

## **The third level urban planning in Naples: Private initiative between criticality and best practices**

**Agrippino Graniero**

Architect, PhD, Comune di Napoli

agrippino.graniero@comune.napoli.it, Via Diocleziano n.330, 80126 Napoli

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### **ABSTRACT**

*In Italian urban planning, the phase of implementation through details plans has always been that which has shown main contradictions. Such plans have the difficult task of creating a link between the dimension of urban planning and that of architecture. They represent the link between what is planned and what is then built in reality.*

*This article aims to provide evidence of the contradictions such plans face by looking at the implementation state of the General Variance of the Naples Master Plan (Piano Regolatore Generale) in force since 2004. The article focuses on the management methods for the implementations plans (PUAs), third-level planning, and looks specifically at private initiative PUAs. The research therefore starts from the current legislative framework in force and from the technical rules of town planning to then proceed with the analysis of the administrative and technical procedures adopted by the municipality of Naples to evaluate private initiative PUAs, both implemented and not implemented, and those awaiting for final approval. It thus provides useful knowledge about the main problems encountered, whether specific or of a general nature, determining delays in the preliminary stages of the procedure or in the subsequent implementation phase.*

## **1. INTRODUCTION**

In the field of Italian urban planning, characterized by a sequence of preparatory plans, the third level of planning has always been that which has provided the most contradictory representation of itself. In fact, if the first-level plans have taken many years to have a strategic role in the management of transformations on a territorial scale, the general regulatory plans, in the second level, have been the only real planning tool for over half a century for the Italian municipalities (Scattoni & Falco, 2011).

These plans, in fact, have the difficult task of constituting a link between the dimension of urban planning and that of architecture, they represent the link between what is planned and what is then built in reality.

The third level plans, Piani Urbanistici Attuativi (PUAs), include those plans that allow the construction, the transformation of agricultural areas into urbanized parts of the territory and those plans that concretely represent the very idea of the implementation plan of the general urban instrument (PRG), which require an urban-scale project that precisely defines every aspect of the intervention, e.g. the subjects involved, the resources, the times, the procedures, the rules of implementation and the managerial aspects (Erba, 1976; Discepolo, 2007). The third level plans are: Piani di Edilizia Economica e Popolare, Piani di Lottizzazione, Piani di Insediamento Produttivo, Piani Particolareggiati Esecutivi, and Piani di Recupero.

Piano Urbanistico Attuativi therefore concretize the city organism and through them urban transformations and developments are realized. When we talk about territorial governance and regeneration, urban quality and participation, social and functional mixitè we cannot do without third level planning. By focusing the research on the Piani Urbanistici Attuativi, on those carried out but also and above all on the unrealized ones, proposed but not implemented, it is possible to obtain a precise knowledge framework relating to the whole city and its individual parts, to its economic and social components and to the effectiveness of the planning instruments in force. If on the one hand the public initiative PUAs are valid examples of the realization of the General plan choices, on the other hand the private initiative plans are certainly more numerous and better diffused on the whole city territory and therefore more representative.

This contribution proposes instead to elaborate a knowledge framework related to the state of implementation of the General Variance of the Naples PRG (Piano Regolatore Generale – General Plan), the municipal planning instrument in force since 2004, analyzing the management methods through third-level planning, in this case through private initiative PUAs. The research therefore starts from the regulatory framework in force and from the technical rules of the municipal town planning instrument, continues with the analysis of the administrative and technical procedures adopted by the Municipality and with the verification of the private initiative PUAs approved and realized, unrealized and those still only adopted, extracting, from the examined cases,

useful information to be able to identify the main problems encountered, specific or of a general nature, determining delays in the preliminary phases of the procedure or in the subsequent phases or the un-realization of the proposed plans.

## **2. THE RESEARCH**

To be able to analyze the management modalities of the General Variance to the Naples PRG through the private initiative PUAs, we started from the national and regional urban planning discipline and we arrived at the municipal urban planning tool that plans the specific implementation modalities. Therefore, starting from the information of a legislative nature, the research focused on the procedure adopted by the municipal Administration for the approval of the PUAs for the purpose of a broader understanding of the operating methods that allow on the one hand to correctly and promptly process more or less complex technical-administrative procedures and, on the other hand, to the proposers, to more easily elaborate project proposals compliant with the sector laws (Mazza, 2006). For the precise definition of the procedural phases, reference was made to a municipal regulation concerning the bureaucratic process to be followed, in accordance with the provisions of Article 27 of the Campania Regional Law no.16/2004. The verification of the individual plans has also made clear important procedural steps and some specific cases have been better clarified by the persons in charge of the proceedings.

With regard to the verification of the implementation urban plans, a list of approved and adopted plans was drawn up. The documents of the PUAs, with the relative technical attachments, were searched for through the internet portal of the Municipality. Preliminarily, through the information deduced from the documents found, the private initiative PUAs have been identified and excluded therefore those of public initiative not object of investigation. As previously explained, private initiative PUAs are more numerous and better distributed throughout the city and are therefore more representative and can also be verified and compared with each other using the same evaluation parameters and selection criteria, which is not possible if we consider also the public initiative plans.

