PGT - Piano di Governo del Territorio

TPS Town Planning Scheme

Regulatory plan

Implementation rules

Paper amended following the approval of the counter deductions to the remarks, as well as following the opinions of the Local Authorities and of the Councils, and following the acceptance of the amendment proposals put forward by the City Council.

This translation of the Implementation Rules of the Town Planning Scheme of Milan was drafted by the Belvedere Inzaghi & Partners – BIP Law Firm. The English version is an unofficial translation of the original Italian text for information purposes only. This translation does not constitute either an interpretation or a legal opinion concerning the Town Planning Scheme of Milan, but rather aims at providing a useful tool for a better understanding of the Milanese town planning discipline. The Belvedere Inzaghi & Partners – BIP Law Firm declines any responsibility for the use of this document.

Adoption: Decision No. 2 Council Meeting of 5 March 2019
Approval: Decision No. 34 Council Meeting of 14 October 2019
Publication: BURL (Official Gazette of Regione Lombardia) Notices and Competitions Series No. 6 of 5 February 2020

BIP Belvedere Inzaghi & Partners

October 2019

Implementation Rules

TITLE I - GENERAL PROVISIONS

CHAPTER I - CONTENTS AND SCOPE OF APPLICATION

Article 1 Scope of application

1. The Regulatory Plan identifies and governs:
- **a.** the areas and buildings included in the Consolidated Urban Fabric (*Tessuto Urbano Consolidato*);
- **b.** the areas intended for agriculture.

2. The Regulatory Plan also governs:
- **a.** the areas under Regeneration identified in the Development Plan.

3. The following areas are excluded from the application of these provisions:
- **a.** the areas and building works governed by the Plan of Services;
- **b.** the areas affected by plans already approved and adopted and/or still in progress, as specified in the temporary rule;
- **c.** the areas and building works governed by the Plan for Religious Facilities.

Article 2 Nature and Contents

1. Within the municipal territory, the Regulatory Plan:
- **a.** defines the Consolidated Urban Fabric (**TUC**) areas, as shown in Table R.03, which are divided into:
  - **i.** The Ancient Urban Fabric (*Nuclei di Antica Formazione* or **NAF**);
  - **ii.** The Recently Built Urban Fabric (*Tessuto Urbano di Recente Formazione* or **TRF**), in turn subdivided into:
    - Areas with a Recognizable Urban Design (*Ambiti contraddistinti da un disegno urbano riconoscibile* or **ADR**);
    - Urban Renewal Areas (*Ambiti di Rigenerazione Urbana* or **ARU**);
- **b.** identifies, quantifies and governs the areas intended for agriculture, also with reference to the strategic ones;
- **c.** mentions the buildings and the areas that are subject to protection and preservation constraints under national and regional laws and regulations;
- **d.** identifies and governs the areas and the buildings at risk of major accidents;
- **e.** identifies and governs the areas of landscaping, environmental, and ecological value;
- **f.** mentions the restrictions for the preservation of the soil, as well as any and all administrative constraints;
- **g.** mentions the areas governed by administrative measures in the process of being adopted or already in force, and to which these provisions do not apply;
- **h.** governs the areas under Regeneration;
- **i.** governs the Large Urban Functions (*Grandi Funzioni Urbane* or **GFU**).

2. The provisions under articles 5, 6, 8, and under article 13, paragraphs 5, 6, 7, 8, 9 and 10 hereof shall apply to all PGT components.

Article 3 Interaction with other higher-ranking planning and scheduling tools

1. Within the municipal territory, the Regulatory Plan:
- **a.** adopts the rules and implements the policies of all higher-ranking planning and scheduling tools;
- **b.** identifies the areas subject to the regulations of the regional parks, adopting the guidelines and the relevant rules, hereby making cross-reference to the provisions thereof to the extent falling within the respective scope of authority:

i. Parco Agricolo Sud Milano;
ii. Parco Nord Milano.

Article 4 Regulatory Plan Documents

1. The Regulatory Plan is composed of the following documents:

a. Implementation Rules;
b. Table R.01 - Geological and hydraulic feasibility; Scale of 1:20,000;
c. Table R.02 (1-2-3-4) - Town planning guidelines; Scale of 1:10,000;
d. Table R.03 (1-2-3-4) - Morphological guidelines; Scale of 1:10,000;
e. Table R.04 (1-2-3-4-5-6-7-8) - Ancient Urban Fabric - Analysis of the historical and morphological values; Scale of 1:2,000;
f. Table R.05 - Administrative constraints for soil preservation purposes; Scale of 1:20,000;
g. Table R.06 - Protection and preservation restrictions; Scale of 1:20,000;
h. Table R.07 - Risks, noise and radar for air navigation; Scale of 1:20,000;
i. Table R.08 - Obstacles and dangers for air navigation; Scale of 1:20,000;
j. Table R.09 (1-2-3-4) - Hydrographic network; Scale of 1:10,000;
k. Table R.10 - Soil Usage Chart; Scale of 1:20,000.

