an accentuation of settlement dynamics; *urban areas in stagnation*, where the incidence of the historical assets are decisive and the stand-still of urban growth seems ascribable to the presence of inadequate conditions of accessibility; *'parasite' urban areas* which, being located in the belt, exploit the supply of jobs and the provision of the main urban services; *urban filaments*, whose building growth has taken place mainly in linear fashion, i.e. using the main road network as its reference settlement matrix; *nodal-type settlements*, whose development has been favoured by the presence of a complex infrastructural system; *isolated urban areas*, where the difficult access to the main infrastructural system has stopped the urban

growth; *industrial units*, where the urbanization process has recently fostered a sharp divide with the residential areas. These analyses have shown that from a settlement system consisting of a historically consolidated central nucleus and a built area spread over the whole territory linked to agricultural activities, there has been a passage to a relative concentration of settlement patterns in the northern sector of the Municipality. Through the effect of the policies promoted by earlier town-planning instruments, the main expansions have thus concerned the direction between the most densely urbanized area and the northern boundary of the Municipality, while more modest but in any case significant initiatives have led both to the growth of the existing urban areas and to the formation of new ones.

**The landscape of
'buongoverno'***Claudio Greppi,
Paola Jervis*

As in many other areas of Tuscany, the problem of the countryside stems from the conflict between cultural reasons and productive ones: a conflict which in the case of Siena can be resolved only by recognizing to the countryside, as a whole, the status of a cultural asset of primary importance. The purpose of the study of the forms of the countryside, conducted within the framework of the SP of Siena, was to point out situations in which it is possible that more or less appreciable alterations occur with respect to the expected landscape still witnessed by the cartographic and photographic documents of the post-war period, and which survives through inertia in spite of the profound economic change. Despite the city's recent expansion and the alterations in the rural building fabric and in the agricultural pattern, what remains as the useful basis of a countryside restoration project in keeping with historical values is the subdivision of the Masse territory into significant units: first and foremost the spur of Siena, with the walled city and its outliers, then the two-fifths constituted by the tufaceous ridges flanking it beyond the valleys of the Tressa and of the Riluogo. The Structural Plan sets itself a two-fold objective: that of upgrading in detail the measures on the building assets and on the resede, together with that of keeping under observation and guiding the change in the overall landscape features towards their structural characters. The first one is addressed through a precise hierarchy of restrictions and rules

which takes into account both the value of the single building complex and its position in the context of the landscape. The second one tackles the articulation of the legislation by types and systems of countryside, with indications for drawing up agricultural plans and the design of the external works. The ensemble of the disciplines forms a coherent framework of prescriptions that will be adequately translated operatively in the Regolamento urbanistico.

The landscape ecology in territorial governance

Carlo Blasi, Vincenzo De Dominicis, Leopoldo Michetti, Riccardo Copiz, Chiara Centi

The landscape ecology derives from the meeting of geographers and ecologists. It is a discipline aimed at identifying territorial and landscape models able to make an effective and operative contribution to the discipline of planning.

In this context the Italian school of synphytosociology has drawn up some original models based on the identification of areas that are homogeneous in their physical characters and which are subsequently qualified in floristic, vegetational and landuse terms; by means of hierarchical territorial classification, homogeneous sectors were defined, and these were then qualified in climatic and lithomorphological terms and also in vegetational and landuse terms.

The research group on plant ecology and landscape ecology also assessed the state of conservation of the systems and subsystems identified, integrating naturalistic information with that linked with land use and with the history of the places.

The index used (Index of Landscape Conservation, ILC) assigns a conservation value to the various typologies of the ground cover and land use map and thus assumes a value from 0 to 1 (the latter expresses the maximum state of conservation) as a function of the cover of the various typologies present. A first indication to emerge concerned the measurable ILC variations existing among the different systems. These variations are the result of man's ancient and recent *predilections*, for example for sandy hill systems or for the valley plains where a

considerable part of recent settlements have been situated.

A further important element of interest emerging from the studies of the countryside has concerned the variations in the ILC recorded in identical systems and subsystems, but located in different municipalities; the most recurrent situation is that in which the systems and subsystems of the Municipality of Siena show lower values than those in the adjacent municipalities. The studies have evidenced that Siena, certainly the SMAS municipality most privileged, by being richer in settlement quality, in rare services and in job openings, has paid for this privilege with a greater dissipation of environmental resources, and today directly and indirectly makes use of the resources of the environment and of the structural organization of the services and of the available housing in adjoining municipalities. Lastly, it was very interesting to discover that a large part of the current land use is still strongly linked to the nature of the substrata and to morphological variability. Siena also has a very particular character in that, although greatly transformed; it retains a certain value in its state of conservation thanks to the use planning which in the course of time has considered it important to keep, also in the historic centre, elements connected with agricultural use and with a natural landscape rich in floristic and plant biodiversity.

Structure plan in the Tuscan Regional Law

Annalisa Cauteruccio,
Wladimiro Gasparri

Tuscan RL 1/05 assumes *territorial governance* as the object of its discipline, understanding by this "the ensemble of activities relating to the use of the territory, with reference both to factual aspects and to normative and managerial ones, regarding the safeguarding, development and transformations of territorial and environmental resources" (Art. 2, 1). From this standpoint the new regional town-planning discipline proposes not only to optimize the use of the territory considered, but takes as its structural basis "the sustainable development of the public and private activities that influence the territory". These objectives are concretely translated from at least three standpoints. The first one is linked with *protecting the essential resources of the territory* (Art. 3, 2), The second one comes from what is termed *saving of the territory* (Art. 3, 4), and the third one is represented by identifying the *structural invariables of the territory* (Art. 4).

Tuscan Regional Law no. 1/05 identifies three autonomous actors (Region, Province and Municipality) with the task of drawing up, for their respective areas of competence, the territorial planning act, i.e. the Regional plan of territorial policy, the Territorial plan of provincial coordination and the Structural Plan. The 'cascade' type of planning model is innovated: without repudiating it, it is now accompanied by the criterion of competence and by the exclusive attribution to each institutional actor of the power of defining the plan within its respective competence.

In this context territorial planning at municipal level is subdivided into two

levels: the SP (Art. 53), as the planning act, and the *Regolamento urbanistico* (Art. 55) as the act of territorial governance, to which may be added the *Piano complesso di intervento* (Art. 56) and the Plans of implementation (Art. 65). The SP contains a *basic description* by virtue whereof the Municipality, considering its specific characteristics, makes its strategic choices of layout and development; its coordinates the acts of territorial governance, as well as the particular implementation plans. From another standpoint, it defines the general rules of the legal conformation of the territory and for this aspect it contains an ascertainment of the intrinsic characteristics of the properties included in it, so that "the consequent limitations to the right of using properties, identified on the basis of the principles laid down in national law, as contained in the statute, does not entail any indemnity" (Art. 6). The new law on territorial governance thus reverses the principle that the intended land use is the central part of the law, while the discipline is based on what are called the structural invariables and the territorial statute, and the underlying principle of traditional planning is finally overcome; instead a planning model is proposed that is based on a distinction by levels: a plan (SP) containing the major town-planning choices, of unlimited duration and a plan (RU) for achieving given objectives within a defined time span.

The SP of Siena and town-planning innovation in Tuscany

Gianluigi Nigro

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.

San Marino territory. Guidelines for the settlement

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The major issues of the research

San Marino Republic suffers today from a peculiar environmental fragility because of deep transformations, largely due to the urbanization in the second half of the last century. Such considerations led us to an evaluation of the ongoing transformations beginning from a wide notion of 'sustainability' which nevertheless needs to be considered in a 'closed system'. This is in fact a small territory fully exploited and overcrowded by flows of commuting workers (62 kmq, 29,000 inhabitants, 11,000 city users), where the capacity of carrying new transformations is really reduced: any intervention in a sector immediately generates consequences on other sectors with significant effects.

It is to be hoped that the future master plan take into consideration any kind of impacts (environmental, visual, etc.) in the regulation of land uses and transformations in order to act as a real 'layout of territory'.

The predominance of urban interests: policies and social practices

Between the fifties and the sixties new settlements have been created either by 'regulatory plans' regarding peripheral zones or by private apportionments. The employment in the private sector of building companies does constitute from now on a significant element of integration to the offer in the public employment.