Of each PUA the fundamental characteristics of the interventions have been considered, related to the design complexity, to the foreseen functions, to the territorial dimensions, to the location and to the presence of cultural or environmental constraints.

In addition, references to the instances that initiated the administrative technical procedures were searched for each plan. Knowing therefore the dates of the first project proposals and those of the adoption and approval resolutions, it was possible to calculate the time spent between the start of the procedures and the adoption of the

final plans and between the adoption and the approval. It was also possible to calculate the times for particular procedural steps thanks to detailed chronologies of the deeds produced relating to some cases.

The information relating to the times was therefore associated with the characteristics of the plans, thus verifying any correspondences between some of these and any procedural delays.

With regard to the approved plans, their state of realization was verified by consulting directly the persons in charge of the procedure and carrying out research of any useful documents available through the internet portal. The information thus obtained was then associated, in some cases, with data of a general nature, such as for example market surveys relating to sales of land or studies commissioned by the Chamber of Commerce relating to construction sector activities, to verify the existence of particular correspondences.

### **3. URBAN PLANNING LEGISLATION**

#### *3.1 National and regional legislation*

With D.P.R. (Presidential Decree) n.8 of 1972 and subsequently with D.P.R.n.616 of 1977 the administrative functions in urban planning were transferred from the State to the Regions, preserving the State the function of coordination and direction also through the definition of "fundamental lines of the planning of the territory". Currently, the conferment to the Regions is governed by D.Lgs (Legislative Decree) n.112 of 1998, subsequently amended by the Constitutional Reform Law n.3 of 2001 which redistributes the responsibilities between the State, Regions and Municipalities also in urban planning and territorial governance.

The current national planning legislation provides for different types of PUAs including:

- Piani Particolareggiati Esecutivi (PPE), governed by articles 13-17 of Law n.1150 of 1942 (National Urban Planning Law);
- Piani per l'Edilizia Economica e Popolare (PEEP), governed by Law n.167 of 1962;
- Piani di Lottizzazione (PL), governed by Law n.765 of 1967;
- Piani per gli Insediamenti Produttivi (PIP), introduced by Law n.865 of 1971;
- Piani di Recupero (PdR), governed by Law n.457 of 1978.

Within the Campania Region, Regional Law no. 16/2004 regulates urban planning and regulates PUAs, considered implementation instruments of the Municipal Urban Plan provisions (PRG) (Barbieri & Giaimo, 2003; Mazzeo, 2006). In particular, art. 26 specifies that the PUAs, in relation to the content, have scope and value of Piani Particolareggiati, Piani di Lottizzazione, Piani per l'Edilizia Economica e Popolare,

Piani per gli Insediamenti Produttivi, Programmi di Intervento under Law n.179/1992 art.17 and the Regional Law n.3/1996 and Regional Law n.26/2002, Piani di Recupero and Programmi di Recupero Urbano pursuant to D.Lgs n.398/1993, art.11, converted into Law n.493/1993.

The Campania Regional Law n.16/2004 also establishes in art. 27 which subjects may submit a PUA proposal: the Municipalities, the Urban Transformation Companies and the owners of at least 51% of the intervention area taxable value. Article 27 also specifies the formation process of the PUAs by providing:

- adoption by the Municipal government body (Giunta);
- sending the adopted plan to the Province (today Metropolitan City of Naples) for any observations within 30 days;
- the deposit of the plan at the municipal house for 30 days within which anyone can submit observations or oppositions;
- the examination of the observations or oppositions formulated and the approval of the PUA by the Giunta.

### **3.2 Local legislation**

#### *3.2.1 The General Variance of the PRG of Naples*

In October 1984 Naples City Council approved the document of strategic guidelines for municipal urban planning aimed at updating and modifying the city old General Plan, approved by D.M. (Ministerial Decree) n. 1829 of March 31, 1972.

The Piano Regolatore Generale (PRG) (General Plan) then in force was structured in such a way as to postpone all its practical operations to the drafting of detailed executive plans. These PUAs were entrusted with the task of defining and regulating the interventions to be carried out and blocking any possible intervention, pending the drafting. However in the following years no PUA was ever approved. Even among the first-level plans, the sectoral superordinate plans (Piani di Bacino, Piani Aree di Sviluppo Industriale, Piani Parco, and so on) were more effectively implemented compared to the typical large area plans, provided by the national and regional legislators.