2. The following documents are attached to the Regulatory Plan:

a. Annex 1 - Landscape sensitivity chart; Scale of 1:20,000;
b. Annex 2 - Water policy regulation;
c. Annex 3 - Technical documentation of companies at risk of major accidents;
d. Annex 4 - Explanatory report on the technical documentation and guidelines relating to the obstacles and dangers for air navigation and technical information - Method for calculating the airport noise level curves (*Livello di Valutazione del rumore Aeroportuale* or **LVA**).
e. Annex 5 - Explanatory report on the Hydrographic Network and on the buffer zones.

3. Supervened national and regional rules and provisions directly affecting the soil legal framework and amending the Regulatory Plan's documents, shall be adopted through an executive decision (*provvedimento dirigenziale*).

Article 5 Town planning definitions and indicators

These town planning definitions and indicators shall further specify and complement those listed by DGR XI/695 dated 24 October 2018. They apply to those building titles filed after the entry into force of the PGT, with the exception of those concerning (i) town planning agreements already entered into, (ii) implementation plans already adopted or approved as per article 52 hereunder, (iii) the planivolumetric related town planning agreements under article 52, paragraph 8, and (iv) any and all amendments – even if substantial – to already valid and effective building titles as at said date. Hence, the pre-existing rules and definitions shall keep on applying to the above-mentioned exceptions.

1. **ST - Gross Lot Area** (*superficie territoriale*) **(sqm)** shall mean the real area of a lot subject to building works or urban transformation. The ST includes the Net Lot Area (SF), as defined hereunder, as well as the areas reserved for public use (*aree per dotazioni territoriali*), including those already existing.

2. **IT - Gross Floor Area Ratio** (*indice di edificabilità territoriale*) **(sqm/sqm)** shall mean the maximum gross buildable area amount related to a particular Gross Lot Area (ST), including any existing development.

3. **Single IT** (*IT unico*) shall mean the Gross Floor Area Ratio (sqm/sqm) that the Regulatory Plan attributes to the gross lot areas of buildable areas and that the Plan of Services attributes to the urban green areas, as well as to the road system and to underground depot areas to be developed (*i.e.* indirect appurtenances).

4. **SF - Net Lot Area** (*superficie fondiaria*) **(sqm)** shall mean the real area of a lot intended for building use. The SF corresponds to the Gross Lot Area net of the areas intended for public use (both existing and planned).

5. **IF - Net Floor Area Ratio** (*indice di edificabilità fondiaria*) **(cbm/sqm)** shall mean the maximum amount of builda-

ble volume related to a particular Net Lot Area (SF), including any and all already existing development.

6. **SL - Gross Floor Area** (*superficie lorda*) **(sqm)** shall mean the sum of the areas of all floors (measured up to the external perimeter of the building), excluding the Ancillary Areas (SA), as defined hereunder.
   The SL must be calculated based on the parameters herein, when it comes to assess either the existing SL or the SL for new development projects. As regards any building works affecting existing hotels, save for those concerning buildings built or converted pursuant to Regional Law No. 7/2017, the corridors on the room floors shall be included in the duly approved existing SL calculation and shall be excluded from the SL regarding new development projects.
   The services performed following article 6, paragraph 1, of the Implementation Rules of the Plan of Services are not included within the SL and do not contribute to the calculation of the maximum amount of gross floor area that may be built in application of the relevant urban ratios.

7. **SA - Ancillary Area** (*superficie accessoria*) **(sqm)** shall mean the floor area of those parts of a building that support the Urban Function/s of a Gross Floor. It is measured including masonry, pillars, partition walls, splays, door and window openings. The ancillary area includes:
   - **a.** porches and pedestrian passageways;
   - **b.** running balconies, loggias, balconies and terraces; canopies and cantilever roofs with depth greater than 1.50 m; canopies and cantilever roofs with depth equal to or less than 1.50 m are excluded from the calculation of the usable and gross ancillary areas;
   - **c.** the cellars located on the underground floor (*piano interrato*), on the basement (*piano seminterrato*), or on the first floor, and the rooms and premises located on the underground floor and on the basement, since failing to meet the requirements for the continuous stay of individuals. Their respective service corridors are also included;
   - **d.** the attics reachable and usable only for the portion with height equal to or greater than 1.50 m, excluding those attics meeting the requirements set forth for habitable premises contributing to the relevant usable area; reachable and accessible attics with height lower than 1.50 m are to be deemed excluded from the calculation of the usable and gross ancillary areas;
   - **e.** the stairwells inside real estate units, calculated by horizontal projection per each single floor;
   - **f.** the areas or premises intended for parking, manoeuvring and sheltering motor vehicles, save for garages run as a business as defined hereunder;
   - **g.** the corridors on the room floors of hotels, as defined under the specific regional rule;
   - **h.** the technical volumes;
   - **i.** the building's common areas, such as shared facilities within the condominium in general, warehouses, common spaces for horizontal connection (such as running balconies or corridors). Common spaces for vertical connection such as ramps, goods lifts, stairs, lifts including the relevant unloading area, and hallways are excluded from the count of the usable and gross ancillary areas.