The first regulatory plan (1981) sets some rules all over the territory, including agricultural zones, green

areas and urban parks, and provides a hierarchization of the urban system. At the end of its validity, the regulatory plan failed its target: the mechanism of single cases agreements prevails, feeding expectations of building exploitation, whilst the forecasts about public works haven't been effective because of the objective narrowness of the public budget.

The new regulatory plan (1992) sets a division of the territory into homogeneous areas. The implementation would have needed detailed plans, but once more it did not happen: the major efforts would have been transferred to urban renewal and to the realization of urban facilities. Yet, the forecasts of this plan, beyond the end of its term, have been fulfilled only for a 65-70% of its capacity. The main problem is the persisting discrimination between owners of urban grounds and owners of grounds appointed to public roads and/or public services, which only can be resolved collecting rights and obligations inside homogeneous districts called comparti.

The transformations of the landscape and the environmental and perceptive evaluation

The urban sprawl and the irrational settings of the territory have left heavy morphological and functional modifications. Some historical patterns such as *casine*, *casalini* (farms), *capanne* (huts) and traditional cultivations are been canceled. Abandonment, decay expressively induced and reconstructions increasing the dimensions of dwellings are the most frequent phenomena. On the other hand, the survival of traditional forms of agriculture, such as olive groves and vineyards, depends most of the times on the interests of part time

farmers, who sometimes use their productions more or less as an alibi for getting new planning permissions. We must mention the increasing phenomenon of the splitting up (often real apportionments) even in those agricultural zones preserved by the law. Still, signs of attention are increasing: we must mention the Consortium Terra di San Marino, that gathers farmers' cooperatives with the purpose of a quality label, and a law (l. 126/95) concerning environment preservation and safeguard of landscape in its components (vegetation, flora, etc.).

The comparison between environmental resources and the new 'urbanization patterns' applied to districts identified in the *Green Notebook* of San Marino Republic (1995) put into evidence opportunities and threats. These are classified in four main issues: the environmental properties, the vulnerability, the landscape features and the interferences within the visual field. The tool of evaluation is a matrix whose purpose is to represent complex problems in a simple way; helping the understanding of trends, priority problems, environmental risks, in order to support the decisional processes and to promote the integration of the environmental matters inside local policies.

The new figure insediative risks and potentialities

The most direct origin of *figure insediative* (urbanization patterns) is usually recognized in the French school of the 'social morphology' or in the studies of the Chicago school regarding urban ecology. Beginning from such origins, the studies developed all along the last decades, giving place to manifold declinations of the relationships between settlement forms and uses

of the human space.

The *figura insediativa* represents a model of organization of the space which gives account of an attribution of value and of sense. It tries to interpret social relationships through their material results, including the cultural and the symbolic expressions, and those that we can define as 'market issued'. The models in space organization that emerge from the contemporary reading of the different patterns make us underline the cumulative effects of the urban growth on the environment and on the landscape.

The start phase is represented by the 'building lump', in which the colonization is revealed through new knots of compact fabric.

Subsequently, the connection between the lump and consolidated fabric ('extroversion') evolves into the constitution of a 'built ring'. This phase assumes the existence of some requirements, such as the existence of a road system able to support the settlement and of an urban nucleus, strong enough to be the engine of this shift. The connection between the different nucleuses, even if not completely realized, provokes a phenomenon of insularization and land exploitation of the residual internal space. The following phases, represented by the 'compressed fabric' and 'accumulation', carry gradually to the completion by a saturation of the open space still free from buildings. For each of the phases, it is possible to point out some monitoring parameters and corrective actions, i.e. the recourse to a sort of 'equalization' by relocating edification rights inside homogeneous districts: this can respond to the expectations of the community, safeguarding the integrity of the suburban territory as well.

Culture and identity in the strategies of a medium-small sized town

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The identity of the city, which is an ambiguous and elusive concept, can be posited as the result of an act, unnatural and always relative to the subjectivity that completes it, of abstraction of a relatively stabile image from an unpredictable and continuous process of change "from which forms emerge and in which they are destined to disappear" (Remotti 1996). Identity in this perspective is the result of a decision. This result is always full of partiality, conflicts and contradictions in the separation of a mental figure from the continuous and unpredictable movement of things. The narration that follows aims at demonstrating the relevance of these brief reflections in the context of the case of La Spezia, a small coastal city in the north-west of Italy with a population of about 95,000 that has had a history of changes and discontinuities, sometimes of a catastrophic proportion, that have marked its process of formation, growth, crisis and reinvention.

La Spezia was a small centre in a wider system of land established in feudal times. Its placement, deflated with respect to large territorial distances lent it a relative marginality for centuries. Only in the second half of the 19th century did the settlement materially acquire a relevant urban dimension in the context of changes in national territorial strategies. The placing of one of the most important naval bases of the unitary state in the plane beside, led to a sort of refoundation expressed substantially in the birth and expansion of a new city. The 19th century urban

dimension was the expression of a definitive assertion of the social classes of the industrial era, the bourgeoisie (tied to the military class) and the working class, and was incarnated in some characteristic themes (Romano 1993): large tree-lined avenues, orthogonal road system, new piazzas, new theatre and a new station. Towards the end of the 19th century demographic growth generated by the arrival of the Arsenal led to the need to build new neighbourhoods for the working classes, settled in continuity with the orthogonal structure of the blocks of the pre-existing 19th century city. If "urban forms are the product of history" and in the city we can recognise "the accumulation of a sum of historical experiences" (Roncayolo 1978), this new urban dimension certainly found an element of stability during the evolution of the city until the threshold of modernity in the permanence from the 19th century onwards of the orthogonal plant. The plot of orthogonal avenues that projected the new urban fabric into the planes in several subsequent phases of growth is oriented according to the axes of the 19th century naval base and continued to be so, even defining the line of growth of the city in the post-war period. The Arsenal settlement set off of a process of industrialisation that radically changed the slow evolutionary development of the city until the mid 19th century. Urban development was definitively conditioned, in the long-term, by the military and industrial role forced on the city and by the affirmation of a new bourgeoisie whose visions of the future formed a background for the urban plans from the beginning of the 20th century to the second world war.

At the beginning of the 20th century, large industry began to settle and the mercantile port was born and accompanied by a further urban development marked by strong territorial transformations. Among these, was the levelling of a hill to enable the urban colonisation of an agricultural area, mirroring that in which the 19th century city developed. New industrial concentrations were progressively affirmed in the naval-mechanic sector and in that of arms production. The new mercantile port was established and rapidly consolidated the rise of its traffic. Urban imagery was built around plans that prefigure the doubling of the city with the urbanisation of the plane to the east of the consolidated centre, re-proposing the 19th century orthogonal structure. The large avenues of the historical city pivoting on the lines of the Arsenal were projected on the plane giving shape to visions and expectations of a new industrial bourgeoisie. The second world war was a high point of catastrophe in the history of the city, which was destroyed by bombardments, and what was left of one of its deeper elements of identity, the medieval nucleus, was devastated first by air raids and second, even more radically, by post-war reconstruction implemented in a deregulated and speculative way through substituting preexisting fabrics.