The guidelines document of 1984 provided for the proceeding through a succession of variances: of safeguarding, for the Western area (Bagnoli), for the Eastern area, for the Northwestern area, for the historic center. During elaboration, the number of variances envisaged was then reduced, having re-united into a single document, which also includes the areas affected by the variance of safeguarding, the last three planned variances. In conclusion, the Variance in force, together with that for the Western area,

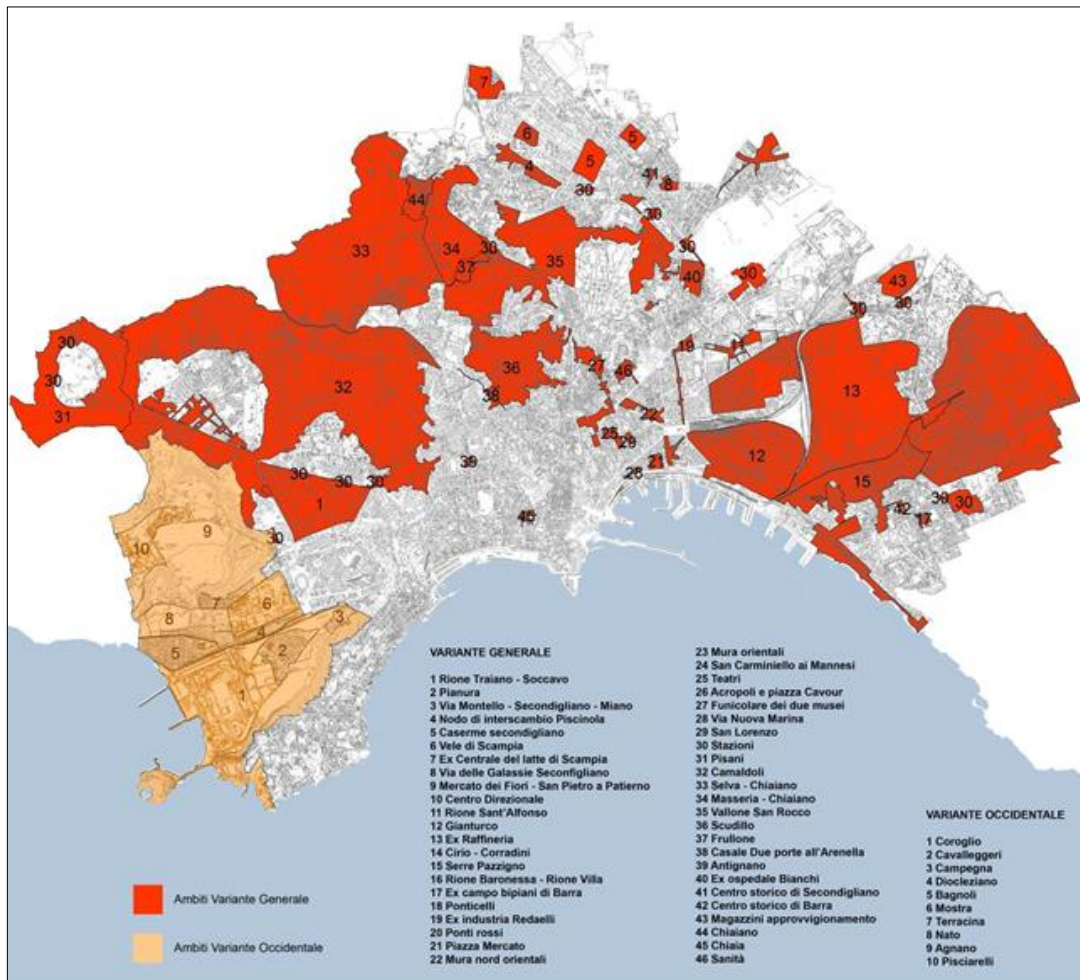
constitutes in fact the General Variance of the PRG approved in 2004. Article should be between 4,000-5,000 words, excluding tables, figures, and references.

### *3.2.2 The ambiti and the areas of recent expansion*

The town planning instrument of the City of Naples concerns a territory that extends over 10.365 hectares and has been sized on a population of about 1.013.000 inhabitants (1991 census). The General Variance includes direct interventions and indirect interventions. The former correspond, as a rule, to conservation (which essentially concerns the historical and environmental heritage), the latter to the transformation (relative to the settlements built after the second world war and, above all, to the abandoned industrial areas). Instead, the expansion interventions, considered irreconcilable with the priority objective of proceeding with the exclusive redevelopment of the existing heritage, were excluded to protect the physical integrity and detect the cultural identity of the city.

The direct intervention therefore constitutes the privileged operating mode of the plan in force. Nonetheless, there are some areas of the municipal territory called *ambiti* for which considerable transformation interventions are necessary, which can be carried out exclusively through preparatory planning tools. The *ambiti* identified by the plan regulations are 46 (to which another ten are added in the Western area), and are located on the entire municipal territory (Figure 1), but grouped together in four macro areas: the historic centre, the north-western area, the northern area, the eastern area.