   The partition masonries between the Ancillary Areas and the Gross Floor Area will be considered to be so up to the middle of the common wall.

8. **V - Urban Volume** (*volume urbanistico*) **(cbm)** shall mean the prearranged volume obtained by multiplying the Gross Floor Area by the urban height, to be used for town planning purposes.

9. **H - Building Height** (*altezza dell'edificio*) **(m)** shall mean the maximum height amongst the different fronts.

10. **AU - Urban Height** (*altezza urbanistica*) shall mean the prearranged height set out under the town planning scheme (PGT), to be used for calculating the relevant urban volume. Such height is equal to 3.00 sqm.

11. **LH - Height Line** (*linea di altezza*) **(m)** shall mean the line defined by the intersection formed between the exterior of the structural ceiling of the last habitable floor and the external wall of the building.

12. **IL - Building Projection Plane** (*inviluppo limite*) shall mean the threshold within which construction is permitted. It is represented by a horizontal projection plane passing through the Height Line (LH), continuing throughout the façade facing the public areas and covering the entire lot.

13. **Receiving Site** (*pertinenza diretta*) shall mean the area where the volumetric rights, even equalised, are being developed.

14. **Sending Site** (*pertinenza indiretta*) shall mean the area, either of private or public ownership, to be transferred free of charge to the City in connection with equalised development rights, for implementing green areas, the new road

system and public transport, as identified in Table S.02 of the Plan of Services.
Should the area already be owned by the City of Milan, with the transfer of equalised development rights, it is dedicated (*conformata*) to accommodate the green areas, the road system and the underground transport sheds, as identified in Table S.02 of the Plan of Services.

15. **Urban Functions** (*funzioni urbane*) - They are divided into the following functional categories:
    - **a.** residential;
    - **b.** industrial;
    - **c.** office districts, tourist accommodation and private services;
    - **d.** commercial;
    - **e.** rural.

    Private services shall mean those within the services catalogue related to public or private services governed by a specific agreement.
    Small retail establishments (*esercizi di vicinato*), temporary uses - as governed by the Building Code - and logistics functions are permitted everywhere as long as they are carried out within the limits and in compliance with the health and hygiene laws and regulations in force.
    Pedestrian areas, cycle paths and urban green areas are compatible with each single Urban Fabric.

16. **SCOP - Covered Area** (*superficie coperta*) **(sqm)** shall mean the area delimited by the horizontal projection of the external perimetral profile of the building aboveground, without counting any projection or overhang measuring less than 1.50 m. Any overhang measuring more than 1.50 m is to be considered as a whole.

17. **IC - Coverage Ratio** (*indice di copertura*) shall mean the ratio between the Covered Area and the Net Lot Area.

18. **SP - Permeable Area** (*superficie permeabile*) shall mean the portion of Gross Lot Area or Net Lot Area without flooring or other permanent structures **-** either underground or above ground - preventing meteoric water from naturally reaching the aquifer.

19. **IP - Permeability Ratio** (*indice di permeabilità*) shall mean the ratio between the Permeable Area and either the Gross Lot Area (Gross Lot Area Permeability Ratio, **IPT**) or the Net Lot Area (Net Lot Area Permeability Ratio, **IPF**).

20. **Functional Lot** (*lotto funzionale*) shall mean the lot (which could either be a single lot or a lot composed of different cadastral parcels or different properties) made volumetrically subservient to the buildings built thereon, regardless of their time of construction, of the cadastral divisions and of the changes to the property occurred in the meantime.

21. **Autonomous Lot** (*lotto autonomo*) shall mean the private, public or municipal Sending Site, in whole or in part not built, to which a Single Gross Floor Area Ratio (the Single IT) is allocated - or a ratio equal to the one accorded to the existing buildings - in order to generate equalized development rights.

22. **Soil Consumption** (*consumo di suolo*), **Urban Regeneration** (*rigenerazione urbana*), **Urbanized and Developable Area** (*superficie urbanizzata ed urbanizzabile*), **Ecological Balance of the Soil** (*bilancio ecologico del suolo*), **Municipal Threshold for the reduction of soil consumption** (*soglia comunale di riduzione del consumo di suolo*) and **Areas intended for Agriculture** (*aree destinate all'agricoltura*): for the relevant definitions cross-reference is hereby made to the regional legislation in force.

