



# The Governance of Land Use

## Country fact sheet Italy

### The planning system

#### *Levels of government and their responsibilities*

Italy has four levels of government: national, regional (19 regions and 2 autonomous provinces with regional powers), provincial (110 provinces, out of which ten acquired the status of metropolitan city in 2015) and local (8 047 municipalities). Italy is a unitary country, but its land-use planning system follows a model generally observed in federal countries, with regional laws and regulations as the main source of legal provisions outlining the planning process. However, despite the high degree of regional autonomy, actual planning systems are similar across the country.

The national government provides guidelines for territorial development with a particular emphasis on Southern Italy and other economically lagging regions. It is also in charge of the construction and management of infrastructure of national importance as well as of the protection of heritage sites and of the natural landscape. Although the constitution stipulates that the national government should prepare a framework law on planning, no such law has been approved by parliament.

Regional laws and planning acts define the structure and processes that local authorities follow in preparing statutory land-use plans. Given the absence of a national framework law, regional provisions can vary from each other. Regions prepare *Regional Landscape Plans* together with the *National Ministry of Cultural Heritage and Activities and Tourism*. They also produce *Regional Territorial Plans* whose contents vary from region to region. The second level of subnational government, the provinces, produces the *Provincial Territorial Coordination Plan* to co-ordinate land-use decisions across municipalities and plan major infrastructure projects. In 2015, 10 provinces were replaced by *Metropolitan Cities*. They are expected to adopt a metropolitan strategic plan that replaces the provincial plan. As of the time of writing, the future role of provincial governments outside of metropolitan areas is under discussion, but no final decisions have been made.

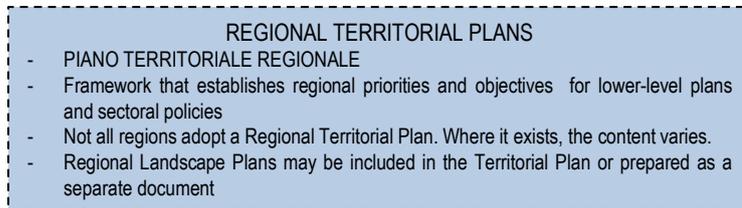
Actual land-use decisions are primarily made at the local level by municipalities through the *Local Development Plan*. Municipalities below 5 000 inhabitants have to form inter-municipal co-operations to conduct their land-use planning. The exact nature of the planning process and the responsibility of municipalities differs from region to region.

#### *Spatial and land use plans*

Italy has a three-tier hierarchical planning system. At the regional level, The *Regional Landscape Plan* provides strategies to preserve and enhance the landscape that may include restrictions on the type and scope of development allowed in areas of natural, cultural or historic value. Such documents can either be issued separately, or as part of *Regional Territorial Plans* which identifies general policy priorities and objectives at the regional level.