**Figure 1 – Ambiti**



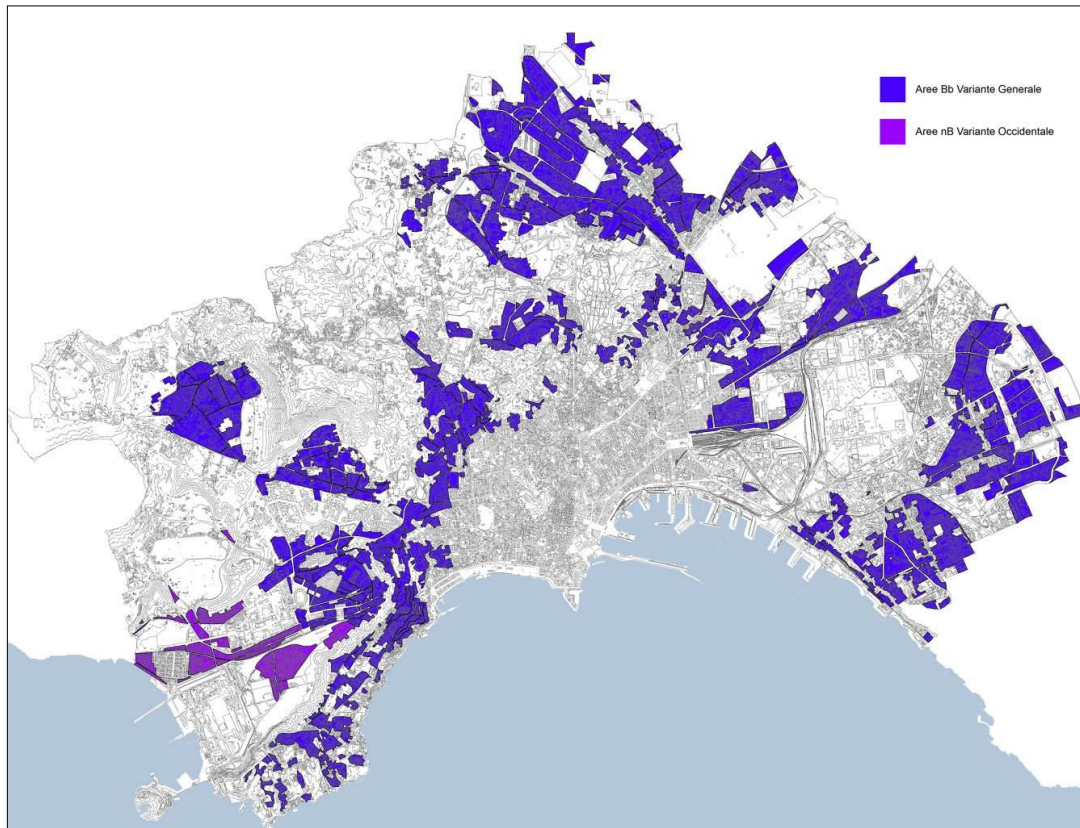
Source: Comune di Napoli (2020)

For each of these areas the PRG provides for particular dimensional, morphological and functional characteristics, outlining in an almost homogeneous way the design choices and the regulatory provisions. The four macro areas identified can in turn be grouped into two classes that refer to the areas intended mainly for conservation and those, instead, destined to transformation.

Within the PRG implementation strategy, indirect interventions through the drafting of a PUA are therefore the preferred operating method for the ambiti. The PRG, however, prefigures the possibility of using this mode, in a more widespread way, even in the case of the transformation of recent expansion areas, classified as sub-areas Bb (Figure 2). In particular, the town planning instrument assigns to the sub-area Bb, which identifies the most significant share of the aforementioned expansion tissues (over 90% of all areas of building expansion), the result, in most cases, of an unplanned growth without urban quality, a strong potential for redevelopment of the suburbs

through the implementation of transformation interventions to the building and urban planning scale.

**Figure 2 – Sub-areas Bb and Nb**



Source: Comune di Napoli (2020)

The redevelopment envisaged by the General Variance 2004 is based fundamentally on increasing the quantity and quality of equipment and public spaces. It also consists in the morphological reorganization of private spaces, also through the filling-in of the urban areas of lower density and the formation of new volumes that allow to increase the supply of residential buildings, assigning to private initiative an important role in the promotion of such interventions. As part of the planned redevelopment actions, urban restructuring interventions aimed at replacing existing urban building systems or completing them are permitted.

However, the necessary condition to propose a PUA consists in the availability of a surface that, for at least 5000 square meters, falls entirely in sub-area Bb. The intervention area can also be formed by surfaces that are not contiguous to each other, where the minimum consistency of 5000 square meters is achieved by the sum of several smaller lots, connected to each other by existing public spaces, including public roads, and/or areas identified by the General Variance 2004 to make neighborhood