23. **Farmland or natural land** (*Suolo agricolo o naturale*) shall mean the areas that cannot be classified either as already urbanized areas or as areas to be developed, regardless of their respective use.

24. **Courtyard** (*Cortile*) only for the purposes of the application of the PGT, Courtyard shall mean the area, either free or (also partly) occupied by buildings, within blocks morphologically marked by a perimeter made of buildings on at least three sides, that is instrumental to the lighting and ventilation of the spaces overlooking it.

25. **Garage run as business** shall mean, for the purposes of paragraph 7, subparagraph f above, those garages intended exclusively for the exhibition, sale and service of motor vehicles and, thus, not those garages intended for parking, manoeuvring and sheltering motor vehicles, even if managed by economic players.

CHAPTER II - GENERAL PROVISIONS

Article 6 Gross Floor Area Ratio

1. After checking the respective Functional Lot, a Single Gross Floor Area Ratio (*indice di edificabilità territoriale unico* or Single IT) equal to 0.35 sqm/sqm is ascribed to the areas included within the Consolidated Urban Fabric (TUC) governed by the Regulatory Plan, as well as to the Sending Sites identified by Table S.02 of the Plan of Services. This ratio generates equalized development rights pursuant to article 7 below. The Single IT hereof shall apply to all areas, according to the definitions under article 5, paragraphs 20 and 21, regardless of the land's functional use.

The areas intended for agriculture under Table R.02 and the areas intended for Social Housing, under Table S.01 of the Plan of Services, are excluded from such ratio allocation.

The development rights over an area belonging to a Functional Lot shall be checked by calculating the difference between the total development rights - resulting from the application of the Gross Floor Area Ratio to the entire functional lot - and the Gross Floor Area of the existing buildings kept on the same lot.

The remaining development rights are ascribed to each area as a percentage compared to the whole Functional Lot, considering existing buildings.

2. The Gross Floor Area of existing buildings may be inferred from the deeds related to their prior transformations, if available (by way of example: building licences, building concessions, building permits, building density deeds, etc.).It is allowed to reach a maximum Gross Floor Area Ratio equal to 0.70 sqm/sqm within the areas included in the Consolidated Urban Fabric (TUC), save for those cases governed under article 16, paragraph 2, and article 21, paragraph 5, by using either alternatively or together: i) development rights (equalized development rights included), ii) the building bonuses laid down by article 13, paragraph 11, below, and iii) shares of Social Housing under article 9 hereunder, pursuant to the implementation criteria and procedures set forth under article 13 hereunder. The possibility of reaching any such index is subject to the positive check with the morphological guidelines under articles 19, 21 and 23 hereof.

3. Such maximum Gross Floor Area Ratio is increased to 1 sqm/sqm within the areas with high levels of accessibility, under article 17 and as per Table R.02. The above does not apply to the cases governed under article 16, paragraph 2, and under article 21, paragraph 5. The possibility of reaching any such index is subject to the positive check with the morphological guidelines under articles 19, 21 and 23 hereof.

4. It is allowed to exceed the maximum Gross Floor Area Ratio in the cases governed by the following articles: article 9, paragraph 3; article 15, paragraphs 4 and 5; article 19, paragraph 3, sub-paragraph a.; article 21, paragraph 2, sub-paragraph a.; article 21, paragraph 5; and article 23, paragraph 2, sub-paragraph a.

5. The foregoing shall in no way affect the existing SL lawfully agreed and in so far as the authorized use classes are concerned, save for the provisions under article 11, paragraph 3, sub-paragraph b. Should the Single IT generate an SL lower than the one already built, the Single IT is considered to be included in the existing SL.
In accordance with article 11, paragraph 3, of the Plan of Services, the first 250 sqm of the existing SL are excluded from the calculation of the amount of areas for services to be provided in connection with private developments.

The SL already demolished and the SL to be demolished during a land remediation process may be recovered in compliance with the terms and conditions laid down in article 8. Should the use of a building or of a part thereof change from services to Urban Functions, the existing SL of the aforementioned building or of the specific part thereof subject to the change is calculated in accordance with article 5, paragraph 6, above.

For the SL of abandoned and dilapidated buildings, cross-reference is hereby made to article 11 hereof.
If the works on the existing buildings (including those involving the whole demolition and reconstruction) entail a deviation from or a conflict with the morphological rules provided for under the relevant Urban Fabric of reference, it is not permitted to transfer the SL existing on the underground floors and on the basements to the above ground floors. As to the areas with no morphological guidelines whatsoever, the respective relocation is admitted only in case of proven compatibility with the surrounding urban structure, specifically assessed by the Landscape Commission. The non-placeable SL may be transferred to other Receiving Sites in compliance with the rules.

6. The Net Floor Area Ratio is determined by applying the Single IT and the provisions under articles 7 and 8, and under paragraphs 2 and 3 of this article.

