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The public city and a new welfare. Regulatory inclusiveness and territorial equipment

Città pubblica e nuovo welfare. Disposizioni per l'inclusione e le attrezzature territoriali

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ABSTRACT AND KEYWORDS

The public city and a new welfare

Public endowments are one of the fundamental pillars for the proper functioning of urban life. Services such as health, education, green spaces and sports, and social assistance not only guarantee the well-being of citizens but, above all, contribute to reducing social inequalities and promoting inclusion. The article reflects on studies from the 2000s that identify a 'new urban question' and advocate for the development of a new urban welfare. Revisiting the provisions and techniques that traditionally regulate the construction of the public city in Italy since 1968, the paper highlights the need to innovate with more effective and redistributive solutions, especially considering the 2001 reform of Title V of the Constitution, the devices for the planning, acquisition and management of spaces and equipment aimed at guaranteeing the minimum endowment and supply of services that must be ensured throughout the country, in order to protect the social and civil rights of citizens. The contents of the bill of principles for spatial government and planning submitted by INU (February 2024) are illustrated and argued. The conclusions recognise urban regeneration as one of the most important public actions to be practised through an urban plan that can ensure the conditions for constructing a new urban welfare, recoding social and environmental issues.

Keywords: urban welfare, urban standards, public city, inclusion

Città pubblica e nuovo welfare

Le attrezzature pubbliche rappresentano uno dei pilastri fondamentali per il buon funzionamento della vita urbana. Servizi come sanità, istruzione, verde e sport, assistenza sociale, non solo garantiscono il benessere dei cittadini ma, soprattutto, contribuiscono a ridurre le disuguaglianze sociali e a promuovere l'inclusione. L'articolo si inscrive nel solco degli studi che, dall'inizio degli anni 2000, riconoscono l'emergere di una "nuova questione urbana" che necessita di un nuovo welfare urbano. Disucsse disposizioni e tecniche che regolano in Italia, dal 1968, la costruzione della città pubblica, il paper evidenzia la necessità di innovare con soluzioni più efficaci e redistributive (considerata la riforma del Titolo V della Costituzione del 2001), i dispositivi per la pianificazione, acquisizione e gestione degli spazi e delle infrastrutture finalizzati a garantire la minima dotazione e fornitura di servizi da assicurare in tutto il paese, a tutela dei diritti sociali e civili dei cittadini. Si illustrano e argomentano i contenuti della proposta di legge di principi per il governo del territorio e la pianificazione dell'INU (febbraio 2024). Le conclusioni riconoscono la rigenerazione urbana come una delle più importanti azioni pubbliche da praticare con un piano urbanistico che sappia garantire le condizioni per la costruzione di un nuovo welfare urbano, ricodificando questione sociale e ambientale.

Parole chiave: welfare urbano, standard urbanistici, città pubblica, inclusione

1. Introduction

Cities represent both opportunities and challenges. Historically, they have served as hubs of economic growth and innovation, while also exposing stark socio-economic inequalities. Contemporary cities face numerous contradictions stemming from globalization, physical decay, and social, economic, and cultural marginalization (Commissione parlamentare Periferie, 2017)[1], environmental fragility, climate change and seismic events, pressure from migratory flows, and new demands resulting from shifts in societal values and behavioural patterns of population. Together, they underscore the emergence of what many authors recognise as a pressing *new urban question* (Oliva, 2010; Secchi, 2011; Indovina, 2015). This issue profoundly influences urban and territorial design, compelling it to tackle social inequalities, most notably the gap between central areas and urban peripheries. It encompasses various forms of marginalization, particularly in light of the global emergency triggered by the COVID-19 pandemic (Moccia & Sepe, 2021), which calls for constructing a new urban welfare system. This is believed to be the priority objective of an integrated, multi-scale public territorial governance strategy, which should play an effective guiding role aimed at urban regeneration (understood as an urban-scale activity that engages collective interests and transforms territories, ensuring positive social, economic, environmental, and cultural outcomes) (Palazzo & Cappuccitti, 2024) and at territorial rebalancing, to restore prospects for equity, quality, and efficiency in the governance of cities and contemporary territories (Andorlini Bizzarri & Lorusso, 2017; Oliva & Ricci, 2017; Lupatelli & De Rossi, 2022).

Such a strategy, as seen in major European capitals, must also become the central axis of a national urban agenda in Italy. To this end, it must encompass all policies affecting territorial government, including those related to the development of settlement and infrastructure systems and the protection and enhancement of environmental systems, together with their ecological, landscape, historical, cultural, social, and economic values.

Therefore, this is not solely an urban planning strategy - which often focuses on the physical structure of cities - but one oriented towards social inclusion and local economic development, with the public city as a reference structure, understood as the set of public components or public use relating to open spaces, green areas, equipment for health, culture and education of various types and levels, mobility, and social housing.

2. Public city and new welfare

Building on the challenges outlined in the introduction, this section explores the concept of the public city as a framework for inclusive urban welfare and for assessing the coherence of choices structuring the regeneration and rebalancing processes of contemporary cities and territories (Borja & Muxi, 2001; Oliva, 2010), as well as the physical matrix and territorial projection, the structural reference point for a new welfare model (Ricci, 2021).

