

## Abstract

The title of the project well encapsulates the therein addressed topics. Actually, the research is focused on the historical evolution of urbanism, it can be defined as *a rebours* aimed to understand its genesis and developments.

The *modern city* model is deeply in crisis. This is the consequence of our *modus operandi*, of the "inappropriate" usage of the places we live in, of the unrestricted rudeness of those who walk the streets, of the traffic, of the lack of green areas. The city, considered as an agglomerate of people and things, is no longer able to fulfill the needs of its living people. In this way, the social discomfort becomes easily detectable, analyzing the relationship between living space and its quality.

The phenomenon of urban regeneration in Italy is comprised of three phases: the first, during the seventies, for the renewal of historic centers; the second, in the 1980s, for the rearrangement of abandoned areas; the third, the current one, for the renovation of residential neighborhoods built in the second half of the twentieth century which were created based on low quality building, architectural and urban planning criteria. The importance of urban policies was raised only in the 80's when in 1987 the "Ministry for urban problems" was founded, in order to deal various contingent interests. Between 1993-1998 we begin to hear about the "hierarchy of environmental values", an organization that originates, in its strong different aspects, from the dialectical processes that have been developing, during the historical evolution, within the Italian society.

Besides the goal of accomplishing the phase of buildings renewal, created between the seventies and eighties, the challenge becomes today even more difficult. This is because, together with analysis and planning interventions phases, other numerous variables must be considered which allow to adapt the work with the surrounding context, making it eco-friendly and economically sustainable.

Cities are the main production center of wealth, therefore, setting up an urban regeneration process, without framing the productive and social background of the surrounding area, means condemning it. Furthermore, the lack of addressing settlement standards might involve further problems such as making up a future area of decay and abandon.

The upcoming of new territorial phenomena and the comparison between the different cities perspectives and urban planning tools reveal partially the difference between the concepts of regeneration urban process and its reuse. A common factor of events, which although similar, they appear to be very distant from each other, even over time, can be found in the derogatory nature towards general instruments of normative and administrative solutions, upon which the urban regeneration and adaptation processes plannings have relied.

Right now, it is clear to everyone that the phenomenon of city de-population and commercial getaway also in central areas affects our country as well.

It is therefore not only about regenerating our cities, but also redesigning and rebuilding them through a process of destruction and reconstruction, building scrapping and re-working, having the aim to ensure a new quality and sustainability of the citizens lives within the renewed urban spaces throughout the world.

Through this direction, therefore, an urban-expansive approach must be definitively overcome, and replaced by a new urban-regenerative, interdisciplinary, holistic, and no longer field-specific vision.

The urban regeneration process promotes organic public interventions, through some tools capable to target in a global way the problems related to physical degradation and socio-economic discomfort of the area and suitable for enhancing local identities, interacting with them. Therefore, the urban regeneration process not only involves the practical aspect related with the usage of a specific area and its rescuing, but it has to be considered as an instrument aiming to improve the quality of what it is already existent, affecting not only the heritage but specifically the economy, thus modifying the urban agglomerate.

Therefore, regeneration is not a tool, but it can be considered as a method. It is not made up of fixed rules, but rather of individualized approaches and analyses. It is not a prompt solution, but it takes time to appreciate the positive results. It does not go beyond the law, rather it uses it wisely to achieve goals and provide answers.

The leitmotif of the entire examination is to assess if the the public law discipline of the urban area is suitable to set up the objective reality, suggesting, at the same time, a solution proposal to the current legislative smashing and the obsolescence of the regulatory plans. We have moved from a structural / strategic hierarchical model, local regulatory, to an "empty" concept of planning.

There were questions about the nature, content, and expansion of the general regulatory plan in the context of the regeneration of what already exists related with the land-use.

The latter has paid attention to the concept of the regulatory plan content its wide spreading ability which can no longer assume the unconditional role of housing all the private interests, since these must deal with the excessive land-use and especially with the local community interests. Thus, we were able to define the regulatory plan as a "paper plan", hence the rush of a general reform that involves not only the PRG in its contents, but the whole system of local authorities, where that principle of uniformity, which still persists, compromises any reform from the outset.

Urban transformation companies therefore represent the only attempt able to counteract the already known boundaries of local regulatory plans.

These are companies open to private shareholders who must be chosen through a public evidence procedure. They ensure the prior acquisition of the buildings concerned by the intervention, the processing, and the marketing of the same.

Urban transformation companies represent one of the last legal-urban planning instruments developed by the legislator and can be identified as an improvement of traditional complex urban programs (integrated, recovery, redevelopment, PRUSST, etc.), related to a public financial channel and addressed by their very nature to be depleted with the allocation of the related resources, to the Public Private Partnership, which instead, as we have specifically seen in the build-up of a *local governance*, based on a system of safe shared and agreed rules, which identifies the key element for a better organization on a medium-long term for the production processes of urban changes.

The study then led the research towards the analysis of the connections between public and private, the trading and the final phase of the agreements.

In the economic sphere, the public and the private fields have always looked for an understanding that has been raised over time based on the required needs by both History and business.

This concept has been discussed by many jurists, they were aware of economic events and they have questioned themselves about the economic topics, reaching important conclusions.

In the context of economic activities, from a dominant public sphere due to historical, political, and social reasons, there has been a switchover to the private sphere, mainly due to an economic globalization together with business spread which has led to a decreased management of economic activities by public entities.

Concerning urban planning, the approval of private entities is more than needed due to the limited economic resources and the need for private grants. This has imposed the progressive *favor* for operational tools which, on one hand, they work for the achievement of a specific urban planning policy and, on the other, can attract private grants. All this, through interventions of areas renewal capable of fulfilling the economic and employment needs of the settled populations.

In order for the analysis to be rewarding, then, the relevance of the supranational discipline could not be ignored, especially for what concerns the ecological demand and the principle of sustainable development, borrowed from the Environmental law, but which has become essential in the identification of the *quomodo* and of the *ratio* of the general planning itself.