public equipment. These public spaces are not included in the calculation of the 5000 square meters required. Furthermore, as mentioned, the urban plan promoted by the private operator must provide for the transfer to Administration of areas destined to primary and secondary urbanizations (public uses) and to the realization of the same urbanization works by the same promoter. In this regard, it is possible to carry out these urbanization works in the sub-areas Bb affected by the private settlements but also in other areas considering that these facilities are not aimed exclusively at the new settlement but must also satisfy previous needs of the whole neighborhood. The need to carry out urbanization works in other areas occurs especially when the size of the intervention area is limited and its planimetric morphology is complex, factors that could make both the equipment and the private settlement unsatisfactory from a qualitative point of view. In this regard, with a Management Order it was clarified that in such cases "it is permitted" that such equipment may be located, in whole or in part, outside the intervention area and may concern areas located in the sub-area Bb or in another area of the General Variance in which the construction of public equipment is permitted, also areas identified by the General Variance as public spaces. In order for the areas found outside the intervention area to be considered suitable, they must be located near the intervention area, within a adequate distance for the type of equipment required. Always starting from the same motivations and ascertaining the impossibility of finding outside the intervention area suitable areas for this purpose, as a last resort forms of monetization of the acquisition value of the due areas and of the value of the relative works are permitted, both subordinate to a congruence check.

#### **4. THE PUAs IN NAPLES**

##### ***4.1. The approval process of the PUA***

The procedure adopted for the approval of the PUA provides for three distinct and consecutive phases of examination, each of which corresponds to a form of assent by the administration. The third phase is that which allows the formal adoption and approval of the plan pursuant to article 27 of Campania Regional Law n.16/2004. This articulation in phases does not however constitute an obligation but a faculty granted, because the proposers can directly access the third phase as required by the law in force.

##### ***4.1.1. Phase 1 - Verification of the admissibility conditions***

At the time of proposing an intervention, an interaction is activated between the proposer/owner and the Administration in order to define the admissibility of the proposal or to ascertain whether it presents the formal and qualitative requirements for assuming the configuration of a PUA to be submitted to administration examination.

The proposer presents an aero-photogrammetric planimetry with the identification of the building, a photographic documentation and a rough proposal of the intervention also in the form of a report.

It is necessary to provide the elements that attest to the ownership of the area or in any case the title to take the initiative, even through self-certification.

This informal phase consists therefore of conducting conversation between the proposer and the office, a sort of "pre-examination" in order to verify the conformity of the objectives proposed with the general plan.

With regard to the operating procedures, the manager appoints the person in charge of the procedure, notifying the proposer, evaluating the urban planning compliance of the proposal, performing a site inspection and identifying the suitable type of PUA among those listed in Article 26 of the Campania Regional Law n.16/2004.

The person in charge of the procedure checks compliance with the urban planning regulations, identifies and prepares, in agreement with the other municipal services, the personalized study material to be provided to the proposer, usually consisting of:

- a collection of maps related to the area of intervention in the various possible editions in order to document their evolution;
- a collection of historical maps;
- documentation relating to the current sector legislation;
- urban zoning on a cadastral basis;
- the updated definition of the initiatives in progress in the area and in the neighboring ones;
- indications relating to existing roads and other public spaces and for planning and management decisions regarding public or public use equipment;
- statistical and socio-demographic processing;
- a compendium of legislative references;
- the standard type of agreement.

In the case of admissibility and convergence of objectives, the manager informs the proposer about the subsequent procedural phases, the reference legislation and eventually indicates the specific skills that the design group must have in relation to the characteristics of the intervention.

In the event of a negative outcome, the manager, after having received the report of the person in charge of the procedure, prepares a communication to the proposer with the considerations about the reasons for the non-compliance of the proposed plan, or indicates the conditions that could allow a continuation of the initiative.

#### *4.1.2 Phase 2. Preliminary proposal*

The proposer develops the proposed intervention through documents that have the purpose of defining the qualitative and quantitative contents of the plan project. This

phase represents a preliminary but important approach to the salient issues of the proposal which, exposed by the proposer at a time of achievement of the objectives, will avoid the same from any reworking of the plan proposal until the final formulation is reached, thus allowing to shorten the time for the examination and approval.

With regard to the operating procedures, the person in charge of the procedure examines the preliminary plan by carrying out the main checks listed below:

a) ascertains the existence of constraints and compliance with the superordinate and sector-specific urban planning instruments in force:

- landscape constraints related to the third part of the Code of Cultural Heritage and Landscape (D.Lgs n.42/2004);
- archaeological constraints;
- hydrogeological plans (PAI - Autorità di Bacino);
- geomorphological constraints;
- presence of other constraints and / or areas of respect.

b) verifies the compatibility of the intervention with the all municipal instruments of territorial governance;

c) convenes, if it is deemed necessary, the proposer for clarifications and additions in order to modify or finalize the preliminary plan in accordance with the aims and parameters of the PRG and the remaining instrumentation and urban planning legislation;

d) arranges meetings with the competent municipal services for specific problems to be addressed;

e) arranges meetings, where necessary, with the representatives of the other Administrations that will have to express an opinion on the plan in question, so as to have indications on the documents necessary to obtain the authorizations and/or opinions.