7. The Gross Floor Area Ratio does not apply to the following areas:
- **a.** public areas already intended for public use, such as urban parks, cemeteries, urban technological facilities;
- **b.** areas intended for the existing road system - either public or of public use - regardless of the relevant PGT classification;
- **c.** public areas under transfer by any way whatsoever as a consequence of the exhaustion of development rights already implemented or authorised;
- **d.** areas devoid of development rights following their actual exhaustion or the transfer of equalized development rights as defined hereunder;
- **e.** other areas other than those listed above and which the Plan of Services identifies as existing services.

The existing public areas are excluded from the calculation of the Gross Floor Area Ratio.

8. It is not possible to change the morphological guidelines provided for under articles 19, 21 and 23 in case of:
- **a.** use of volumetric incentives provided for under the town planning scheme concomitantly with other incentives resulting from higher-ranking tools;
- **b.** implementation of ancillary areas (**SA**);

The morphological guidelines may be changed exclusively upon the relevant prior favourable and binding opinion of the Landscape Commission, which shall prevail over the possibility of deviation, set forth in article 19, paragraphs 4 and 5, in article 21, paragraph 8, and in article 23, paragraph 4, in case of:
- **c.** implementation of services that are not included in the calculation of the SL (including the Social Housing provided for under article 9.2.b hereunder above the maximum Gross Floor Area ratio) not exceeding 20% of the existing SL or of the maximum IF for any Urban Function;
- **d.** exceeding the maximum Gross Floor Area Ratio provided for in the areas under Regeneration;
- **e.** Social Housing development as per article 9, paragraph 3.

It is possible to change the morphological guidelines upon the relevant prior favourable opinion of the City Board in case of:
- **f.** implementation of services that may not be included in the calculation of the SL, provided that in excess of 20%, on top of the existing SL or of the maximum IF for any Urban Function.

Article 7 Urban Equalization and Compensation

1. The Regulatory Plan establishes the scope of application of Urban Equalization based on the criteria included in the Development Plan.

2. Urban Equalization implements the principle of equity, thus allocating the same Single IT to any area governed by the Regulatory Plan or identified as Sending Site by the Plan of Services that has not been transferred or dedicated to public use for the supply of services yet.

3. For the Sending Sites under the Plan of Services, Urban Equalization aims at ensuring that the City of Milan acquires areas to be developed as urban green areas, as well as mobility, public transport infrastructures and metropolitan transport sheds.

4. The use, even in instalments, of the development rights under paragraphs 1, 2 and 3, entails the transfer, free of charge, to the City of Milan of the corresponding Sending Sites as identified by the Plan of Services, after the competent subject has assessed whether land remediation is necessary or not. If deemed necessary, such areas shall have to be remediated, as provided for by the laws and regulations in force, either under the responsibility and at the expense of the parties liable for the contamination, or by their respective owners upon failure to identify the liable parties, in line with EU principles and rules, pursuant to Legislative Decree No. 152/2006, as well as pursuant to the laws and regulations in force regulating public use.

Should the land remediation be carried out *in situ* with organic techniques, marked by greater environmental sustainability compared to the traditional approaches (such as bioremediation, phytoremediation), a transfer beforehand is permitted, whereby the relevant building works have already commenced but have not been completed yet, provided that a suitable guarantee in favour of City of Milan is issued for a value equal to 50% of the estimated cost (in addition to that already due under the authorisation decision pursuant to the national land remediation rules, limited to 50% of the estimated cost).

Such areas do not contribute to meeting the demand of areas for services generated by development works. During the implementation phase, the City of Milan, after having checked that the extension and characteristics of the areas transferred are appropriate and coherent with the City's policy and planning programmes, shall assess the best procedures and methods for their public and/or private management.

5. The use, even in instalments, of the development rights referred to in paragraphs 1, 2 and 3, is free and may be exercised throughout the City's whole buildable territory in compliance herewith and with the provisions under the Building Code and under the Hygiene Regulations in force; the areas concerning railway vaults are also included.

6. Any contract transferring, creating or modifying the development rights under paragraphs 4 and 5 above, as well as of the areas generating same, must be: drawn up by a public deed or by a private deed with notarized signatures, recorded in the Land Registers pursuant to section 2643, paragraph 2 *bis*, of the Civil Code, as well as entered - at the time of its recording in the Land Registers - in the special Register of Transfers of Development Rights under article 11 of Regional Law No. 12/2005, as amended.

7. In particular, the following shall be entered in the Register of Transfers of Development Rights:
- **a.** the transfers of areas and of the relevant rights to the City of Milan;
- **b.** the rights concerning the cases under article 6, paragraph 5, article 7, article 11, article 13, paragraph 11, article 15, paragraphs 4 and 5, article 15, paragraph 6, article 19, paragraph 3, subparagraph d, article 21, paragraph 2, sub-paragraph b, and article 23, paragraph 3, within the limits mentioned therein;
- **c.** the rules and regulations on the areas in which services are performed;
- **d.** the rights concerning the cases under article 50, paragraph 11, and article 8, paragraph 3, sub-paragraph 4 of the Implementation Rules of the Plan of Services.