Post-war development confirmed the industrial vision born in the 19-20th century with trust in large-scale state-sponsored development, the progressive development of the port and arms production. The orthogonal structure began to materialise the visions of plans from the beginning of the century, initially reproducing typologies of blocks characteristic of the

first 19th century expansion, then shattering in the disorder of the periphery of a minor city made of cottages and houses complying with the old rural format, but also of factories and productive areas that found support for organising activities in the old paths of rural origin. The commercial port, born at the beginning of 20th century, underwent a phase of veritable expansion: the progressive moving of ship fitters from Genoa to La Spezia and subsequently, the introduction of container transport led to a strong growth in port space and employees without, however, a corresponding planning of infrastructure or environmental integration activities. At the end of the 1980s, La Spezia had become the main Italian port for goods container traffic notwithstanding the small spaces of the dock and the almost total absence of adequate rail and road infrastructure. In this framework of unplanned growth, not supported infrastructurally, the first conflicts with the city emerged: while the port became of notably national strategic interest, the surrounding neighbourhoods underwent the repercussions of its development in terms of overall environmental compatibility. The process of post-war industrialisation continued with strong territorial dissipations progressively leaving visible waste. In the 1960s the consolidation of the framework of productive settlements, some of which had already been in place at the beginning of the century and had been strengthened between the two wars, definitively ratified the structure: port, electrical power station, armoury industry and refinery. From the end of the 1970s the economic system of the city entered a critical period characterised by decline of large-scale manufacturing

industry, growth in unemployment, accompanied by demographic decline. Large industry began to cede ground to smaller widespread realities that spread in the valleys outside the city towards areas in which land availability was less limited and spaces for production were less equipped in terms of accessibility. The crisis, principally manifest in the strong decrease in employment, also found a further element of decline in environmental questions. A vital cycle seems to have been extinguished looking at the inventory of the environmental threats left in inheritance by military and industrial dominion: pollution of the thermo-electrical power station, still fuelled by coal, the dumps in the hills and in the military Arsenal areas, the bloody cohabitation of movements and relative infrastructure with the peripheral living fabrics produced by a port that occupies increasing amounts of space, pollution of the sea, a sea increasingly farther from the eye of the resident that continues to struggle to find spaces to overlook it. In the middle of the post-industrial crisis, a totally unexpected event took place and competes as a decisive factor heralding the birth of a new urban identity hypothesis. The setting off of a new process that in the course of the decade led to a change in the vision of the future of the city was given life, not insignificantly by a member of the industrial elite. Amedeo Lia donated a collection of antique art to the city of La Spezia and ensured the commitment of the municipal administration to put in place a civic museum with the donor's name. In a short time the museum, which was housed in a restored religious building from the 17th century, was inaugurated. At the same time, public works were organised in a

strategic manner from the central generator of the museum to sustain the propagation of a process of requalification with a gradual but unfailing rhythm to the entire historical centre. Pedestrianisation gradually facilitated the proliferation of new commercial activities and services for tourism. One after another, other donations were made giving life to the idea of building, in the context of the urban centre, a veritable museum network. To bolster the Lia Museum, a neogothic building was recovered in order to host temporary exhibitions. Here a new museum was opened, it too the fruit of private donations that offered the most complete collection of seals in the world to the municipal administration. After the restructuring of the abandoned court-house building, also in the historical city centre, thanks once again to private donations, the last act of this process of museum reinvention of the city was put in place, the CAMEC (Centre for Modern and Contemporary Art) that gives expression to Martinetti's idea for the city, that of a 'house of art' seventy years later. The picture of this unprecedented museum fabric is completed by the recovery of one of the benchmarks of the city's history, included in the structure of the Arsenal and a further museum, the National Transport Museum which is still being adjusted and reorganised. Overall in a decade the city underwent a general rediscovery of its historical centre thanks to a process propelled by an absolutely unprecedented development factor in its history: culture. Innovation in the planning system In the same year in which Amedeo Lia donated his collection to the city hall and in which works on the museum began, work on

the new Municipal Urban Planning Instrument was launched. The themes of sustainability and urban regeneration acquired a dominant role and enabled developing a perspective of the objective of an overall transformation of the city, beginning with the identity born from the awareness of the crisis and the emerging 'city of museums'. The particular nature of the historical moment of the city and especially the need to rapidly give shape to a new vision was made evident by the fact that in the planning process some elements of innovation were introduced both in the contents and the instruments of the plan. While work on the urban plan was underway, the city hall forwarded some strategic choices that ensured the stability and strategic reliability of the "background vision" (Piroddi 1999) that the plan was gradually interweaving. This occurred through not totally conventional instruments and procedures approving three 'area plans' relative to themes of transformation, that were subsequently totally acknowledged in the general plan. The first of these relates to the reconversion of a large area of about 70 hectares, an urban lacuna in a baricentric location with respect to the entire urban organism left by the abandoned preexisting refinery. Here the realisation of a new urban and district centrality is heralded with the forecast of new commercial, tertiary and quaternary functions. The second area plan, also of crucial relevance is that which redefines the central part of the sea front part of the town. The new waterfront represents a strategic opportunity to reimpose the image of the city in a tourism direction moving the new development of the mercantile port towards more peripheral areas and bringing back to a public urban dimension and with

commercial, tertiary, recreation and accommodation functions the water front placed in axis with the urban centre. The port expands to the east leaving the first basin free in the centre. In this, through a competition, some of the relevant contents for the new tourism perspective will be defined for planning. The third area plan in the east seems to constitute the compensatory counterpart vis-à-vis the periphery of this strategic choice which is unbalanced in favour of the centre. It provides for a delocalisation of port movement activities which are currently directly in contact with inhabitants of peripheral eastern neighbourhoods of the city to an external intermodal centre and the conversion of areas occupied by them to a productive district for pleasure boats, thereby injecting new sustainable productive activities in a degraded environment of the city.

The city's strategic plan

The instrument to accompany this process certainly cannot only be the urban plan. The adoption of an instrument able to place interactions between various subjects at the centre, able to place the different levels of civil society in communication to pursue a system of shared objectives was made necessary. An instrument able to integrate urban planning instruments, overcoming the possible narrowness, extending the focus to environmental and social questions that constitute cogent themes for the future of the city and that reclaim a level of involvement and sharing that cannot be reduced to procedural and technical constraints of codified institutional practices. The strategic plan of La Spezia developed in two phases. The first one began in 1999, a year before the adoption

of the Urban Planning Instrument with the aim of elaborating a shared image of the city and formulating some projects for change, but especially to express the need for identity and to develop the idea of a city-community. The plan was structured as a pact among public and private actors and leadership was accorded to the coprotagonism of the municipal and provincial administration. A strong interrelation is developed among different institutions called to face each other and undersign a 'pact of the new city': Chamber of Commerce, Local Health Board, Port Authority, as well as all public bodies. Other public bodies, like the Region and some other municipalities in the territorial district, while not signatories of the 'pact', undersign specific agreement protocols on the strategic objectives concerning them. The objectives are: identity, understood as a revisiting of the historical vocations as a reference for the future of the local economy; competitiveness, as brought by economic globalisation with the aim of enhancing natural and cultural resources; solidarity connected to problems of welfare and the search for development of participative processes; sustainability deals with resources as the basis of competitiveness of La Spezia in an international arena. The strategic axes on which objectives are to be reached and on which over the second phase of the plan eight work commissions were articulated are: the sea as a significant identity resource; construction of an integrated provincial tourism-cultural system; confirmation of the centrality of defence and marine technologies; the promotion of variety and synergies; activation of strong collaboration among productive sectors and the

system of training and University; strengthening of the infrastructural system, on a grand scale and on an urban grid scale; production of a more qualified environment through a better balance between productive-port functions and territory, the reduction of polluted areas and the spread of green areas and services; a more modern welfare based on a plural system of supply and on a renewed governance meaning participation and crediting of actors; structuring of paths of extended participation of citizens in the system of decisions that relate to them. The main part of the work, more strictly tied to the theme of identity as a fruit of construction and the decision-making process, is centred on the theme of shared 'vision' based on research of a new economic, social, environmental and cultural perspective.

Reflections on the experience of a medium-sized town

Today transformations regard the image of the city, rather than its physical form. It involves a renewed experience of the city and of its perception that solicits unprecedented behaviour by inhabitants. The imagined city makes them protagonists of evolution of the traditional city, port and military industry to the 'creative city', of culture and tourism. The careful architectural restorations and rediscovered public role of two buildings have led to the recovery of surrounding public spaces by the municipal administration and the enhancement of the down-town building fabric by private owners. In the light of this experience it is useful to ask ourselves what urban identity is. If we consider only that which appears, identity would seem to correspond to a pure image without history and context, like a

photograph that identifies people in identity cards. If we consider why all this has happened, the answer is not so easy. The cultural dimension existed already in private spaces of the bourgeoisie of the traditional city and in closed places of its collective rites. The intuitions and happenings that stimulated the new urban identity were possible because fuelled by cultural and financial roots that originated in previous historical phases of the city. Urban identity is therefore something more than a simple image; it is the deep structure of the way of being of an urban community and city spaces in which it lives. It is made of relations that put in relation the behaviour of inhabitants that take on the value of collective practices with the spaces in which they are manifested. If the prospects of a renewed urban identity are founded on cultural values and resources, it is natural to ask what is urban culture today and what are the behaviours and meanings that it expresses. In the feud of words between 'cultural city', as metaphor and image for promoting change, and 'urban culture', as knowledge, models and techniques that enable interpreting and orienting change, you can create a short circuit that renders urban complexity banal, proposing it according to slogans of publicity images. However, in both cases culture is no longer the term that designates an exclusive dominion of subjects that have technical, professional or intellectual competencies. Today museums are places for masses of people that activate notable economic flows in tourism activities. Average levels of education are much higher than in the past and the higher availability of free time tied to the increase in average age and early pensioners, have generated a population of potential users