Once a preliminary formulation of the complete plan is obtained, consistent with the current urban planning regulations and with the administration's urban planning guidelines, the person in charge of the procedure prepares a report that describes the initiative and any problems relating to it, indicating, for the purposes of any decisions, the conditions deemed essential for the continuation. The decisions of the office are communicated in writing to the proposer.

#### *4.1.3 Phase 3. Definitive PUA project*

This phase consists of the presentation of definitive PUA project pursuant to art. 27 of the Campania Regional Law n.16/2004, examination of the proposed plan and drawing up the documents for the purpose of adoption by the Giunta.

With regard to the operating procedures, the proposer presents 3 copies of the project signed by the owner and the designer. Additional copies of the project for the acquisition of opinions will be requested during the preliminary examination.

The person in charge of the procedure verifies that the documentation presented is complete and eventually requests any documentary additions or modest modifications to the presented plan.

The person in charge of the procedure verifies that the final project has complied with the indications and prescriptions formulated in the previous phase and that it complies with the urban planning legislation:

- a) acquires the prescriptions of the other competent offices of the Municipality;
- b) acquires the prescriptions of other Administrations.

In the event that the proposer requires that the approval of the PUA has the value of building permit, the preliminary final report must include the consent of the SUEP - Sportello Unico Edilizia Privata (competent office issuing building permits) for private works and the examination of the final project of the primary and secondary urbanization works by the other responsible offices.

At the conclusion of the examination, the person in charge of the procedure prepares the report which contains a brief description of the plan, the results of the compliance checks and correspondence to the town planning regulations, the assents and approvals collected and any prescriptions. The person in charge of the procedure with the legal support of the competent internal office defines, also through comparison with the proposer, the model of agreement drawn up on the model provided by the office.

The final report signed by the office manager with any decisions that the office deems to have to be taken prior to the adoption of the plan is sent to the competent Assessore (member of Giunta) before the preparation of the adoption proposal.

The office participates with the other competent offices in the subsequent phases defined by article 27 of the Campania Regional Law n.16/2004, therefore examines the observations and/or oppositions received, processes the proposed resolution for the examination of the observations and the approval of the PUA by the Giunta.

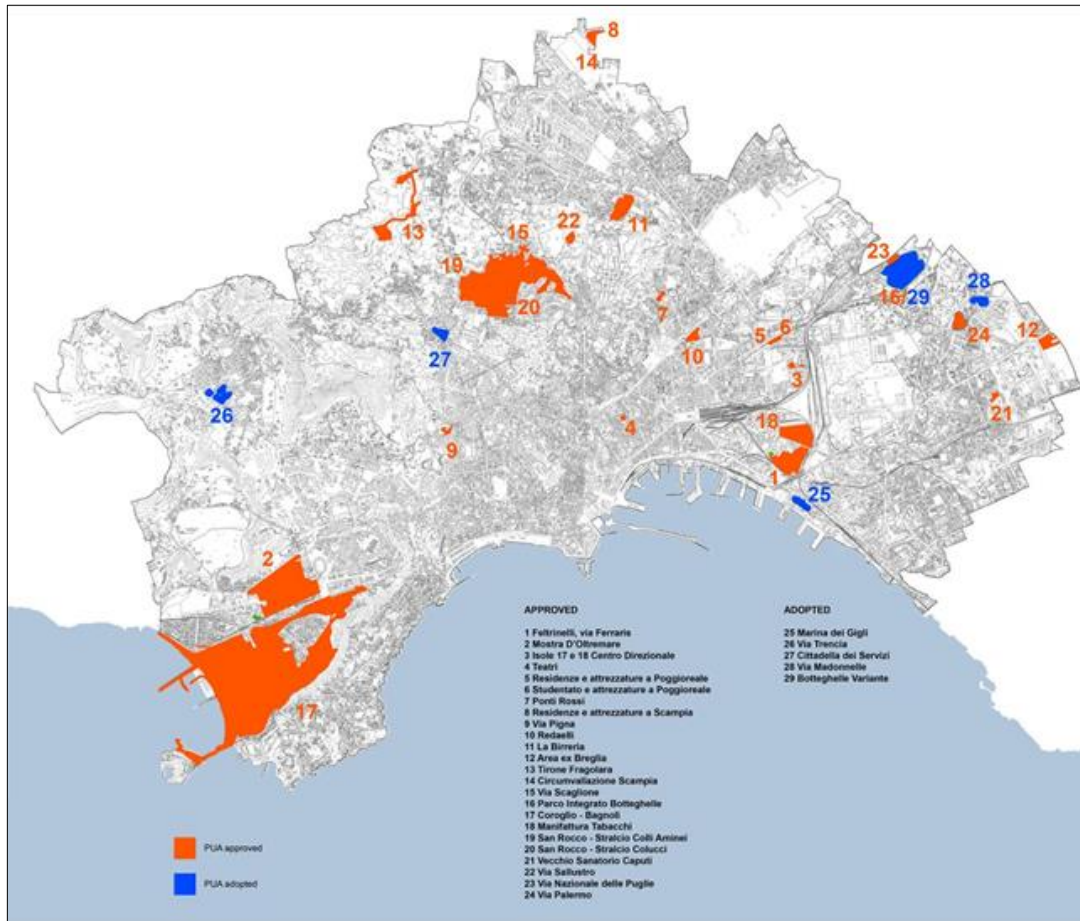
The proceeding ends with the sending to the Giunta of the proposal for a resolution for approving the plan containing the results of the examination of the observations and / or oppositions received. Subsequently, with decree of Mayor, the approved plan is published in the Official Bulletin of the Campania Region and enters into force the day after its publication.