Scholars increasingly critique the commodification and privatization of public spaces, emphasizing their critical role in fostering inclusion, participation, and democratic engagement. Indeed, developing the public city becomes a key priority for establishing a new welfare system focused on urban regeneration and territorial rebalancing. This choice is precisely contextualised within community policies (EC, 2007) and aligns with the global guidelines established by the United Nations, particularly the 17 Sustainable Development Goals (SDGs) (UN, 2015) and the 2030

Agenda for Sustainable Development, adopted by EU Member States in 2015. The SDGs provide a global framework to address inequalities and promote sustainable development. Specifically, Goal 10 (Reduce Inequalities) emphasises inclusion, aiming to reduce inequalities between and within countries. This goal rests on three principles: i) promoting inclusion – social, economic, and political – with a focus on vulnerable groups such as women, minorities, people with disabilities, and marginalized communities; ii) fostering equity through policies that reduce income disparities and expand opportunities; and iii) ensuring inclusive and democratic participation rooted in human rights.

This approach is reflected in other areas of the SDGs, such as Goal 5 (Achieve Gender Equality) and above all Goal 11 (Sustainable Cities and Communities), which call for making cities and human settlements inclusive, safe, resilient, and sustainable. This goal encourages the exploration of innovative methods, including planning activities, to improve citizens' living conditions and foster communities' cultural, economic, and social growth (Ricci, 2020).

Similarly, the construction of the public city is reaffirmed as a priority in the principles of the New Urban Agenda, adopted in 2016 during the III UN-Habitat Conference in Quito (UN, 2016), which emphasises the need for a holistic view of the concept of inclusion. This agenda provides a framework for sustainable urban development, with social, economic, and political inclusion as one of its central principles. Key aspects include: equitable access to essential services and opportunities (such as decent housing, accessible public transport, education, and healthcare); inclusive participation of all citizens – especially marginalised communities – in decision-making processes regarding urban planning to create cities that meet the needs of everyone, including youth, the elderly, and people with disabilities; and the reduction of urban poverty and social exclusion through policies that address economic and social inequality, supporting inclusive and sustainable urbanisation.

About the above, we can recognise at least three key profiles of the public city: i) as a primary reference point for shaping the space of citizenship and community, ensuring higher levels of quality of life (Borja & Muxi, 2001); ii) as an expression of the historical, cultural, and social identity of local communities, acknowledging form as a cognitive and planning tool to understand the specificity of places at all scales (Macchi Cassia, 1991); and iii) as a driver of development, and ecological and environmental regeneration, guiding urban and building transformations by linking every intervention to actions that improve fundamental resources such as air, water, and soil, adapt infrastructures for collective mobility, reconnect green spaces ecologically, and recover enclosed areas (Gasparrini, 2020).

Today, these endowments remain essential in shaping the fixed capital of the public city. However, it is crucial to broaden and redefine the boundaries of 'collective interest' in urban design by incorporating social, ecological, and environmental performance concepts within the contemporary city's complex and diffuse forms. This innovation process presents intricate challenges and various levels of experimentation (Arcidiacono *et al*., 2020).

2.1 Concerning the Italian national urban planning discipline of the public city

For more than 50 years, the urban planning standards defined by Ministerial Decree 1444/1968 have shaped Italian urban planning practices, serving as a cornerstone for policies promoting public city development. It is about an objective to be pursued by establishing a minimum, mandatory allocation of spaces and services for residents and economic activities (both productive and tertiary sectors), in addition to the residential urban planning standard of 18 sqm per inhabitant (Giaimo, 2019a; 2022)[2].

For approximately 30 years (starting with Law 167/1962, continuing with Law 865/1971, and effectively concluding in the early 1990s), economic and social housing, along with neighbourhoods generated by the Plans for Economic and Popular Housing (the Italian Piani di Edilizia Economica e Popolare-PEEP), represented the urban planning framework and national policy of the 'right to housing' aimed at meeting a demand that was not entirely – or only partially – met by the housing market[3]. In this sense, urban planning standards, as spaces for services and public residential housing (the Italian Edilizia residenziale pubblica-Erp), were envisioned by national legislation to be located – almost – exclusively on public land, primarily acquired through expropriation[4], and can be seen as a form of national urban planning discipline for the public city. This discipline is based on designated areas intended to localise and fulfil the right to basic services for urban welfare[5] and housing. However, only the urban planning standards remain today due to the continued enforcement of Decree 1444/1968. It is widely acknowledged (Giaimo, 2019a; Laboratorio Standard, 2021) that these standards represent an achievement that should not be lost and continue to serve as a necessary reference despite the – incomplete – results achieved.

Additionally, for more than fifteen years, these standards (as well as Plans for economic and social housing and public housing) have been viewed by reformist urban planners (Campos Venuti, 1991) as a means, a method, and a policy to counteract urban land rent. That was made possible precisely due to the obligatory nature of their application (through five-year constraints), which was not merely theoretical but widespread and concrete, involving the subtraction – through expropriation[6] – of private land to construct the public city in all Italian municipalities.

In a certain sense, they were seen as an alternative to the preliminary expropriation of urban development areas (which raises the issue of separating the right to build from the right to property), at the core of the – lost – battle for urban planning reform during 1960-1962 related to Law 1150/1942 from a democratic and republican perspective (Campos Venuti & Oliva, 1993; Campos Venuti, 2012).

These considerations highlight two critical aspects that emphasise the significance of updating and reforming urban planning standards. That is necessary not only because these tools and contents are outdated from the perspective of urban planning techniques and territorial governance but also as a policy for the physical enhancement of the contemporary city and urban society – respectively, the *cité* and the *ville*, as revitalised in the debate by Richard Sennett (2018). Sennett illustrates, using French terminology as an example, that the concept of the city should be understood as a relationship between two inseparable poles, the *ville* and the *cité*: «On one side stands the built land, on the other the way people live and inhabit» (Sennett, 2018, p. 11). The relationship between these two poles is even more significant than their distinction. The city, or *ville*, is undoubtedly an object that thought and action confront, yet it is also an object that has been constructed by individuals who have a particular understanding of the city and a vision of society; the *ville* is the experience that manifests in walls and buildings. It is impossible to comprehend the physical aspect of a city without considering the culture and lifestyle of the people who constructed and inhabited it.