of cultural goods which have been likened now to consumer goods. Historical cities, open air museums refresh the image of facades and public spaces to attract new occasional tourist visitors, before improving the quality of life of inhabitants. The strategy of public interventions leads to improvement activities of many private interventions. The 'cultural city' relates to 'urban culture' in an aleatory fashion. It presupposes the renewal of the appeal of urban images, carriers of an ephemeral identity that values 'cultural goods' but also requires the diffusion of new values tied to needs of urban quality and the meaning of cultural goods like public goods and new social and anthropological behaviour of identification and participation in the improvement process. The cultural city is only one of the many aspects of a city supported by the production of immaterial goods that in more general terms is defined 'creative city'. Are we to understand by the term 'creative city' that which realises spaces of the 'creative economy' or is the correspondence between the two a reductive simplification of more articulated and complex relations that hide problems that are more conveniently removed? Reflecting on the case of La Spezia, it would seem that the definition of 'creative city' does not only refer to modes and styles of economic production founded on the production of intangible goods, but refers to the capacity to manage and accompany change. The 'creative city' has sought to regularise relations among different subjects and reabsorb conflicts set off by choices on the use of land made in the urban planning instrument, inserting them as active moments in the 'strategic plan of the city'. The change, in which the factor of initial catalyst can

be found in the donations of collections by modern benefactors, was not concluded by the drafting of the urban planning instrument. The planning process has been opened to a sequence of decisions and actions that have found headquarters in the procedures of the strategic plan.

Urban and regional planners have to confront immaterial and intangible questions that are difficult to approach and define. Their nature changes the paradigms and references of professional practice that have to decline the abstract terms of quality, creativity, culture and imagery with concrete actions and interventions. In the case of La Spezia, these problems took on very evident real and contingent professional connotations.

They lead us to understand what is 'urban identity', increasingly recalled as a factor with which to measure urban quality; what is the nature of 'urban culture' and what are the behaviour and values that express it; what is the meaning of 'creative city' and if this has to necessarily coincide with the 'creative economy'.

If the new emerging categories of the 'creative city' send us back to abstract terms like identity, creativity, and culture, the paradigms and parameters with which these interpret and represent the urban phenomenon are still little explored. It would seem that speaking of 'identity' we cannot fail to have to do with models of complexity, with continuity of history and the controlled arbitrariness of evolution.

A second reflection also expresses a certain preoccupation. If we accept the logical simplification that associates the 'creative city' with the 'creative economy'; if the creative economy is based on immaterial goods, one wonders whether the creative city also belongs to

the immaterial world and therefore is not real.

There are reasons for fearing that it is fruit of manipulation of images typical of publicity slogans, once again tied to a strongly and exclusively economic vision. One wonders whether the city is not more articulated and complex, whether planning has not still got instruments to decipher and operate in the transition from industrial city to still-to-be-named city that has replaced it.

The creative city, that produces itself its own image to compete with the economies of other global cities is evidently the city of dominant elites and classes. In the meanwhile the phenomena of marginality and disadvantage have also changed but differently from the city of elites; the city of marginality does not have an equally evident image nor clear parameters to describe it. The emerging image of the 'cultural city' and the 'creative city' risks hiding fragmentation, discontinuity, ambiguity, and contradictions of the real city.

Local Agenda's contribution to new provincial planning cycle in regional programming system

Ugo Baldini

The still topical debate about national planning law (*legge urbanistica*) and the progressive testing of new regional planning laws let foresee a chance for a new planning season to begin, which should deal with different aspects: a strategic approach, a territorial dimension and a most ambiguous landscape expression. In the meantime, Provinces have substantially closed their first planning cycle and they are considering how to set out. Most Communes are engaged in drafting urban plans conceived in a more middle-long term prospect, that requests them to look further administrative borders and to face themes, concerning environment and territory, in a more strategic and effective way. This process highlights two principal topics: on the one hand, central rule of Communes in a new phase for territory government, marked by the increasing care to tax regulations and to community participation. On the other hand, necessity for Provinces to strengthen their partnership with Regions in planning to a large scale, as well as to involve local networks. A cooperation to *note in agenda*: to stimulate the construction of inter-municipal networks, according to local experiences. This could be powerfully applied to integrated territorial systems, characterized by well-established relations (from the social, economic and institutional point of view), as well as to homogeneous areas looking for better visibility and more chances of success. Anyway, a basic condition is the search of common strategies developed by

local systems.

A common Agenda, reminding to decide together

Forming a Local System's Strategic Agenda appears as an innovative contribution in connection networks' building, to increase cohesion within communities. A contribution realized through the practise of a strategic action, able to 'look further on', toward middle term settings; engaged, at once, in searching meeting of interests on the decision-making process. Province's taking part to Agenda's construction can turn out a necessary reinforcement of local politics, as well as a useful moment to realize and verify provincial politics, starting from structure plan (*Piano territoriale di coordinamento provinciale*). Dialogue with Communes (all involved in reforming their own politics in different ways) and, especially, with Chief Towns requires an effective formalization of institutional comparison about problems and solutions. This formalization could allow both Towns and Local Networks to attest their participation in significant decisions for wide area. Agenda should be built through comparison and contractual agreement between local system's institutional subjects, stimulating voluntary actions. Subjects involved in Agenda's drafting (management) improve, in this way, their own programming and planning tools, which yet remain autonomous inside competences' system. Every action inscribed in Agenda should be related to the responsibility of an institutional or social actor. Moreover, Agenda is also an opportunity to reconsider local tax regulations' state, promoting procedures aimed at equalization and

compensation and supporting associated management.

Local System's Strategic Agenda could be the right place for sharing projects and, at the same time, could help in forming regional decisions about economic development and territorial trim. As a consequence, Province's role will be strengthened, obtaining visibility and influence. This is the reason why growth of partnership Region-Province seems to be decisive, joint to strategic projects' quality (both developed by Local System and Region).

A Strategic Agenda as a contribution towards regional politics

Strategic Agenda shall focus on relationship between Local Systems and regional programming, a widespread topical subject. This vertical connection seems to be decisive to give substance to *sussidiarietà*: investing local actors with responsibilities, as well as stressing leading role of Region, is going to increase decisions' quality and effect. A fertile regional direction, in fact, should allow to stimulate and reward autonomous project capabilities, shown by local actors, and their determination in being part of a network. Therefore, will to succeed in Strategic Local Agendas shall compare with regional and Community programming, recognizing to these instruments worth as bottom up experimentations. The project role ascribed to local actors is recognizable both in making strategic programme and in process for defining and developing feasibility's studies; that is a necessary step to pursue actions and targets defined by the programme. Shifting technical, social and political attention toward relation targets-feasibility seems to be indispensable in exercising new generation's territorial

planning (strategic and structural).

A Strategic Agenda helping Plans

Agenda's setting needs a preliminary reconnaissance, in order to make a first diagnosis of concerned area's problems, to become aware of involved subjects' behaviour and to define possible options for developing or transforming processes. This approach will form the basis for choosing shared strategies, in a first moment addressed to promote institutional cooperation and then to drawing up the strategic plan. Therefore, Agenda can be the right tool to build a plan's process starting from ability in gathering relevant themes, expressed by community, which cannot wait the formalization of a complete plan. A theme's entry in Agenda shall mark an important stage in realizing pursued strategies: for this reason it is essential that candidature's validating course gets full recognizability. To obtain a positive result, must be devised a technical dossier, together with adequate resources, basic elements for improving action's quality. Both Agenda and feasibility's studies should be appropriately financed, for instance by Regions, recognizing them as a constituent part of regional programming system. Agenda's building path should provide the subscription of an agreement's protocol between Province, Communes and other involved subjects, to sanction the sharing of a cooperative approach. By this way, it is possible to present an organic candidature to Region, aiming at converge local and regional resources (a new procedure for innovative 'cooperative-planning' form). A considerable result could be regenerating the method

of building Ptcp, steering it toward systemic approaches (mobility, logistics, telematics and welfare) and, at the same time, toward a local area's approach (local networks and their agendas). Welfare and human resources' themes need to pay attention to both material and immaterial aspects and to be dealt in territorial strategies.