#### ***4.2. The PUAs adopted and approved from 2004 to the 2017***

Considering the private initiative PUA proposed after the approval of the General Variance in 2004 and until 2017, 19 Plans have been approved, of which 9 Piani

Particolareggiati, 7 Piani di Recupero and 3 Piani di Lottizzazione. Instead, 5 Plans were adopted, 4 of which are Piani Particolareggiati and one Piano di Recupero (Figure 3 and Tables A and B, see appendix for Tables) (Comune di Napoli, 2020).

**Figure 3 – Approved and adopted PUAs**



Source: Comune di Napoli (2020)

#### *4.2.1 Timing and criticalities of the proceedings*

The procedure for approving the PUA as we have seen begins with the delivery of the urban planning project by the owner of intervention area in the preliminary or definitive form. The time spent between the delivery of the first proposal and the approval of the plan and therefore for the elaboration of the project in its final form, with the acquisition of all the necessary opinions and assents, varies according to different factors.

The analysis of the approved and adopted PUA therefore shows that the average time between the first proposal and the adoption of the final project is 32 months with a minimum time of 4 and a maximum time of 106 months (Table D, see appendix). With

regard to the time between adoption and approval, they have an average duration of 12 months with a minimum of 1 and a maximum of 43 months (Table D).

By verifying the individual procedures relating to the plans that required longer time for approval, various causes of slowing down of the process were found among which, the incorrect application of the sector regulations by the proposers and the deficient documentation are among the more widespread in the early procedural phases, when the plan is still in progress. In these cases the person in charge of the procedure requires additions or modifications to the project that extend the time frame. It must be said that at times proposers find it difficult to find some required documents, such as property deeds, building permits or to find satisfactory design solutions in agreement with the appointed designers.

The presence of archaeological, cultural or environmental constraints can cause further slowdowns. A case found is that of a PUA related to a pre-existing building that has been declared, pursuant to D.Lgs n.42/2004 (Code of Cultural Heritage and Landscape), of particular cultural interest as part of a larger complex already protected. The affixing of the constraint during the first phase of the procedure determined the complete modification of the draft plan and therefore the proposal was completely revised. Another case found concerns a PUA in the Sito di Interesse Nazionale (SIN) "Napoli Orientale" (Site of National Interest) . In this case the approval by the competent Ministry of the characterization plan is required and the consequent reclamation of the land before the approval of the PUA is necessary.

A further delaying factor was the high complexity of some plans. Complexity relative to the functions, the dimensions of the intervention, the spatial articulation of the artifacts, the technologies used, the pre-existing elements to be considered. Often a single procedure determines the start of further proceedings in other internal services of the Municipality or in other administrations thus expanding the time necessary for the definition of the plan project.

#### *4.2.2 State of realization of approved plans*

Of the 19 PUA approved, only 3 have been realized, 4 are in the realization phase, 5 do not yet have the signed agreement, for 2 the realization through functional parts was requested, for others 2 PUAs a variance was presented and in another case the new owner company, after the approval of the plan, makes it necessary to modify the agreement (Table E).

It is necessary to specify that in general there are no time limits within which to sign the agreement after the approval of the plan. After the signature, however, the agreement provides for a series of deadlines and is effective for ten years.

With regard to the plans for which the agreement has not yet been signed, among the main causes there appears to be the unfavorable current economic-financial situation

that has changed, within a few years, the financial state of the proposing companies or of the individual subjects or consortium. The limited economic availability if on the one hand does not prevent the proposed plan from being approved, on the other it does not allow the proposer to sign the agreement that actually commits him financially. Economic reasons, high complexity of the intervention or particular needs of individual members of the consortium, relating to the concrete and quick realization of even only part of the plan, determine the need to proceed through functional parts instead than fully realizing, in a single time, the intervention. In the two cases encountered, after the approval of the plan and before signing the agreement, the proposers submitted a request for realization for individual parts. The competent manager of the Administration, in these cases, with his own disposition, examines the request and the proposer modifies the agreement that returns to the Giunta for approval together with the final project of the urbanization works to be carried out simultaneously.

With regards to the approved PUA, for which a variance proposal has been presented, after the approval of the definitive project, sometimes certain conditions or particular needs change, so it is necessary to modify the project or parts of it. This actually determines the start of a new procedure aimed at approving a project that replaces the previous one.