It is precisely the relevance of the social profile that, particularly in the contemporary city, reframes the question of new welfare demands in light of the evident reduction in economic resources (not solely public) and the necessity/opportunity for private-public partnerships. However, this is a theme for which it is crucial to recognise that urban planning can plan and design only certain conditions to promote and practice urban welfare, with the responsibility (properly belonging to it) and the competence

to design its spatiality, primarily (but not exclusively) by ensuring space for the public city and public use. In this respect, both the limited use of expropriation and the opportunities offered by urban equalisation through planning must be considered (Barbieri, 1998; 2012; Stanghellini, 2013), complicated further by the persistent weakness of the urban real estate market for transformation areas and by the prevailing trend of widespread molecular urban regeneration actions within the consolidated city fabric.

Even today, the most common form of welfare spatialisation (at least quantitatively) is represented by urban planning standards, which serve as the physical endowment guaranteed by urban plans to create spaces for locating a significant portion of welfare services.

However, the urban planning standards necessary today and in the foreseeable future are no longer just those, while undoubtedly useful, introduced by law nationwide over fifty years ago. Among the most pressing technical limitations to overcome is that these standards were designed in 1968 for the urban plan's 'existing and planned' inhabitants. In contrast, the growing importance of the non-resident population in the contemporary city is now evident, disrupting the conventional functioning of the traditional city. Furthermore, it is essential not only to update the functions designated for service areas but also to define the performance and quality of sustainable mobility services, digital and physical accessibility, ecosystem services provided by urban and peri-urban land, habitat quality, and social housing itself (in comparison to the public residential housing allocations of the last forty years of the 20th century).

3. Towards a more redistributive policy of urban planning standards for reducing urban social inequalities

It is necessary to consider how to transition from the urban planning practices of the last thirty years of the 20th century, which operated quantitatively with urban planning standards and effectively practised a distributive policy for the allocation of spaces and services of the public city, to what is most needed in the contemporary and future city: namely, planning and urban policies capable of fostering and contributing to the conception and implementation of more redistributive policies and actions to address the growing social inequalities present in cities.

Planning should prioritize redistributive policies by strategically locating urban welfare services in socially disadvantaged areas, while ensuring an equitable allocation of resources across the entire city.

In this regard, it is essential to remember that the standard was primarily an achievement of reformist urban planning. It provided quantitative compensation for the public city in response to the uncontrolled urban development following World War II, which occurred with minimal planning and was largely private[7].

The standard serves as a guarantee entrusted to the mandatory responsibility of urban planning, ensuring an equal quantity of space (per inhabitant or, with other parameters, for certain non-housing urban functions) without considering the social divisions within the urban system, the unequal availability of public services, or, in particular, their quality. Conversely, it is essential today to address the issue of public space as a common good that can interact with inequalities to reduce them more redistributive and progressively.

In other words, in tackling the myriad issues of the contemporary city, urbanism and the urban plan must confront the complex and broader question of the increasing social division of space. In this context, one must also consider the recent emphasis

on the multi-functionality of transformation, especially in urban regeneration areas, along with the necessity to consider and design temporary uses that often endure longer than anticipated (Allix & Van Eeckhout, 2017) and the rediscovery of *mixité*. However, it is necessary to question whether and to what extent the State can update or reform urban planning standards today, particularly given that, as is well known, Decree 1444 closely interrelates these standards with Homogeneous Territorial Zones and limits on building density and the buildability.

One should not forget that these standards derive from Law 765/1967, which preceded not only the establishment of the Regions in [19708] but also (and rather discordantly) the constitutional reform of 2001, which introduced concurrent legislative competence between the State and the Regions concerning the legislative matter of territorial government (the Italian 'governo del territorio'). On the other hand, urban standards are undoubtedly a structural content of urban planning, wich is a fundamental activity of territorial government. This legislative matter requires a solid and innovative framework of principles to guide the next generation of regional urban planning laws.

Therefore, from this perspective, it is no longer avoidable for the State to enact a national law of principles for territorial government in collaboration with the Regions, given that 23 years have passed since the amendment of Title V of the Constitution.

4. Regulatory profiles of inclusion and territorial equipment

Assuming the territory's (public) government is an inter-scalar and integrated strategy not only of urban planning but also of social inclusion and local economic development (Barbieri, 2023), planners and designers are responsible for conceiving proposals according to an inclusive vision that expects integration, connection, and cohesion.

Indeed, we can decline this objective in actions, plans and projects that characterise different working tracks: here, we intend to focus attention on the regulatory aspects and profiles of inclusion in the Italian experience, with specific reference to urban and territorial welfare facilities, hence to spatial inclusion and cohesion, and the social inequalities referable to them, even in a broad sense. Moreover, even though in Italy the construction of social welfare based not on the resolution of emergencies but centred on the promotion of people's well-being and capacities as an engine of development and employment and a factor of social inclusion, has distant roots dating back to the end of the 19th century, specific reference will be made here to the recent phase, following the turn of the 2000s, an Italian institutional phase characterised by the reform of the Constitution. Among the innovative contents envisaged by the reform that came into force in 2001 are – among others – the Essential Levels of Services that, connected to civil and social rights, must be guaranteed throughout the national territory. The constitutional reform had assigned the State the task of defining them, identifying them as a legislative matter of exclusive competence under Article 117, paragraph 2, letter m). It is well known that this content has remained unimplemented for almost twenty years.