## Organisation of spatial and land use planning in Italy

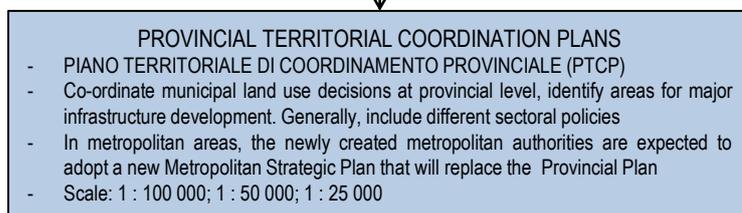
### General framework Regional



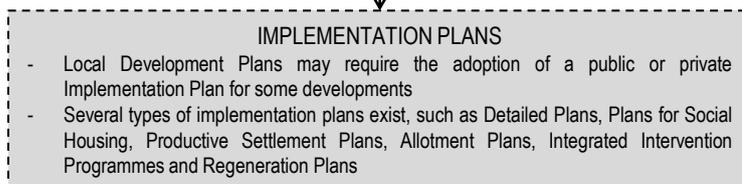
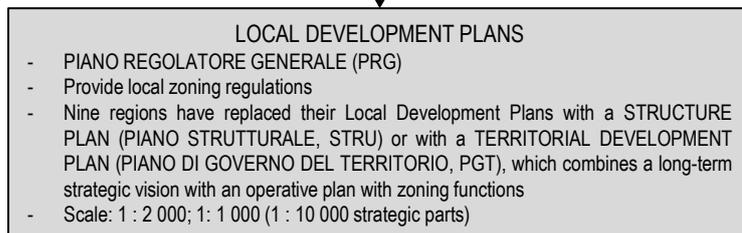
### Sectoral Plans



### Provincial



### Municipal



- Sub-ordinate plans must conform
- - - - -> Sub-ordinate plans do not need to conform
- Primarily policy / strategic guidelines
- Primarily land use plans
- ⋯⋯⋯ Partial geographical coverage

*Provincial Territorial Coordination Plans* aim to co-ordinate municipal land-use decisions within a province. They also encompass the management of sub-regional infrastructure, water basins, high-school estates and provincial roads. *Strategic Plans*

prepared by Metropolitan Cities will steer planning by local authorities in the metropolitan area once they are implemented.

*Local Development Plans* are the main statutory land-use plans developed by municipalities at typical scales between 1: 2 000 and 1: 1 000. Following the 2001 Constitutional Reform, some regions opted to keep a system centred on a single regulatory plan that contains a number of inset plans are envisioned to guide implementation. Among them are *Detailed Plans*, *Plans for Social Housing*, *Productive Settlement Plans*, *Allotment Plans*, *Integrated Intervention Programmes* and *Regeneration Plans*. Other regions introduced a model which combines a strategic *Structure Plan* with an *Operative Plan* that includes land-use allocations and addresses the needs of specific regeneration/transformation areas. *Operative Plans* are prepared for 5-year periods that coincide with the mayoral tenure. All building activity within consolidated built up areas is controlled through planning regulations and the *Building Code*.

As a unique case, Lombardy region has adopted a system in which municipalities produce three plans. A *Core Document* defines key strategic goals, verifies environmental sustainability and consistency with plans of neighbouring municipalities. The *Service Delivery Plan* assesses the needs related to the provision of physical, green and social infrastructure. The *Zoning Plan* covers urban fabric and defines criteria for (re-)development, with specific rules applying to buildings of cultural or historic value.

### **Major laws and regulations**

Several laws and regulations contain elements that structure the planning system (*Law 1150/1942*, *Law 765/1967*, *Law 1187/1968*, *Law 1444/1968*, *Law 10/1977* and *Inter-ministerial decree 1444/1968*). Further important regulations are provided by multiple environmental acts referring to different aspects of environmental protection and by decrees that regulate the environmental impact assessment in accordance with EU regulations. Most of the framework legislation is enacted at the regional level. Regional laws and regulations furthermore provide details on permitted construction in varying urban environments.

### **Co-ordination mechanisms**

Several co-ordination mechanisms exist in Italy. They combine elements of vertical co-ordination and elements of horizontal co-ordination. The *State – Regions Conference* is a forum to co-ordinate high-level issues regarding spatial planning and environmental regulations between the national and the regional governments. Primarily at the local level, *Service Conferences* coordinate decision-making related to regulatory decisions that require approval from a number of different agencies and service providers. They are often used to facilitate the planning of local service provision and infrastructure delivery. If necessary, they can also involve higher levels of government. Special development projects can be co-ordinated between levels of government through *Programme Agreements*, which also enable municipalities to issue joint land-use plans.