8. The Register of Transfers of Development Rights is public and may be consulted upon request.

9. Urban certificates are issued as integrated with the information related to the transfer of development rights affecting the area for which the urban certificate is requested. Any use of development rights must be accompanied by the urban certificate. The Register of Transfers of Development Rights is kept by the competent Office, which has the duty of keeping the Register, updating it, making it public and ensuring that it may be consulted.

10. In those areas owned by the City it is possible to transfer - either in whole or in part - development rights from a Receiving Site or Sending Site, even in excess of the maximum Gross Floor Area Ratio (IT). The area from which the transfer has been made must be volumetrically subservient to the area where the development rights have been transferred.

11. Regeneration areas:
- **a.** In Regeneration areas, development rights equal to the Single IT ratio or to the existing volumes may be transferred from a Receiving Site (*pertinenza diretta*) to another Receiving Site, as follows:
  - **i.** in all Regeneration areas, it is permitted to transfer from a Sending Site to a Receiving Site, as governed herein;
  - **ii.** in all Regeneration areas, it is permitted to generate and assign development rights from a Receiving Site to another Receiving Site and it is also possible to receive them, save for the case of environmental Regeneration areas;
  - **iii.** in environmental Regeneration areas it is not permitted to receive development rights coming from Receiving Sites;
- **b.** The area from which the assignment of development rights has been made shall have to be made volumetrically subservient to the area on which the development rights have been transferred;
- **c.** The private areas, volumetrically subservient, must be reclaimed and, if free of construction, the preservation of the arboreal amenities or its arrangement as a duly forested green area must be guaranteed; maintenance of any such area shall be at the owner's expense. After a technical assessment made by the competent offices, the above-mentioned areas may be transferred or dedicated to public use with a specific town planning agreement, duly registered and recorded; also in this case, the preservation of the arboreal amenities or its arrangement as a duly forested green area must be guaranteed, and the maintenance shall be at the owner's expense for a maximum period of 5 years;
- **d.** in the assessment phase, the City of Milan shall assess whether the free area is capable of fully or partially fulfilling the requirements for the generated demand of services;
- **e.** in case of an undeveloped lot, and after having checked the Functional Lot, said areas may transfer the entire development rights, or even only a part thereof, up to a Gross Floor Area Ratio of 0.35 sqm/sqm;
- **f.** the provisions under this paragraph also apply to the areas relating to Magazzini Raccordati and to all mapped railway vaults.

Article 8 Rules and Regulations on use classes and on their changes

1. Within the TUC, each and every Urban Function is allowed, without exceptions or distinctions, and without a percentage ratio established beforehand, without prejudice to the provisions set forth in article 16, paragraph 2, regarding the ancillary functions of the GFU. However, the above applies without prejudice to i) the limitations under laws and regulations on settlements on contaminated sites, and ii) all restrictions set forth by the competent supervisory bodies for the establishment of particularly impactful industrial activities near residential settlements, if any. In so far as commercial services are concerned, cross-reference is hereby also made to the provisions under Title III hereof.

2. It will always be allowed to change the use of a development from one class to another without building works and this leads to an increase or to a variation in the demand for areas for public services and facilities, as well as of public or general interest pursuant to article 11 of the Implementation Rules of the Plan of Services and to article 33 herein.

3. A building's change of use class implemented with building works that leads to an increase or to a variation in the demand for areas for public services and facilities, as well as of public and general interest, and involves totally or partially finding these areas, as provided for by article 11 of the Implementation Rules of the Plan of Services. In so far as commercial services are concerned, cross-reference is hereby made to the provisions under Title III hereof.

Prior to implementing any changes of use class relevant for soil quality target purposes, in respect of buildings or portions thereof included in areas, whether already environmentally assessed or reclaimed for less restrictive quality targets compared to the new use, a new land remediation procedure shall have to be commenced aimed at achieving or checking the consistency of the quality targets with the new use, in compliance with the rules and regulations.

In no way will any change of use class be permitted under this PGT if in conflict with the soil quality targets.

The provision under article 52, paragraph 3, of Regional Law No. 12/2005, as amended, shall apply to any and all changes of use class.

4. In the event of changes of use class performed within the Consolidated Urban Fabric all of the existing SL will be fully preserved, notwithstanding the provisions under article 11, paragraph 3, subparagraph b.