The whole process shall be clearly characterized in a strategic and sustainable way, oriented to a smart growth; an approach to sustainability based on a landscape matrix.

Both Strategic and Structural Plans

A further significant contribution to new regional and Community programming seasons will be the development of innovative projects: well-articulated in technical terms, socially shared and with recognizable relationship's strategies. Moreover, it will stimulate the forming of Strategic Plans, worked by Communes and their networks; a Strategic Plan targeted to structure local system's identity and cohesion. This could be a support for town-planning procedures, too, especially if lacks evaluation of future trends or of choices' sustainability-feasibility and if decisional process is not socially shared.

The Strategic Plan must include structural aspects as well, referring to a 'new plan's form' proposed within the debate for new national planning law, already tested in regional experiences (even though with few contradictions).

Therefore a 'strategic and structural' plan, which aims at improving institutional negotiation and establishing agreements' network to deal with involved interests, being careful to places'. Such a conceived plan accomplishes properly to the innovative role assigned

to structural plans; it is also able to deal with environmental strategic evaluation of carried out processes and politics, with a communicative and pedagogic intention.

Sustainability shall be preferably considered from social and environmental point of view, as well as it has to be discussed sustainable organization and tax regulations.

This means that strategic-structural plan, to a municipal or intermunicipal scale, can represent, in real terms, the first stage for the composition of a new generation's planning tool and, at the same time, an instrument coordinated with current practices. In this prospect, building a Local System's Strategic Agenda points out as a decisive shift to form a new shared and authoritative Ptcp., based on partnership and co-planning.

Such a Strategic Agenda shall bind regional strategies to a constant comparison with local systems, proving its capability in producing vertical integration's processes and territorial innovation, which allow to regional system to be both efficient and effective. Finally, Strategic Agenda's experience could help in growing a new culture, characterized by social and institutional relationships, in regional context; this could give different answers to economic and civil growth's demands, expressed by a society that has to compete with globalization.

Changes undergone by the legal framework of town planning schemes and the evolution of the discipline of town planning. Part II

Chiara Mazzoleni

The national town planning law of 1942: from blueprint to operational plan

On completion of the experimental phase, the new town planning law, which embodied most of the principles enunciated in the parliamentary bill presented by the Commission set up in 1933 and combined them with the 'fundamental criteria' expressed by INU, decreed the definitive separation of the legal framework for the town planning scheme from that for compulsory purchase, to which it had been subordinated ever since its severance from the framework for the building code. The new law made the latter part of the system of control over town planning - associating it with scheme prescriptions in that its function was to define the "the characteristics of the various types of construction envisaged by the master plan", and made it compulsory for all municipal authorities to issue building codes. Another way in which the new law influenced building regulations was its expansion of the scope for action of municipal authorities that had no master plan by allowing them to include within the building code a schedule that included instructions and explanations of the main guidelines for expansion and of the principal types of building to be constructed in each urban zone. Law no. 2248/1865, the first to define the nature of 'public works' and the legal regime for their planning and execution, had attributed a wide range of powers and responsibilities to the

Ministry. In time, these gradually increased and the town planning law of 1942 made the Ministry responsible for policy throughout the sector. The first of the legal instruments designed to put the regulatory system into effect, the regional coordination plans (*piani territoriali di coordinamento*), which constituted an innovative feature compared with the previous arrangements and, at least from a formal juridical point of view, confirmed the government's decision to use the regional level of administration for the organization of town planning, encountered insurmountable operational difficulties for over thirty years until these responsibilities were actually transferred to the regional authorities. The same thing happened in all cases of regional planning, promoted mainly by associations of local authorities (intermunicipal plans), which received neither the necessary impulse nor institutional legitimacy from the central institutions. The new law confirmed the function of the Upper Council of Public Works, as envisaged by Law 678/1931, as the ultimate organ of technical consultancy for town planning issues (master plan and sets of regulations) and town planning departments were set up in the offices of the Compartmental inspectorates of civil engineering projects and in decentralized offices of the Ministry of Public Works to promote, supervise and coordinate town planning activities in their various areas. The law empowered each municipal authority to draw up a master plan covering its entire territory and gradually made it compulsory for the authorities included in specific lists issued by the

Ministry, the first of which was scheduled for publication within a year of the law coming into force. It also kept on the statute books the special laws through which approval had been given to the town planning schemes of several cities and to compulsory purchase orders for the purpose of public utility, though the Commission had urged the reform of this latter procedure once the legal framework for town planning schemes had been made independent. As regards the form and contents of master plan, the law assimilated the arrangements by which plans approved by special provisions increasingly distinguished between broad-based general plans (*piani generali*) and detailed land use plans (*piani particolareggiati*) and set no time limit for the period for which the former would remain in force. The need for a progressive, multi-level specification of town planning prescriptions was therefore satisfied by the two stages (general or outline and detailed) that reproduce the procedure for compulsory purchase. This assimilation of town planning procedure to that of compulsory purchase inevitably led, especially in legal contexts, to a perception of virtual continuity between the framework for the discipline of town planning established by the 1865 law and that created by the new law. This led in turn to a wide-ranging debate, especially among legal academics, and to problems whose solutions were to have significant consequences of a practical nature. It is also true, however, that this assimilation, which reflected the distinction between the two types of plan as established by several special laws and confirmed in the 1933 parliamentary bill, had emerged clearly both during the discussions

of the Commission and in the ministerial report on the law. This report acknowledged that the perspective of the broad-based general plan, which was required to indicate certain general criteria, would be at the community rather than the individual property owner level, and that private interests would be dealt with in the detailed land use plans. In order to ensure the orderly and gradual implementation of the new town-planning regime, the law authorized municipal authorities to proceed with compulsory purchases before the publication of detailed land use plans, thus making possible the advance creation of building areas, the formation of *comparti edificatori* (the specifically defined areas within which building activity, involving transformation and/or new construction, could be carried out in order to create the new street alignments provided for by an execution plan) and the regular subdivision of the areas. It also ruled that the level of compensation in cases of compulsory purchase should not take account of increases in value that could be attributed directly or indirectly to approval of the master plan and its implementation. The power thus granted to local administrations was described by the Minister Gorla as "the backbone of the law", and by some participants in the parliamentary debate as a reliable deterrent to speculation in the development areas and it remained part of the law despite the opposition of some members of the Commission. The problem of building areas, which was considered the most important aspect of the implementation of the plans, given its close connection and involvement with the

other juridical and economic problems of urban planning, was later placed at the centre of attention at the INU conference that was held in Florence in 1955 and that again raised the question of the review of town planning law, which a specifically constituted INU commission had already studied between 1950 and 1952.