### **Expropriations**

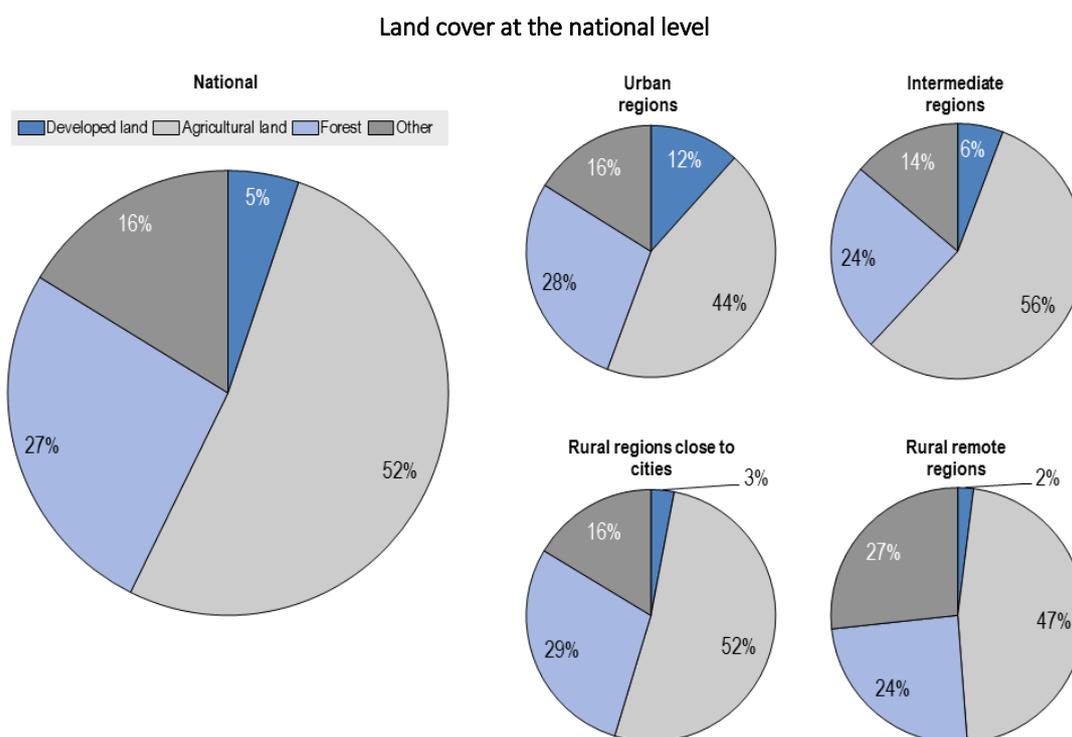
Expropriation of land is possible if it is in the public interest and owners are compensated according to market prices. Land can be expropriated for the construction

of infrastructure and public facilities, social housing, and industrial facilities. Expropriation orders are automatically reversed if construction on a project does not start within five years of the expropriation. In general, public authorities acquire ownership of expropriated land. In rare cases it can be transferred to public-private partnerships in which the state has a minority share. In those cases, the expropriated land owner might join the public-private partnership. If a local plan zones private land for public use (e.g. roads) the local authority has to purchase the land within five years of the adoption of the plan, otherwise constraints on development will be lifted.

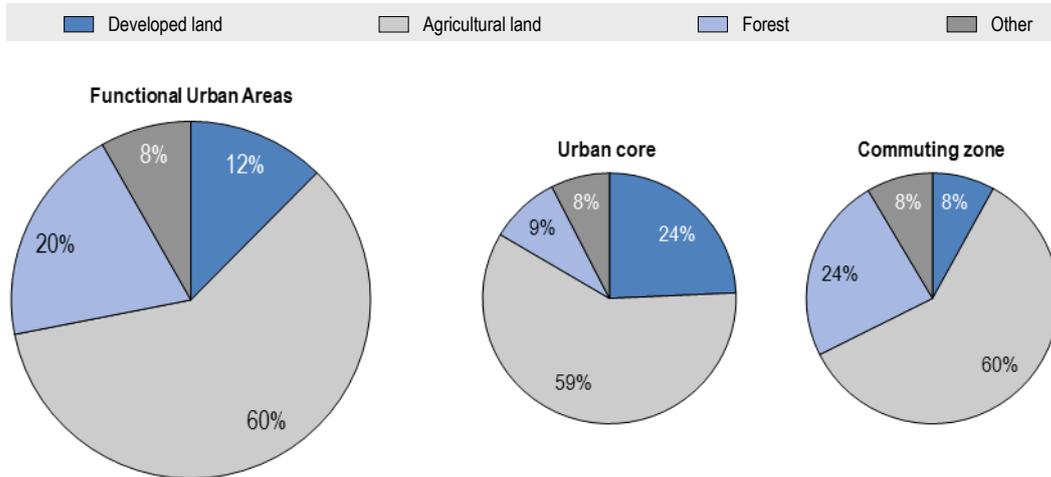
### Recent and planned reforms to the system of land-use planning