5. In the Consolidated Urban Fabric and without prejudice to the specific rules foreseen for the Regeneration areas, for building works regarding an SL exceeding 10,000 sqm with a change of use class and involving residential urban functions for at least 20% of the SL, it is compulsory to reserve a share equal to 40% of the SL for Social Housing (*edilizia residenziale sociale*) (maximum 50%, article 9, paragraph 2, subparagraph a., and minimum 50%, article 9, paragraph 2, subparagraph b.) with reference to the allocation under paragraph 2 of article 9 hereof.

The percentage above shall be calculated only for the portion concerning the settled residential function.

The 10,000 sqm of ST must be counted by ignoring any possible break up made after the date of adoption of this amendment to the Town Planning Scheme (PGT), together with any development implemented in phases.

Article 9 Social Housing (ERS)

1. Social housing building works shall mean those building works of general interest fulfilling the housing need of the community (for an indefinite and/or for a short-term) in order to increase the supply of housing units at prices and/or rents below market standards, resulting from statutory acts with planning and/or regulatory purposes.

2. The building works under paragraph 1 are allocated a Gross Floor Area Ratio (IT) sqm/sqm, to be considered as SL until the maximum floor area ratio is reached, which is subdivided as follows:

- **a.** a percentage equal to a maximum of 20 % of the maximum Gross Floor Area Ratio with freedom to choose between affordable housing for sale(*edilizia convenzionata in vendita di tipo agevolato*), co-housing with shared services (*coabitazioni con servizi condivisi*) and/or subsidized-rent-to-own housing (*edilizia convenzionata con patto di futura vendita*);
- **b.** a percentage equal to a minimum of 20% of the maximum Gross Floor Area Ratio with freedom to choose

amongst different types of permanent rent housing (*edilizia in locazione*) such as, for instance, permanent subsidized-rent housing (*edilizia in locazione a canone convenzionato*), permanent regulated-rent housing (*edilizia in locazione a canone concordato*), permanent reduced-rent housing (*edilizia in locazione a canone moderato*) and subsidized residences for university students (*residenze convenzionate per studenti universitari*). Shared services are deemed essential for permanent rent housing.
The agreement shall set out the lease period, which shall in no event be less than 30 years or as set forth under the laws and regulations in force.
The agreement shall mention the procedure, as well as the terms and conditions of renewal or release of the lease, as well as the relevant indemnification;

c. in the event of lack of public financing, the possibility to exceed the maximum Gross Floor Area Ratio by way of a 0.05 sqm/sqm ratio to be dedicated to Public Housing (ERP);

d. in the event of public financing previously set forth, the duty to realize at least a 0.05 sqm/sqm ratio to be dedicated to ERP housing beyond the maximum Gross Floor Area Ratio.

3. The maximum floor area ratio set above may be exceeded within the areas with high levels of accessibility under article 17, provided that the building works under subparagraph b. and/or public housing services are implemented. These building works do not require the supply of areas for services.

4. Any new development within the Consolidated Urban Fabric developing a total ST exceeding 10,000 sqm and foreseeing urban residential functions for at least 20% of the SL, require to reserve a share equal to 40% of the SL for Social Housing (maximum 50%, article 9, paragraph 2, subparagraph a., and minimum 50%, article 9, paragraph 2, subparagraph b.) with reference to the allocation under paragraph 2 of this article.

The percentage above shall be calculated only for the portion concerning the settled residential function.

The 10,000 sqm of ST must be counted by ignoring any possible break up made after the date of adoption of this amendment to the Town Planning Scheme (PGT), together with any development implemented in phases.

5. Private parties may directly carry out the building works under this article:

a. on areas transferred free of charge to the City of Milan to meet the demand of areas for services, up to 20% of the overall ST of the development, also by way of a transfer of surface rights;

b. on a portion of the Gross Lot Area of the development, without any obligation to transfer said area. However, in this event, the private party concerned shall manage the housing services at any such private person's expense;

c. on the portion of the lot that has not been transferred to the City, provided that they are implemented within the same permitted development.

6. The proceeds of the urbanization fees (*oneri di urbanizzazione*) due for the building works relating to the implementation of urban functions may be used by the public authority for the regeneration of existing housing services, even by way of deduction of the value of the building works from the urbanization fees themselves.

Article 10 Environmental sustainability and urban resilience

1. *Goals*
This article sets forth provisions to promote and encourage environmental sustainability and urban resilience through the introduction of new standards. As to the goals set out by the Development Plan, all building works must be carried out in view of reducing and minimising carbon emissions, of enhancing drainage and urban microclimate, of implementing green infrastructures aimed at reducing the introduction of rainwater in the sewer system, of mitigating heat islands and of rising housing standards due to the increase of green areas.