It was only in 2019 that the then Minister for Regional Affairs and Autonomies Francesco Boccia, resumed this topic by drafting a bill on the implementation of differentiated regionalism, to which we must give credit for having conditioned access to the differentiated legislative autonomy of the Italian regions (as per Article 116, paragraph 3 of the Constitution renewed in 2001) to the identification of the ELS, the determination of standard costs and requirements, and the regulation of the equalisation fund for regions with tax revenues that are unable to ensure the ELS in practice. His counterpart, Minister Maria Stella Gelmini, later took up a similar initiative in 2022.

In the current XIX national legislature, it has once again become a topical issue brought to the political scene's attention because it is connected to the definition of the differentiated legislative autonomy of the regions.

This is an issue of particular relevance since among the transferable subjects are: International and European Union relations of the Regions, foreign trade; labour protection and safety; education; professions; scientific and technological research and support for innovation in productive sectors; health protection; food; sports regulation; civil protection; territorial government; ports and civil airports; primary transport and navigation networks; communications regulation; national energy production, transport and distribution; integrative and complementary pension; coordination of public finance and the tax system; enhancement of cultural and environmental heritage and promotion and organisation of cultural activities; savings banks, rural banks, credit companies of regional character; land and agricultural credit institutions of regional character.

In other words, it is a complex package of fundamental matters to which cohesion, inclusion, and equality must be referred.

The allocation of functions over which autonomy is to be exercised requires establishing which services and benefits are to be offered throughout the country to guarantee the same social and civil rights of citizens throughout the national territory: that means that if the State defines an essential level of services, it must also guarantee municipalities, provinces, metropolitan cities, and regions sufficient resources to provide them, especially those with fewer resources (e.g., due to a fragile fiscal capacity).

A Decree of the President of the Council of Ministers determines the Essential Levels of Services (ELS). In this regard, a Technical Commission chaired by Sabino Cassese was established in 2023, and at the end of the year, it delivered its final Technical Report (CLEP, 2023). This Report identifies among the areas of subjects that can be referred to the ELS also the 'government of the territory' within which are identified, among others, the DPR 380/2001 (the Italian 'Testo unico edilizia'), the urban planning Law 1150/42 and the sectorial laws that have an impact on the planning of the territory, the Ministerial Decree 1444/1968 on urban standards; in particular, urban standards are defined as «the first essential levels of services that our legal system has known and to which the high courts have attributed legislative nature to 'protect' them from regional derogations» (CLEP, 2023, p. 114). One should remember that in Italy, public service areas are a legal obligation for urban planning.

Based on this Report, in January 2024, the Senate approved a government-initiated bill concerning "Dispositions for the implementation of the differentiated autonomy of ordinary statute regions under Article 116, third paragraph, of the Constitution" (AS 615). The referential examination of the bill (C 1665) started in the Chamber of Deputies in the Constitutional Affairs Commission in February 2024. A cycle of informal hearings was held, concluding at the sitting on April 10, 2024.

The Commission concluded the referential examination at the sitting of April 2024, giving the rapporteurs the mandate to report favourably to the Assembly on the measure in the text identical to that transmitted by the Senate. Finally, the law was approved on June 26, 2024: the measure follows a wide-ranging discussion on the implementation of Article 116(3) of the Constitution, which took place since the end of the 17th legislature, following the initiatives undertaken by the Lombardy, Veneto and Emilia-Romagna Regions in 2017.

If, on the one hand, the bill defines the general principles for the attribution to ordinary statute regions of further particular forms and conditions of autonomy, specifying that the process must take place «in respect of national unity and removing

discrimination and disparities in access to essential services on the territory» (Article 1, paragraph 1), on the other hand, it also states that the attribution of further functions, «relating to matters or areas of matters related to civil and social rights that must be guaranteed equally throughout the national territory», will be subject to the determination of the Essential Levels of services inherent to «civil and social rights, including those related to the fundamental functions of local authorities».
In brief, the fact that the law attributes the nature of 'essential services' to be guaranteed equally throughout the national territory to both 'services concerning civil and social rights' and 'fundamental functions of local authorities', generates a series of possible dangerous misunderstandings in the application of these provisions because the LEP, instead of being transformed into resources destined for the implementation of interventions to contrast urban and territorial gaps and disparities to the benefit of families and activities (i.e. welfare equipment) will be aimed at the distribution of resources to cover the costs of the functions exercised by the authorities.

5. INU's proposals for the space of the rights

The importance of recognising in the ELS those minimum equipment that in Italian discipline we call 'urban standard' (the outcome of the technical and cultural conquests of 1968) is also recognised by the Istituto Nazionale di Urbanistica (INU) and is at the centre of the proposal for a law of principles for the government of the territory, relaunched with the Bologna Congress of 2022 (Giaimo, Ricci & Sepe, 2022), which activated a sort of 'yard' for the finalisation of a proposal that operated in 2023 to conclude work in February 2024.
The relationship between ELS and territorial government pivotal, as planning aims to serve the public interest, particularly through the regulation of services established by urban planning standards.
In this sense, writing the law of principles on territorial government and planning is the correct regulatory context to affirm that the minimum endowment of urban standards responds to recognising a minimum essential level, the object of planning activity. Arrived at the end of a process of complex political negotiation back in 1968, Decree 1444 is configured as a measure that defines those minimum mandatory ratios of spaces to be allocated to the realisation of public services and collective interest and represents that minimum level of «urban civilisation» (Astengo 1967) that the most reformist forces of the country claimed about the expansive, speculative and uncontrolled growth of the territory, which had been progressively triggered off since the end of the decade of the 1950s.
It is well known that this legal provision still defines minimum quantities of public spaces and equipment to be allocated for the entire national territory for parks, play and sport, education (kindergartens, nursery schools and compulsory schools), parking, and facilities of common interest: religious, cultural, social, welfare, health, administrative, public services.
The standard can therefore be considered to be a spatial prerequisite for the endowment of public space and the production of public services. In that case, it is, however, a necessary but not sufficient condition for the realisation (and above all, the proper functioning) of quality urban environments and for guaranteeing citizens the right to equal social dignity envisaged by the Constitution (art. 3).
After more than fifty years of validity of Ministerial Decree 1444/1968, the INU proposal confirms the symbolic, political, technical and cultural value of this norm as a cornerstone for urban planning.