The law establishing the Italian planning framework has been in place since 1942. The system was initially designed to manage the outward growth of urban agglomerations and had a strong emphasis on expropriation and public developments. Subsequent reforms and court rulings have limited this emphasis, but left the *Local Development Plan* as central planning instrument mostly unchanged. In order to counteract the rigidity of the *Local Development Plan*, negotiated procedures have become more common in the recent past. Until 2001 planning was a responsibility of the national government, and the system operated on the basis of a national framework law. Regional governments did produce regional planning laws, but these had to follow national laws and guidelines. Following the 2001 constitutional reform, planning became a shared responsibility between the national government and the Regions. Subsequently, Italy has witnessed the development of a regionalised planning system. As of the time of writing, further reforms are under discussion, including changes to role and responsibilities of provinces and the transfer of shared responsibilities back to the national government.

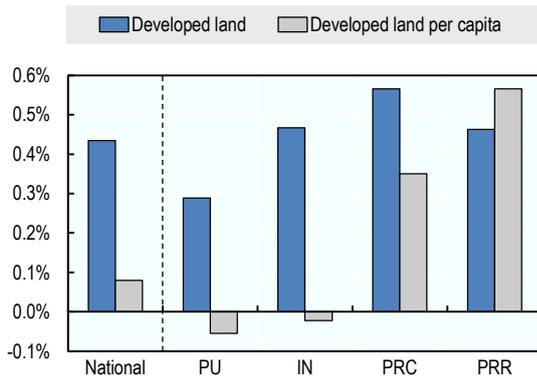
### Land cover in Italy



### Land cover in Functional Urban Areas (FUAs)

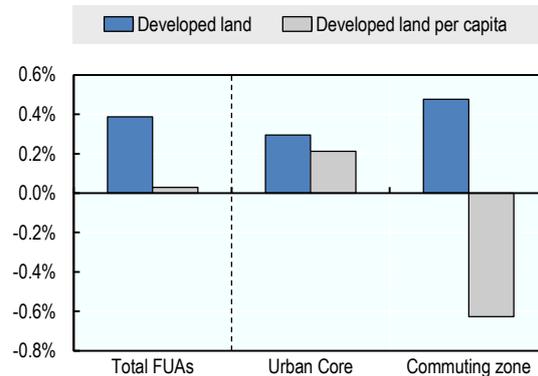


### Annual change in developed land from 2000 to 2012



Note: PU: Urban regions, IN: Intermediate regions, PRC: Rural regions close to cities, PRR: Rural remote regions. Changes in per capita land use refer only to regions for which population data is available for 2000 and 2012.

### Annual change in developed land in Functional Urban Areas from 2000 to 2012



Note: values for urban cores and commuting zones refer only to FUAs with more than 500,000 inhabitants.

### Land use trends in Italy

With 260m<sup>2</sup>, Italy has one of the lowest areas of developed land per capita. While developed land has increased since 2000, this increase has corresponded roughly to the population growth rate. Large urban areas experienced strong increases in population in its commuting zones, whereas population in the urban cores remained roughly constant. However, this sub-urbanisation pattern was not reflected in the growth rates of developed land, which were similar in cores and commuting zones. As a consequence, per capita land use in cores increased whereas it declined in commuting zones.