A further case found is that of the change of the howner of the intervention area. After the approval of the PUA, which may possibly have the value of a building permit, the owners sell the intervention areas and therefore the buyers take over the agreement as new implementing parties. It may happen that a PUA is proposed exclusively to increase the value of the areas for the purpose of a more profitable sale. In this case, if the area is not sold after approval, the agreement is not signed and the intervention remains un-realized.

With regard instead to the plans that have not been implemented, in one case the failure to carry out the plan was caused by the bankruptcy of the proposing company, in another the ten year validity term of the PUA was exceeded, thus determining the ineffectiveness of the plan.

## **5. CONCLUSIONS**

The proposed contribution analyzed the management modalities of the General Variance of the PRG of Naples through the private initiative PUA proposed from 2004 to 2017.

The research was divided into three different parts, the first concerned the sector legislation in force, national and regional, implementing rules of the municipal town planning instrument, while in the second part were analyzed the different phases of the

technical administrative procedure adopted by the Administration aimed at the approval of the plans and the third part dealt with the verification of the single private initiative PUA to date approved and realized, not realized and those only still adopted. The final objective was to trace a knowledge framework showing the main problems encountered, specific or of a general nature, causing delays in the preliminary phases of the procedure or in the subsequent realization phases or the un-realization of the proposed plans.

With regard to the first part, we have seen how the Variance allows for the implementation of the plan forecasts exclusively through the elaboration of a PUA in the areas of recent expansion, with an extension of at least 5000 sq. metres. On the one hand, this obligation is useful for a better management of urban planning loads and for a more effective choice and distribution of the necessary functions and equipment, on the other hand, it is an indispensable tool for the realization of public interest and urban quality. In fact, it submits specific types of intervention to urban planning, such as, for example, building renovation with an increase in volume and a change of intended use by the Regional Law called “Piano casa” (House Plan).

With regard to the second part of the research, it has been verified that the Administration carries out a complex daily task of checking the project proposals presented. Collaboration in the preliminary phase between the Administration and the citizen or urban planner is indispensable not only for a more rapid and effective elaboration of solutions in compliance with the sector regulations, but also to reach, sometimes with great difficulties, compromises that pursue at the same time the public and private interests. The professionals within the Administration adopt, as we have verified, a precise procedure that works well, both as regards the division by phases, and as regards the level of project definition required in the various steps. Having to identify and solve important problems in a preliminary phase of the procedure allows you to deal more effectively and quickly with the subsequent steps where a greater degree of detail is required. Discovering some unresolved criticalities in the final phases of the procedure, which can be overcome to a different extent or in some cases unsolvable, involves a considerable waste of resources both on the part of the proposer and of the Administration.

With regard to the third part of the research, that is the verification of the individual plans, approved and realized, unrealized or only still adopted from 2004 to 2017, made it possible to identify some critical points, specific or of a general nature, causing delays in the preliminary administrative procedure phases or in the subsequent phases or, in the most serious cases, the un-realization of the proposed plans. The data collected highlight some aspects of the state of realization of the municipal planning instrument that certainly reflect broader national scenarios. Certainly, the serious economic and financial crisis of recent years has had a profound effect on the city,



leading in some cases to the abandonment of the intervention proposals before or after the approval of the plans.

The analysis of the individual plans was therefore divided into two parts, one relating to the criticalities found and the time required to reach approval, and another concerning the state of realization of the PUA. In the first part the main characteristics of the interventions were associated with the times elapsed between the different procedural phases. Among the information gathered it emerged that certainly the complex plans require more time for approval but also that the simpler and smaller plans do not always take less time for their final realization. Unpredictable variables can have a strong impact on the timing and methods of implementing the plans. It would therefore be useful to draw up a precise list of the predictable factors and, on the basis of the previous cases, a list of the probable variables that may occur in a proceeding. Another interesting fact that emerged from the analysis of the individual PUAs is the possibility for a proposer to have an approved urban plan and subsequently not to carry out either the proposed private intervention or the expected standards. Beyond the individual and different causes that can lead to this case, the un-realization of the plan does not imply no type of sanctions against the proposer. It would therefore be useful to provide for more and different guarantees in favor of the Administration and therefore of the public interest, so that the approved plans or at least the public part of them, are realized and within a reasonable time.

This contribution therefore if on the one hand it is limited to the analysis of the legislation in force, to the verification of the individual phases of the technical administrative procedure for the approval of the PUAs and to the verification of the individual plans approved and adopted, on the other it is the starting point for further research, in order to make the approval process of the plans more effective and faster, to guarantee their effective implementation, for the interest of the community and of the individual citizen who proposes and finances the realization and with the hope of a higher quality of urban living.

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## **SHORT AUTHOR BIOGRAPHY:**

The Author is architect, holds a PhD in Representation, protection and safety of the environment, structures and government of the territory at the University of Campania “Luigi Vanvitelli”. Since 2010 he has been involved in urban planning in the public administration.