It constitutes an indispensable guarantee for implementing citizens' fundamental rights through schools of every order and degree, hospitals, parks and green areas for sports and recreation, and equipment of common interest, that is, to ensure the minimum indispensable frame of public functions that perform essential tasks for communities.
For this reason, the INU bill revisits and updates the matter of urban standards, confirming the need to pursue social equity and the guarantee of the provision of spaces for the supply of public services across the national territory through minimum and mandatory local and urban-territorial endowments, which find their primary basis precisely in the exclusive competence of the State concerning the determination of the Essential Levels of Services relating to civil and social rights that must be guaranteed throughout the national territory in order to satisfy an incompressible need for spatial justice. It is all the more necessary given the significantly uneven and inhomogeneous national picture, where regions and municipalities with significant quotas of spaces to be allocated for the construction of public facilities and collective interest are flanked by others in which not even the minimum level of urban endowment is reached.
However, it is crucial to note that if the endowment of standards encompasses a potential service, it is not equally valid that this endowment satisfies all the necessary welfare actions.
«It is precisely the relevance of the social profile that, particularly in the contemporary city, poses in different terms the question of new welfare demands, in the presence of the evident reduction of economic resources (not only public ones) and the need/opportunity of a private/public partnership. This is an issue in which, however, it is necessary to be aware that urban planning can only plan and design certain conditions to favour and practice urban welfare, with the responsibility (this belongs directly to it) and the power to design a pertinent and adequate spatiality, primarily (but not exclusively) through the guarantee of the space of the public city and public use and its retrieval and provision» (Barbieri, 2019, p. 42).
Therefore, the quantity of public land regulated in municipal plans constitutes only the vital premise for the concrete realisation of services and the implementation of public policies for the well-being of citizens. For this reason, the provision of a quantitative reserve of public areas represents the fundamental minimum basic guarantee placed at the beginning of a complex process to satisfy collective and social needs. However, it does not relieve the public actor of its responsibility to make explicit and implement planning and management policies.
Guaranteeing minimum mandatory urban endowments throughout the national territory, adequate to the needs of local communities, is a task that planning activity must uphold by the inalienable collective interest to which it is deputed.
About the planning activity and the discipline of the public city, it must be considered that the population's needs (old and new) require overcoming the (useless and improper) opposition of standards *versus* services or *versus* performance: it is evident that these are two different objects. It is even more clear that it is necessary to clarify what they are.

5.1 Functional profiles of territorial equipment

According to what has been outlined above, it follows that on the subject of urban standards, the INU bill (INU, 2024) operates with two distinct functional profiles: i) general principles and norms; ii) prescriptive discipline rules (Giaimo, 2024).
In terms of general principles and rules (art. 16), the need is recognised to construct a common lexicon on a national basis around the meaning to be attributed to the 'welfare words' since the term urban standards has, over time, assumed distinct

technicalities and methods of identification and measurement, starting with the transfer of urban planning legislative competence to the Regions (DPR 616/1977). In this sense, the proposal for a law introduces an essential and substantial distinction between (i) endowments and (ii) services.

Endowments are distinguished, in turn, into 'urban and territorial' and 'ecological and environmental'. The former constitutes that set of areas, buildings, and public or private equipment for public use aimed at the realisation and provision of services of public utility and collective interest, at favouring suitable settlement conditions and quality of life, relations, cohesion, and social inclusion as well as improving universal accessibility, quality, and usability of public space, to be also used with the allocation of temporary uses.

In addition, ecological and environmental endowments are composed of areas of public and/or private property, natural or semi-natural, that contribute to achieving the environmental sustainability goals assumed by the urban plan. The inclusion of private areas within this type of endowment also responds to the intention of assigning private land to improve the city's ecological-environmental performance.

The conceptualisation of services identifies their value in the field of actions and/or works that take the form of the provision of utilities and/or the performance of supply-performance activities to satisfy the needs of individuals and the community, referring to an operational and managerial dimension of public policies.

Still, in terms of general principles and standards, the INU proposal assigns the regions the critical task of defining, in quantitative, qualitative, typological and performance terms, the contents and discipline of urban and territorial endowments to be considered additional and supplementary to the minimum and mandatory ones (art. 17 of the INU proposal) in order to offer the territory the possibility of endowing itself with further reserves of real estate to be aimed at improving urban quality, taking into account the actual needs and the evolving demand for services of local realities. The regions are also given the task of preparing particular protocols for surveying and classifying the endowments that the municipalities must follow in drawing up their plans in order to periodically ascertain the qualitative-quantitative status of endowments, services and needs,

About the contents of prescriptive discipline (Art. 17), INU's proposal confirms the ontological value contained in the 1968 regulation as a cornerstone for urban planning since it constitutes an indispensable guarantee for the implementation of citizens' fundamental rights through schools of every order and degree, hospitals, parks and green areas for sports and recreation, equipment of common interest, or to ensure the minimum indispensable frame of public functions that perform essential tasks for the community.