In the context of discussion on the reform of the law in the first half of the 1960s, a number of legal experts produced the opinion, based also on an examination of other documents that were fundamental to the discipline, the Civil Code approved in 1942 (articles 869-872) and the 1948 Constitution (art. 117), that a better formulated law should provide separate legal frameworks for the ownership of buildings and the ownership of land. In this light, the main issue to be dealt with by the reform was not so much the transfer of ownership from one subject to the other but rather to determine the ways all real estate properties throughout Italy could be used and to establish a system of controls and sanctions. As regards the organizational structure of the central body responsible for supervising town planning activities and for defining a single set of criteria, the system for public works remained substantially that established by Royal Decree no. 1438/1940, which provided for a Central Inspectorate and eight General Directors, including one responsible for town planning. This latter was to be in charge of town planning problems, the application of the new law and the other special laws, and of problems to do with sanitary works. Although there were renewed calls for administrative reform after the War and studies and discussions on the

administrative issue were quickly resumed, the organizational models of the Fascist period remained substantially unchanged. And the Giannini-Barbera proposal, which was presented in the context of the Commission for studies concerning the reorganization of the State, set up by the Ministry for the Constituent Assembly, and which recommended that the organizational system based on ministries be replaced by one based on services and closely reflecting their functions. On the occasion of the II National Congress of Town Planning and Building, which took place in Rome in 1948, INU's interim assessment of the effect of Law 1150 drew attention to serious inadequacies of the bodies responsible in these areas, at both central and peripheral level. The Ministry of Public Works had not provided itself with a structure that could deal properly with its new remit: it not only lacked "a central town planning body but it was also late in setting up the peripheral technical offices" provided for by Law 1150. Financial constraints had led to the office of Director General of Town Planning, which had once been independent, being merged with that of the Director General of Building and Health, the fusion taking place at exactly the moment when what was actually needed was an expansion of the autonomous Directorate so that it could perform the necessary functions of supervision and control of the drafting and approval of new master plan. And the new joint Directorate was not only responsible for applying the town planning law, the other special laws on the subject and problems concerning sanitary works; it also had powers to authorize the waiving of building regulations and the implementation of master plan by municipal

administrations included on the list and therefore obliged to draw up plans. Different again were the institutions responsible for town planning matters. But they did not constitute an organic system, a structure in which each element performed a specific task and exercised a specific responsibility within an agreed vision of planning. The Ministries that carried more political weight, such as the Ministry for Corporative Business, had ensured that they retained the power to authorize actions even when these were in conflict with the provisions of the general plans; indeed the guarantee of such powers had had to be granted as a condition for approval being given to the town planning law. The division of responsibilities between central institutions (the Ministry of Public Works, the Ministry of Education, the Directorate General for Health) and the local authorities responsible for planning (the municipal administrations) and public building works (IACP, INCIS), fragmented the problem of urban development into numerous sectorial problems and there was no procedure via which the various programmes could be organized with reference to an overall framework. As well as the centralization of functions, the fragmentation and separation of powers in town planning matters immediately emerged as elements that seriously influenced and delayed the examination of master plan by the central authority, at least until Law no. 640/1954, which established that as regards their approval the opinion of the Upper Council of Public Works took precedence over that of any other consultative body or active administration except for the Council of State. Thus, not only was no central body created to coordinate urban

planning but existing bodies were left uncoordinated and unequipped to deal with the new situation.

Application of the law was to be supervised by a group of academic and other experts appointed by the Ministry, including Cesare Valle, a lecturer in urban planning management in the Faculty of Engineering of the University of Rome. Valle was appointed Inspector General of Civil Engineers and he later became the first president of the VI Section of the Upper Council of Public Works, while the post of Director General of the General Directorate of urban planning and sanitary works went to Francesco Cuccia. Both these figures had formerly been members of important ministerial commissions, had participated in the Commission appointed to draft the law on town planning and, throughout the 1950s, were also members of the governing bodies of INU, played an active part in the work of the Commission appointed by INU to revise town planning law and were amongst the main architects of the consolidation of collaboration between INU and the Ministry of Public Works, especially from the end of the War to the 1950s. The period was one in which the elite of town-planning architects put themselves forward as leaders of the reconstruction of Italy, emphasizing the social function and value of urban planning and attributing priority importance to the relationship between political authority and technical development. For the senior figures in INU, and for Valle in particular, the institution, in 1952, of the new Section to which town planning matters had been entrusted (Law no. 524) within the consultative technical body of the Ministry had signified the functional launch of the

long-awaited authoritative and powerful body that was to have made it possible to "improve the town planning system of the country, to undertake well-coordinated initiatives guaranteeing maximum public utility" and to perform "a governing and unifying function", as one would expect of the country's highest authority in urban planning. The largely inoperative nature of the law and the consequent persistence of a standstill situation as regards its application, despite the fact that the workings of the Upper Council of Public Works had been made more responsive to the new requirements, made it clear that the government was failing in its duty to ensure the existence of effective means of applying the law and to provide guidance for the modernization of Italian cities and other aspects of regional transformation. But the government's chief failing was its unwillingness to attribute an unequivocal nature, a clear juridical status, to master plan, which would certainly have helped to solve the problem of how to ensure the effectiveness of the prescriptions concerned.

The limits of the town planning law and its improvement

When finally the town planning law began to be applied, 12 years after it came into force, with the issue of the first list of municipal authorities obliged to draw up a master plan in 1954, 11 years late according to Article 8 of the law, the situation as regards regional development and the opinions of town planners had changed. Reconstruction in areas destroyed during the war had been regulated by the reconstruction plans instituted by Decree Law no. 154/1945, which was designed to provide municipal authorities that had suffered war damage

with a rapid and uncomplicated response instrument. It had been intended to be a temporary, emergency measure but in actual fact, with successive extensions and modifications, its effect lasted for some thirty years. As regards the acute housing situation, on the other hand, attempts were made to deal with it through a massive public effort that took various forms, practically none of which was executed with reference to urban development planning theory.

The passage from the previous town planning provisions to the new regulations would be 'smoothly carried out', claimed Ministry of Public Works Circular no. 847/1956, by confirming the validity of the town planning schemes approved by special decrees before Law 1150 came into force; these mainly concerned the major cities and were initially valid for a period of 10 years (up to 1952), subsequently extended to the end of 1957 or until the new master plan came into force in the case of municipal authorities included on the lists drawn up by the Ministry. *Opere legislative* extensions also benefited reconstruction plans, which remained in force until the activation of a master plan in the case of municipal authorities included in the lists or still covered by an existing planning instrument or for ad hoc periods of no more than 10 years, granted at the discretion of the Ministry, for other municipal authorities. The granting of extensions to reconstruction plans became common practice, in particular in the case of small-to-medium sized communities, which chose to pursue this strategy for a certain number of years rather than draw up a master plan in inadequate technical circumstances and with insufficient financial resources.

Many commentators

attributed responsibility for what came to be described as the 'failure of the plans' in part to the inadequate technical experience and poor organizational skills of the municipal administrations and in part to the fact that the town planning law lacked a set of regulations for its application. In line with established practice, according to which, when it came to putting the various provisions into practice and as regards the concrete functioning of the administration, reference was made to enforcing regulations rather than to the laws from which they arose, several articles of the law did indeed refer to just such sets of regulations. But it was not until the issue of Ministerial Circular no. 2495/1954 containing "Instructions for the drawing up of master plan and detailed land use plans" that directions concerning the formulation of plans became available.

Although these Instructions did to some extent make up for lack of enforcing regulations for the law (which, as Spantigati wrote, "only hidebound traditionalists or those who were ignorant of legal matters could mistake for a serious problem") they certainly could not solve many of the more obvious inadequacies of the law. Prominent amongst these (as Giuseppe Samonà noted in a careful review of the conditions and limits that formed the frame for the development of planning processes, which focused principally on problems concerning the contents of the broad-based general plans) were, on the one hand, the building-biased conception of the plan with a rigid division of the territorial surface into zones that gave preeminent importance to the constructional dimension, and on the other the absence of any clear discipline governing non

built-up areas. Various phenomena offered an increasingly clear demonstration of "the irreducibility of urban migration processes to typological forms limited to particular areas", while it was obvious from the provisions contained in Article 7 of the law that "the juridical interpretation of the role of urban planner, which limited the relevance of regulatory processes to road systems in built-up areas, [had neglected] essential elements of planning, especially in the initial, general phase of the plan". As regards the definition of zonal features and restrictions to be observed in the building process, the part of the law that concerned the broad-based general plan established no rules and the Circular, which stated that this definition must be translated into an indication of building exploitation indices, in fact was utterly evasive on the point. The legitimacy of including in the broad-based general plans prescriptions that belonged with building regulations (typological characteristics, heights of buildings and distances from each other) was subject to different interpretations, both in theory, and in practice. Indeed, these prescriptions, in addition to the zonal restrictions and with them helping to establish a general zoning discipline, were recognized as effects produced by the regulatory norms (Article 33 of the town planning law) that were supposed to set the rules governing building activities in the various zones. A careful examination of the law showed that the restrictive effects that the zoning arrangements contained in the master plans might introduce into the juridical sphere of private property appeared substantially similar to those that accompanied the first move