Source: OECD calculations based on Corine Land Cover dataset

### Land cover at the national level in Italy

Land cover (in km <sup>2</sup> )	National	Urban regions	Intermediate regions	Rural regions close to cities	Rural remote regions
Total Area	301044	39173	125784	107424	28663
Total developed land	15637	4567	7295	3199	576
% of total	5.2%	11.7%	5.8%	3.0%	2.0%
Annual change in developed land from 2000 to 2012	66.1	12.9	33.1	17.5	2.6
% annual change in developed land from 2000 to 2012	0.43%	0.29%	0.47%	0.57%	0.46%
Agricultural land	156905	17238	70672	55572	13424
% of total	52.1%	44.0%	56.2%	51.7%	46.8%
Annual change in agricultural land from 2000 to 2012	-57.9	-11.7	-29.7	-13.6	-2.7
% annual change in agricultural land from 2000 to 2012	-0.04%	-0.07%	-0.04%	-0.02%	-0.02%
Forests	79340	11007	30293	31015	7024
% of total	26.4%	28.1%	24.1%	28.9%	24.5%
Annual change in forest from 2000 to 2012	-35.9	-3.8	-13.0	-15.3	-3.8
% annual change in forest from 2000 to 2012	-0.05%	-0.03%	-0.04%	-0.05%	-0.05%
<b>Land cover per capita (in m<sup>2</sup>)</b>					
Total developed land per capita	263	215	292	307	326
% annual change in developed land per capita from 2000 to 2012	0.08%	-0.05%	-0.02%	0.35%	0.57%
Agricultural land per capita	2642	907	2745	5076	8600
% annual change in agricultural land per capita from 2000 to 2012	-0.39%	-0.39%	-0.51%	-0.23%	0.09%
Forests per capita	1336	615	1265	3118	4299
% annual change in forest per capita from 2000 to 2012	-0.40%	-0.37%	-0.51%	-0.26%	0.08%

### Land cover in Functional Urban Areas (FUAs)

Land cover in Functional Urban Areas (in km <sup>2</sup> )	FUAs	Urban Core	Commuting zone
Total Area	53709	14502	39207
Total developed land	6668	3522	3146
% of total	12.4%	24.3%	8.0%
Annual change in developed land from 2000 to 2012	25.2	11.1	14.1
% annual change in developed land from 2000 to 2012	0.39%	0.32%	0.46%
Agricultural land	31968	8582	23385
% of total	59.5%	59.2%	59.6%
Annual change in agricultural land from 2000 to 2012	-23.4	-11.1	-12.3
% annual change in agricultural land from 2000 to 2012	-0.07%	-0.13%	-0.05%
Forests	10688	1308	9380
% of total	19.9%	9.0%	23.9%
Annual change in forest from 2000 to 2012	-6.9	-1.1	-5.8
% annual change in forest from 2000 to 2012	-0.06%	-0.08%	-0.06%
<b>Land cover per capita in FUAs (in m<sup>2</sup>)</b>			
	FUAs (50,000+ inhabitants)	Urban Core (only FUAs 500,000+)	Commuting zone (only FUAs 500,000+)
Total developed land per capita	218	151	251
% annual change in developed land per capita from 2000 to 2012	0.03%	0.21%	-0.63%
Agricultural land per capita	1045	200	1489
% annual change in agricultural land per capita from 2000 to 2012	-0.43%	-0.30%	-1.17%
Forests per capita	350	25	553
% annual change in forest per capita from 2000 to 2012	-0.42%	-0.25%	-1.15%

Note: Changes in per capita land use refer only to regions for which population data is available for 2000 and 2012. All land cover statistics for Italy are based on OECD calculations based on Corine dataset.