For this reason, the bill, where it revises and updates the matter of urban standards, confirms the need to pursue social equity on the entire national territory and guarantee of the endowment of spaces for the provision of public services on the entire national territory through minimum and mandatory local and urban-territorial urban endowments.

This is grounded in the application of Article 117, paragraph 2, letter m) of the Italian Constitution, i.e. in the exclusive competence of the State concerning the determination of the Essential Levels of the Services concerning civil and social rights that must be guaranteed on the entire national territory.

6. Regenerative practices through a new interpretation and regulation of urban standards

Reconceptualizing urban planning standards represents a challenge that requires innovative approaches and technical solutions, both in regulatory frameworks and in local-scale experimentation. Over fifty years of regional experience show that, in Italy, the Emilia-Romagna region is particularly inclined toward renewal. Emilia-Romagna was one of the first Italian regions to adopt a regional urban planning law following the Presidential Decree 616/1977 (approving Regional Law 47/1978). It was among the first to adopt the principles formulated by the INU during its 21st Congress in Bologna (1995), approving the reformist Regional Law 20/2000. This approach was further innovated by Regional Law 24/2017, titled "Regional Regulation on the Protection and Use of Land," which focuses on promoting and regulating urban regeneration processes and limiting land consumption[9].

The law significantly simplifies the planning system, returning to a unified urban planning model with the General Urban Plan (the Italian Piano Urbanistico Generale), thereby recomposing the tripartite planning framework introduced by Regional Law 20/2000 (Gabellini, 2016). The GUP's endowments are implemented through operational agreements and public initiative implementation plans. Notably, this new planning model does not define the boundaries for transformation or new urbanization areas, or designate new areas for standards; instead, such definitions are entrusted to negotiation processes (Vecchietti, 2022).

The need for a new approach to urban planning standards is closely tied to supporting urban regeneration in existing cities and curbing land consumption. The interpretation of national legislation on urban planning standards is bolder and less conformist than in other regional laws, starting with different terminology for standards (Giaimo, 2019b). For example, these are not merely termed 'standards' but referred to as 'territorial endowments", a term that – since Regional Law 20/2000 – has been associated with 'ecological and environmental provisions.' These include spaces aimed at mitigating and adapting to climate change, reducing risks, and improving urban environments.

Article 9 ('Differentiated Urban Planning Standards') of Regional Law 24/2017 distinguishes between the endowments required for already urbanized areas and those for new settlements, aiming to promote reuse and urban regeneration. Two key points are emphasized: i) through its strategy for urban and ecological-environmental quality, the GUP confirms the overall existing quota of areas designated for services, prioritizing these areas for new territorial provisions or the modernization and qualification of existing public works and infrastructure; ii) permeable areas within urbanized territories (those lacking urbanization) are designated primarily for ecological and environmental provisions and for maintaining green corridors between rural and urbanized areas.

A Technical Coordination Act (adopted four years after the law's publication) provided guidelines for the territorial endowments system. These endowments are categorized into 4 types: infrastructure for urbanization, collective facilities and spaces, ecological and environmental provisions, and social housing. This approach prioritizes qualitative and multi-functional goals (Art. 4, paragraph 3, Technical Coordination Act) with a clear ecological-environmental focus.

Notably, the Regional Law does not disregard the national quantitative standards outlined in Ministerial Decree 1444/68. On the contrary, even before the enactment of Law 24, the minimum requirement of 18 sqm per inhabitant had been increased to 30 sqm per inhabitant. This quantity must be ensured at the municipal level to avoid conflicting with differentiated standards and to incentivize urban regeneration

interventions (Regione Emilia-Romagna, 2021: 24).
One of the key innovations introduced by the law is the "Strategy for Urban and Ecological-Environmental Quality," which serves as the cornerstone of the new municipal urban planning framework and its strategic component. This strategy determines the needs and performance requirements for provisions – especially ecological and environmental ones – to promote the restoration of natural habitats, soil biodiversity, and the creation of ecological connectivity networks (Art. 21, Sec. 3). The strategy integrates territorial provisions with multiscalar approaches, aiming for synergy and network creation based on green and blue infrastructure concepts.

6.1 Bologna's General Urban Plan 2021

The above-mentioned legislative framework approved the General Urban Plan (GUP) of Bologna in September 2021. It is the first GUP in Emilia-Romagna to be drafted under Regional Law 24/2017. The plan continues the trajectory initiated with the approval of the Municipal Structural Plan, which was compliant with the directives of Regional Law 20/2000. The GUP marks the definitive departure from conformative planning based on zoning and the allocation of building rights to private property (Comune di Bologna, 2021a). By assigning a primarily strategic and structural role to the plan, Bologna has embraced a dual challenge: innovation, drafting an entirely new urban plan and continuity, preserving the work developed with previous planning tools (Evangelisti, 2019b).
Bologna's GUP 2021 represents a municipal planning experience in which the sustainable public city project is embedded within the structural-strategic vision introduced by Regional Law 24/2017 and «is conceived to face the challenge of expressing essential guidelines for the future transformation of the city without resorting to the repertoire of tools traditionally associated with urban planning» (Orioli, 2021, p.14).