to regulate building activity through town planning schemes, as embodied in the 1865 law. Another limiting feature of the law was represented by the absence of precise indications as to whether master plans were transactions of the municipal authority subjected to control, or transactions of the State or complex transactions of both State and municipality. The issue was of considerable practical relevance because if it was assumed that governmental action exercised control over municipal decision-making, every change deemed necessary by the Upper Council of Public Works and automatically adopted by the Ministry would necessarily involve a new procedure to guarantee third party rights and inevitable delays in approval of the planning instrument. The question had in any case prompted a contrast between the trend in jurisprudence and the opinions of the authoritative members of the judiciary. Another problem was that the law had made no provisions for precautionary measures to ensure that the expected results of the plan were not undermined by the actions of hostile land or property owners during the preparatory phase or while approval was awaited. Thus, as the Court of Cassation more than once pointed out, the regulations and prescriptions embodied in a master plan 'had no legally binding effect' in the period between its adoption by the municipal authority and the decree confirming its approval, which was the only action that imbued the planning instrument with legal force. As well as these shortcomings, another that proved still more important, and which was closely connected with the question of the nature and legal effectiveness of the town planning instrument,

concerned the timing of when the restrictions on private activities scheduled by the master plan (zoning and alignment prescriptions) would become enforceable. This involved a wide-ranging discussion of the relationship between the broad-based general plan and detailed land-use plans, which led in turn to differing attitudes on the part of town planners as to the configuration of the plans. In this case, attention focused on the law's silence as to how exactly the provisions of the master plan as regards private property owners were to be enforced. In fact, several jurists maintained that the master plan, given that its task was to establish general criteria, concerned the community as a whole and it was only the detailed land-use plans that impinged on private interests. According to this view it followed that private individuals were not obliged to comply with zoning prescriptions until the detailed plans became enforceable. This position was the subject of an acrimonious dispute between, on the one hand those who maintained that the master plan had a regulatory status and that all the provisions relating to its contents were therefore immediately enforceable (art. 7), and on the other those who insisted that the master plan was an administrative document and thus that its provisions could not be enforced as regulations. The latter group likened the master plan to the regional plan and maintained that it had no operative force except over the authorities responsible for drafting the detailed land use plans and except for the provisions that obliged private individuals and bodies to observe the alignment and zoning prescriptions. This approach gave rise to important practical implications since it assumed that nothing

could prevent the owners of areas that the master plan had designated for public facilities and services (schools, churches, parks, etc.) from using them to build private dwellings, though they remained exposed to the possibility of compulsory purchase orders being issued if the municipal authority decided to carry out the work outlined in the master plan. During the first half of the 1950s, when few master plans were actually produced, the jurisprudential orientation of the administrative judiciary, as expressed by the Council of State, was somewhat uncertain. In the majority of cases, the interpretation was that as a rule the broad-based general plan contained only guidelines and that these required further specifications, those that came with the detailed land use plan, before they could be put into practice. Later, as Alberto Predieri points out, the consolidated jurisprudential position became one of acceptance of the immediate applicability of the constraints imposed by the master plan inasmuch as they corresponded to the functions laid down for the plan itself; the main task of the master plan was "as a rule to prescribe broad programme guidelines, but any precise, categorical constraints these contained [were] compulsory in character and immediately applicable" (these included, for example, zone restrictions, rebuilding restrictions, restrictions to enable the construction of thoroughfares, etc.). During the 1950s and in part in the '60s, it was the jurisprudence produced by the IV Section of the Council of State that served to guide the public administration and the legislator. In particular it was the judgements handed down in relation to appeals concerning reconstruction plans that contributed to

bringing about changes and additions to the relevant legislative measure, Law Decree no. 154/1945. These judgements, which featured elements for both these emergency instruments and the broad-based general plans and therefore justified joint formulation, also made it possible to set some of the limits of town planning law. Instituted as urgent measures with the nature of a detailed plan and with implementation deadlines that made the associated legislative instrument provisional in character and limited in prospects, reconstruction plans were drawn up for 343 municipal authorities; not just small-to-medium ones (as specified by the Ruini Circular of 1945, which contained the Instructions for the application of DLL 1/4/1945, no. 154) but also large cities. The reconstruction plans were updated and otherwise modified several times and their period of validity extended on several occasions, so in municipal authorities that had no master plan they remained in force until this latter was approved. As late as 1977 another bill had to be drafted to extend the period of validity of the reconstruction plans for as many as 235 municipal authorities, otherwise the plans risked becoming inoperative and could result in the Ministry being prevented from completing the already-started work they envisaged. Originally directed at organisms suffering from serious structural and functional problems and designed to help them return to their normal conditions (limited therefore to areas affected by wartime destruction and to newly established areas that were strictly necessary for reconstruction of the seriously damaged built heritage), these instruments would, through a combination of ministerial

instructions, of opinions expressed by the central bodies when involved on a consultative basis and of the succession of supplementary measures and changes to Law Decree no. 154, assume the fundamental nature of 'good planning regulations'. In other words they set out to "reconcile [their] preciseness with a capacity to remain applicable in the face of subsequent developments" of built-up areas. As such they took the form in many cases, including those of some provincial capitals (Ancona, Frosinone, Pesaro, Pescara, Pisa, Treviso, Verona, Viterbo) of plans covering the entire extent of the municipal area, functioning both as broad-based general plans and as detailed land use. In taking the place of master plans, reconstruction plans therefore generated valuable experience for the ongoing testing and refining of technical aspects. But it was above all in the jurisprudential sphere that reconstruction plans played a significant part in refining town planning discipline in that the judgements made by the Council of State and the Court of Cassation in recurring disputes further built up jurisprudential practice as regards the criteria to be adopted in interpreting the provisions of Law Decree no. 154. At the same time, the attitude of the institutional bodies made it possible to tackle some of the major problems that remained outstanding after the issue of Law 1150. This led in particular to the introduction of safeguarding measures, the simplification of approval procedures for plans and the assumption by the Ministry of powers to introduce changes to planning proposals submitted by a municipal authority. As regards the first question, Law Decree no. 740/1948 was issued to provide a means of

translating the judgements of the Council of State concerning the possibility of using areas occupied by destroyed buildings for public works and facilities, in other words for projects judged as indispensable for the purposes of reconstruction, and to deal with the requests, frequently put forward by municipal authorities, for approval of changes to reconstruction plans (essentially in order to obtain indemnity for building work which did not comply with the proposals of the plan that was carried out before the plan received final approval). Following the example of French planning law, the Law Decree ordered that for as long as the plan remained without approval the Prefect could suspend work involving the construction or reconstruction of private buildings if such work should make it more difficult or more costly to implement the plan itself. These provisions, which constituted the indispensable juridical means to avoidance of a situation where the plan's proposals were undermined by buildings that were incompatible with them, had been amended during the process of ratification of the Decree (Law no. 834/1950). They were then reinstated through Law no. 1402/1952, which incorporated changes for Law Decree no. 154, a sort of consolidation act for reconstruction plans. Later, with the single article of act no. 1902/1952, the safeguarding measures applicable solely to reconstruction plans were extended to master plans. Another provision of Law 1402 was that plans submitted by provincial capitals had to be approved not only by the Technical administrative Committee of the Provveditorato but also by the Upper Council of Public Works, whose opinion replaced that of other central authorities. As regards the procedure for

approval of general town-planning schemes, the Public Works Commission of the Senate proposed that the problem of long delays then occurring at the assessment and approval stages be dealt with by extending to them the system already devised and tested for reconstruction plans and by obtaining the opinions of the various authorities through a single consultative body rather than separately as proposed by Law 1150. As regards the controversial question of whether or not the Ministry should have the power to make ex officio changes to master plans submitted for approval, with reference in particular to alterations that the Upper Council of Public Works had suggested be made to reconstruction plans and which had duly been introduced, ex officio, by the Ministry, the Council of State accepted the action of the Ministry as legitimate, given the special nature of reconstruction plans, providing it concerned changes connected with or dependant on provisions decided by the municipal authority. The Council thus provided a means whereby the Ministry could, under exceptional circumstances, avoid the provisions that denied it the power to over-rule, ex officio, a municipal authority. The issue was thus brought into the framework of the same administrative procedure, both for reconstruction plans and for master plans, in order that over-ruling action on the part of the Ministry should be justified, from the point of view of its legitimacy and of its merit, in cases in which such action did not interfere with the rights of third parties. This established the principle that the draft plan was nothing other than a proposal put forward by the municipal authority. In passing through the various stages of its application for

approval a municipal authority was subject to checks and assessments carried out by administrative bodies and authoritative technical commissions which could also reject the application or introduce changes or adjustments designed to achieve the overall objectives of the proposal but by different means. In this way the principle of municipal autonomy in a field, that of town planning, characterized by the number and importance of the interests at stake, was reconciled to the principle of state sovereignty.