Figure 1. The communication of the new General Urban Plan of Bologna 2021



Source: Fondazione Innovazione Urbana
https://www.fondazioneinnovazioneurbana.it/fondazione-innovazione-urbana-home

Understanding the public city project outlined in the plan means referring to the knowledge framework, which, as mandated by Regional Law 24/2017, is the foundation for defining the plan's objectives and content. This framework analyzes the current state of the territory and its evolutionary processes.
The GUP's knowledge framework consists of two documents: "Profile and Knowledge" and "Knowledge Insights." These are not standalone documents but integrated tools that serve as compasses for guiding the plan's development while verifying its progress through periodic updates.
"Profile and Knowledge" is divided into two main parts:
– "Profile of Bologna": Organized into 6 'dimensions' it interprets the territory to

define the vision, objectives, and strategies of the GUP. These dimensions highlight the city's characteristics, trends, challenges, and issues the plan addresses. For example, the "Environmental Dimension > A Healthy Environment" includes public green spaces within Bologna's complex system of environmental assets (agricultural areas, hills, riverbanks, private urban green spaces) for their strategic role in shaping the urban landscape and providing public recreational and social aggregation spaces (Comune di Bologna, 2021b, p. 9). The theme of public endowments is explicitly addressed in "The Proximity Dimension > A Space for Everyone," shifting from a quantitative logic to a proximity-based paradigm. Bologna is recognized for its extensive network of public provisions, although these are unevenly distributed across the territory.

– **"**Knowledge Sheets": 80 thematic Sheets summarize key phenomena shaping the "Profile of Bologna." Accompanied by illustrative cartographic representations, these sheets aim to simplify document reading while linking to the "Knowledge Insights" document for further detail.

"Knowledge Insights" explores how planning decisions – based on extensive public participation and discussion – redefine urban planning standards as key components in urban reinfrastructure processes. This redefinition addresses new needs related to environmental well-being, urban resilience, sustainable accessibility, and social inclusion.

In line with these principles, the GUP regulates territorial endowments, both in its knowledge component and, more importantly, in its strategic and structural component, addressing two key aspects: i) the organization of services in relation to national and regional regulations; ii) the sizing of endowments.

Regarding the first aspect, the GUP adopts the classification of territorial endowments outlined in Regional Law 24/2017 and the related Technical Coordination Act, enriching it with insights from international case studies (including Paris's "15-Minute City" model) and the United Nations Universal Declaration of Human Rights (1948). This results in the identification of 29 types of service locations, grouped into four urban social functions:

– Accessing goods and services, divided into local commerce and neighbourhood services.
– Staying fit, healthy, and receiving care, divided into health and sports.
– Learning and education.
– Recreation, socialization, and interaction divided into culture, social spaces, and green spaces.

These services are spatially represented (either as points or areas) in specific cartographic elaborations included in the knowledge document. The aim is to assess the degree of territorial coverage, particularly concerning school facilities. Evidently, within this 'basket,' the GUP explicitly considers a broader and more detailed range of services compared to national and regional regulations. These services vary in type, ownership, and management of the provided service.

Finally, regarding the sizing of provisions, the sheet on the calculation of public facilities and collective spaces of public ownership and interest identifies a per capita provision in Bologna of 32.4 sqm per inhabitant as of December 31, 2019 (Comune di Bologna, 2021c, p. c48). The same sheet notes the presence of approximately 8 million square meters of public green areas, distributing the total provisions across different parts of the city. It highlights that the overall situation is positive relative to the target provision of 30 sqm per inhabitant, despite some disparities in the historic city center and the first urban periphery.

7. Conclusions

In light of this scenario, it is essential to recognise the strategic centrality of the various territorial government activities (and among them, planning to be profoundly innovated) for their capacity to serve as a frame of reference for promoting and developing urban policies. This reference becomes more effective when supported by appropriate instruments (in terms of nature, form and type) tailored to cities' specific needs. This alignment allows for more impactful action in addressing the most pressing challenges of the 'new urban question' contemporary cities face due to globalisation, rising inequality, social fragmentation, environmental impact, and new forms of economic organisation.

In this context, urban regeneration, understood as an action of complex re-urbanising cities and territories, emerges as one of the most critical public actions that institutions must implement through the instrument of the plan. The urban plan must be capable of absorbing and recoding from within some of the most important and seemingly sector-specific issues of the urban agenda, including the social issue (related to new forms of poverty, multiculturalism, and migration dynamics) and the environmental issue (encompassing energy, mobility, climate change, and public health and safety), by rethinking and redefining its demanding framework to act according to the European principle of integrated urban development (European Commission 2014; van der Zwet, & Ferry 2019), wich are confirmed and continue to play a central role in the 2021-2027 programming period of the European Union's cohesion policy[10].

Urban regeneration, on the one hand, must overcome the traditional approach to urban planning standards, which focuses solely on the quantification and localised distribution of areas for public services in favour of ensuring their effective acquisition, realisation, management, and accessibility. On the other hand, it must be recognised that a sufficient quantitative provision of these areas is a necessary – though not sufficient – starting point, without which it is meaningless to discuss urban quality.

The public city must, therefore, be established as a coherent framework of the structuring choices that drive the regeneration process of contemporary cities and territories. This framework should aim to create a new urban welfare consisting of an articulated set of areas, spaces, and facilities that ensure oversight and a widespread territorial endowment for health, education, culture, infrastructure for sustainable public mobility and social inclusion, urban metabolism networks, green spaces, and ecological-environmental balance.

More than fifty years after Ministerial Decree 1444/68 issuance, ensuring the conditions for a new urban welfare system should be the primary goal of a holistic and integrated urban regeneration strategy.

However, the challenge remains, above all, to introduce into urban and territorial planning legislation (both at the level of fundamental principles of the State and in the discipline and content of the Regional regulations) elements that encourage plans to adopt more process-oriented rather than product-oriented planning and design methods and approaches (Barbieri, 2024), that should be capable of fostering anti-fragile solutions (Blečić and Cecchini, 2016) for cities and territories. At the same time, it is essential to move beyond the contents and projects of the era of large-scale urban transformations seen at the turn of the 21st century, which often navigated the ambiguous frontier between urban planning and architecture (Gasparrini 1999).

That is a necessary challenge for cities to become more inclusive, sustainable, and capable of offering all citizens equal access to services and urban spaces.

While urban planning cannot be expected to eliminate social inequalities entirely, it

can play a crucial role in reducing them by focusing the project on the new urban question as a relevant action in the search for social justice.

Returning to the initial question, it is essential to conceive planning and design for the public city and the services of a new welfare that transcends the methodology outlined by Decree 1444/1968, embracing a multi-dimensional and multi-level approach to explore and practice future changes in current settlement contexts. The connection between transforming the physical environment and protecting and strengthening social relationships requires a conscious culture of public territorial governance, which should envision urban environments that enhance the quality of life while contributing to the reduction of social inequalities, the elimination of acute marginalisation, and the enhancement of citizens' safety and environmental comfort.

Notes

1. The Parliamentary Commission of Inquiry into the safety conditions and the State of decay of cities and their suburbs (Commissione parlamentare Periferie) was established by the Chamber of Deputies in July 2016. Its main task was to assess the decay and distress of cities and their suburbs, focusing on socio-economic and safety implications. This involved examining factors such as the urban structure and social composition of the suburbs, the productive realities in urban peripheries and related phenomena, forms of poverty, marginality, and social exclusion, education and training provision, distribution of infrastructure and mobility resources, access to collective services, and the presence of migrants.
2. To these provisions are added, with the F Zones of Decree 1444, an additional standard of 17.5 sqm per inhabitant for secondary schools, healthcare, and urban-territorial parks. After DPR 616/1977, the Regions will primarily indicate a threshold of 10,000 or 20,000 inhabitants for the obligation of this type of standard.
3. It was possible at least until the existence of the so-called "GESCAL contribution" (Gestione Case Lavoratori), established by Law 60/1963 and utilising the programming of the Regions, by DPR 616/1977, through Law 457/1978 'Ten-Year Housing Plan'. The GESCAL fund was abolished in 1992.
4. It was possible until the constitutional judgments of 1982 and 1999 made it practically unfeasible from an economic-legal perspective.
5. As indicated in the Constitution, this pertains to the right to have a minimum endowment of public space for services (health facilities, recreational and sports green areas, schools of all levels, parks, and social facilities).
6. This method was practised for over a decade following Law 865/71 and the general confirmation provided by Law 10/1977 (so-called Bucalossi, from the name of its proposer), which together made available compensation for expropriation at agricultural value for urban areas (thus reduced by urban land rent), declared unconstitutional in 1982 (due to evident unequal treatment, in the absence of a separation between the right to property and the right to build), not only for PEEP housing but also for urban planning standards, public works, etc., and thus for the public city.
7. Only with Law 765/1967 (known as the Bridge Law) were all Italian municipalities mandated to have a general urban planning instrument (either a General Regulatory Plan or a Building Program) to issue a building permit. In fact, the mandatory nature of this instrument makes it possible to conceive and impose the urban planning standards of Decree 1444 through the plan.
8. The subsequent DPR 616/1977 would fully activate the powers of the Regions in urban planning legislation.
9. However, the panorama of regional legislative innovation has been enriched by new experiences that follow the principles established by the INU. It is worth noting that, on January 1, 2024, Regional Law 19/2023 of the Marche Region, titled "Planning Rules for Territorial Government", came into effect. This new regional urban planning reform law replaces the previous urban planning Law 34/1992.
   The Marche law marks the transition from the 'administration of spatial planning' (which had been fully delegated by the Marche Region to the Provinces) to the broader concept of 'territorial government'. The law recognises and regulates the fundamental

multi-level planning function, involving the Region as the primary actor alongside other elective institutions with similar competencies (Provinces and Municipalities).
Among the innovative pillars of this law are the new form of the urban plan and the 'principle of coherence' in urban planning, both external and internal. Key features include the General Urban Plan and its two components: the structural and the regulatory; the right to the public city and urban planning standards, and the recognition that 'urban and territorial endowment' constitute a right. These provisions are to be secured through land-use equalisation (or expropriation for public utility) to achieve the following objectives: universal accessibility and usability of public areas; prevention of land consumption; soil permeability; improvement of biodiversity and the ecosystem functionality of green areas; support for sustainable mobility; enhancement of the quality and recognizability of public spaces in the urban landscape; energy and water sustainability; public housing development, in compliance with Ministerial Decree 1444/1968. Finally, the law emphasises territorial regeneration and urban regeneration, based on two main approaches: the redevelopment of existing buildings and urban regeneration initiatives.

10. These principles focus on addressing complex urban challenges through a multi-sectoral, integrated approach. The European Regional Development Fund (ERDF), for example, allocates at least 8% of its resources specifically to sustainable urban development, with an emphasis on integrating environmental, social, and economic objectives. Key instruments such as the Integrated Territorial Investment (ITI) and Community-Led Local Development (CLLD) continue to support cross-sectoral and participatory strategies in urban areas. Furthermore, new tools like the European Urban Initiative (EUI) are introduced to provide financial and capacity-building support to cities of all sizes, fostering innovation and sustainable solutions to urban challenges. The focus for 2021-2027 includes enhanced funding for urban mobility, public space regeneration, and climate adaptation, reflecting the importance of urban-rural linkages and functional urban areas as part of a broader territorial approach to development.

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Conflicts of Interest
The author declares no conflict of interest.

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