Contemporary territories: methods of analysis and tools of representations

Marichela Sepe

The new urban features are not easily identifiable and cannot be easily represented through traditional cartography and tools of representation. To study the transitoriness and the complexity of these urban facts, new typologies of analysis and supporting tools are, at present, under elaboration and experimentation. The questions connected to the study of aspects that are not univocally translatable into objective facts regard in particular three appearances: the scientificity, and so the objectivity, of the results and the repeatability of the method in different kind of contexts; the updating capability, and so the possibility to add new data, to modify the existing ones, to obtain other results; the times, and so the sustainable possibility of using the results respecting the evolution of a sustainable programming and town planning process. Two main distinctions can be operated about the contemporary methods of analysis of the city places, concerning the theoretical approach and the type of instrument used to make explicit the results. Some of the principal types of approach to the analysis of the places are represented by the *virtual*, *multiscale*, *lateral*, *configurational* and *nomadic* approaches, that can be split into two categories. The first category, which includes the virtual, the lateral and the nomad, make use of atlases, maps, schemes, video to represent the products of their analyses; the second y, which includes the multiscale and the configurational approaches, is based on data processing tools and, in particular, software tools

for the collection and the management of the data. The study of these approaches has motivated the development of a new approach, that can be defined *complex-sensitive*, based on PlaceMaker method.

The complex-sensitive approach can be included into the first group with respect to the adopted methodological tools, but also in the second group as regards the supporting tool used for the analysis. The two principal categories of approaches, are described in the following. Then, the complex-sensitive approach is illustrated with attention to a new software tool, which is under development.

Categories of approaches

The *virtual approach* to analysing the urban places is an approach that finds its expression in the myriads of sites created through the use of the network. These are spaces, squares, architecture, platforms and gateways which, despite borrowing terms from the constructed world, are not physical places, but are able to influence movement, behaviour and habits. The analysis proposed by William Mitchell represents a sociological and cultural example of a reality dominated by the Net that we have experienced in the last few decades and which is now ready to change profoundly and as yet uncontrollably people's lives and the space in which they circulate. The result is a picture of the change in architectural and urban space and its users/inhabitants due to the technological innovations introduced by the Net. The resulting map is a sort of virtual architecture whose concrete meaning lies in the virtual paths that we habitually take. The *lateral approach* is an approach to interpret the urban landscape that presupposes a cross-sectional analytical

approach to study an area from different points of view and at different scales of interpretation. Such an approach is also based on the perceptual, sociological or anthropological aspects or on all three together. Stefano Boeri with the research programme *USE-Uncertain States of Europe*, proposes to interpret the changes in society starting from indications which do not appear significant, observing places, people and cultures from the standpoint of the sociologist, artist and architect, and with the attitude of an investigator. The aim is to convert into comprehensible language the complexity of contemporary changes, offering new interpretational keys for surveying the urban landscape. The *USE* has produced eclectic atlases, which propose new ways to study the correspondence between space and society. Eclectic atlases is an heterogeneous texts with photos, geographic descriptions, classifications, reports, which all share the same visual approach. The *nomadic approach* has its roots in the deambulations of Nieuwenhuys Costant and the paths of the Situazionist and is founded on the study of an area based on knowledge gained through direct experience. The survey method created by the Stalker group is to identify new operating categories for architecture through the action of walking; to wander in the city without control and unpredictably, creating a sort of archipelago of mobile geometries found in urban structures, whose map is also 'mobile' like the area crossed and the tool used to cover it.

The *multiscale approach* presupposes knowledge and attainment of a very large body of data from different sources able to interact and supply the answers required to interpret an area. It is a type

of approach that from some points of view may be described as the completion and extension of a GIS into a more dynamic and flexible form. The MVRDV have produced a set of software called *The regionmaker*, to study the region of the Ruhr, that combines the functions of a search engine, a graphic interface and a browser. These tools are able to collect demographic data and values supplied by the GIS and it is possible to consult maps, diagrams, access data banks, export satellite images, log on to the Internet, and use CAD planning.

The *configurational approach* regards the study of the relations which considers the other relations in a complex. As it is shown by the Ben Hillier and its group work, Space syntax research controls the physical complexity variables treating built environments as systems of space, analysing them configurationally. The most important aspect of *Space syntax* is represented by the set of methods for analysing patterns of space in the built environment to find spatial structures in cities and relate them to the way people move, stop, and interact. The result is represented by an axial map of an urban area and its context. Some paradoxes may arise under certain geometric configurations of Space syntax maps, that have been highlighted by Carlo Ratti. Furthermore, a set of software tools are now available to perform Space syntax analysis. One of the most used tool is Axman, an application to perform axial analysis on single buildings or entire cities.

PlaceMaker

The *complex-sensitive approach* studies the urban places in all its complexity; it is sensitive because it is open to all the stimuli provided by the places and

seeks to identify and represent elements linked to features which are both perceptive and objective, permanent and transitory. The main method of analysis that represents the complex-sensitive approach is represented by PlaceMaker, a method for analysing the urban landscape designed to identify elements that do not feature in traditional mapping and which constitute the contemporary identity of the places, representing them in a complex map that renders the place intelligible. PlaceMaker, differently from other approaches of analysis which study only one aspect of the site or from other multidisciplinary approaches which collect many datas with many difficulties to manage them, considers the places from all points of views and with different but comparable tools of relief. This method assembles, elaborates and reconstructs the data deriving from surveys based on physical reconnaissance, sensory perceptions, graphical elaboration, photographic and video records, and sets these data against that provided by an overview of expectations, an analysis based on traditional cartography and a questionnaire given to local inhabitants. The resulting map provides a complex but immediately understandable reading of the sites, constituting an important instrument for sustainable construction. In order to support the method of analysis in all its phases and the creation of the map, a specific software is under development to connect and communicate the information contained in the complex map and give value and significance to those data. The representation of the places is realized by means of the insertion in maps of symbols and elements connected to multimedia

schedules that can be continuously updated. The main characteristics of the software are: flexibility, facility and rapidity of use, strong graphical impact, indexing of the results. The flexibility makes it possible to conserve, manage, modify and update in a particular format the multimedia data that are necessary for the creation of the schedule, connected to the symbols placed on the maps. With simple and fast operations the creation of the maps takes place on the basis of an official traditional cartography or other kinds of maps. In map construction the cartography can be made easier by tracing the contours through the use of lines, tracing filled parts through the use of areas, or leaving these complete. The map is therefore constituted by a cartographic base on which are inserted a series of symbols to which the multimedia database is associated. The multimedia database connected to the symbols contains the data collected in the different phases of PlaceMaker method and in particular written texts, schedules, images, planimetries, maps, audiovisuals. Once the symbols are inserted on the map, these can be modified, moved or eliminated. In fact, the software possesses a database that allows the creation and modification of the categories of symbols of PlaceMaker, used for the entire map. Every database series of categories contains one to which the symbols belong: the areas and the lines are defined according to category, name, colour and thickness; the symbols are defined according to category, name and dimension. The software contains a basic number of categories of symbols related to PlaceMaker, but it is possible to create others. Once the database of categories has been

constructed, the symbols can be positioned on the base map, making it possible to connect the information referred to the places with the related multimedia schedule. It is also possible to connect the symbols with other symbols, maps or internet addresses. The partial maps and the created symbols for the final complex map can be overlapped and connected, the final product being characterized by a strong graphical impact. In order to facilitate the construction of the final complex map and consultation of the information when many data are present on one map, it is possible to decide the categories of areas, lines and symbols that must appear on the map and overlap the different maps in transparency. In order to render the results of the analysis objective and useful to sustainable urban construction, the software connects the symbols of the complex map to numerical indices that allow the calculation of quality, potentiality and weakness of the places represented in the map. Thanks to those characteristics, the prime users of these tools are: urban planners, administrators, citizens all involved in the contemporary city construction.