2. *Scope and criteria of application*

a. The provisions under this article shall apply:

i. to all building works falling within the territory of the City of Milan, as well as to the areas governed by temporary provisions, limited to those building works for which the Implementation Plan has not been adopted yet as at the date of entry into force of this amendment to the PGT;

ii. to the construction of new buildings for services either directly carried out by public entities or transferred to the Public Administration through the deduction from urbanization fees (*oneri di urbanizzazione*), as well as to the construction of new buildings for services and facilities, be they public or private, for public use or for general interest;

iii. moreover, these rules and regulations shall not apply to the amendments – even if of substantial nature – to the building permits filed before the date of entry into force of this amendment to the PGT.

b. Without prejudice to the obligations set forth by law and to the related derogations on protection pursuant to Legislative Decree No. 42/2004.

3. *CO2e emissions*

a. Without prejudice to the limits set forth in the energy laws and regulations in force, the implementation of any and all building works must provide solutions capable of minimising CO2e emissions, as specified below:

i. should the higher-ranking laws and regulations require the respective check, it is compulsory to reduce CO2e emissions by 15% compared to the emission values associated to the global energy performance limits as regards restoration and preservation works (*restauro e risanamento conservativo*) and refurbishment works (*ristrutturazione edilizia*);

ii. as to any new construction (*nuova costruzione*), urban refurbishment (*ristrutturazione urbanistica*) and refurbishment with demolition and reconstruction works, it is compulsory to reach carbonic neutrality.

b. The performance above may be reached by the use, either alternatively or together, of the following criteria:

i. high energy performance solutions;

ii. natural regeneration (*rinaturalizzazione*) works, even through green areas incorporated to the building;

iii. technologies aimed at reducing water consumption and at the reutilisation of rainwater;

iv. use of sustainable and/or recycled materials;

v. choice of surface finishes with high solar reflectance coefficient;

vi. sustainable mobility solutions.

4. *Climate impact reduction*

a. Without prejudice to a minimum permeable area set forth in the Building Code, the implementation of building works must provide solutions capable of improving environmental quality and adaptability by complying with a "climate impact reduction" ratio, *i.e.* the ratio between green areas (as defined under paragraph b below) and the Gross Lot Area of the building works, as established below:

i. In the event of building works qualified as restoration, preservation, refurbishment affecting the external surfaces of the buildings (roofing, terraces, flooring, façades), it is compulsory to reach a "climate impact reduction" ratio higher than the existing one and, in any event, not lower than 0.1;

ii. In the event of building works qualified as refurbishment with total demolition and reconstruction, it is compulsory to reach a "climate impact reduction" ratio higher than the existing one and, in any event, not lower than 0.2;

iii. In the event of building works qualified as new development, it is compulsory to reach a "climate impact reduction" ratio higher than 0.2;

iv. Inside the Environmental Regeneration Areas, as regards any refurbishment with demolition and reconstruction, and new development, it is compulsory to reach a "climate impact reduction" ratio higher than 0.3.

b. The different performance above may be reached by using, either alternatively or together, the following types of green areas:

i. Permeable surfaces on the ground, to be counted at 100% of their extent;

ii. Semi-permeable surfaces made green on the ground, to be counted at 50% of their extent;

iii. Semi-permeable surfaces paved on the ground, to be counted at 30% of their expanse;

iv. Green roofs that are architecturally building-integrated and equipped with a drainage layer, to be counted at 70% of their expanse;

v. Green covers of underground structures equipped with a drainage layer, to be counted at 50% of their expanse;

vi. Green walls that are architecturally building-integrated, to be counted at 30% of their expanse;

vii. Existing public areas shall not be taken into account for the relevant calculation.

c. A permeability ratio of at least 30% of the Gross Lot Area, if not already set forth, must be reached in the areas in which the building works concerned are implemented through Implementation Plans.

5. *Set-offs*

It is possible to monetize or offset the building works under paragraphs 3 and 4. The funds resulting from the in-lieu fees (*monetizzazione*) shall be allocated to the development of the future metropolitan park, as well as to the de-paving of areas outside the lot under building works identified in Table S.03.

It is in any case still compulsory, as regards any refurbishment with total demolition and reconstruction, and any new development, to reach a climate impact reduction ratio equal to 0.1 *in situ*.

6. *Incentives*

a. In case of restoration, preservation and refurbishment without changing the shape and the building footprint,

there shall be a reduction of the services demand due, equal to a maximum of 5%, should a 25% reduction in CO2e emissions be reached compared to the emission values linked to the global energy performance limits, provided that the higher-ranking applicable laws and regulations require the respective check.

b. There shall be reduction of the services demand due equal to a maximum of 5%, should a climate impact reduction ratio higher than 10% of the Gross Lot Area compared to the limits set forth in paragraph 4 above be reached.

c. Urban forest implementation works within private areas will be taken into account in the public area calculation, through a specific town planning agreement establishing an obligation of conservation, maintenance and replacement, if necessary, in case of illness or drying up.

d. The works aimed at regenerating waterways and at recovering stretches of culverted waterways contribute to the public area calculation.

7. *How to update this article*
The methods of calculation of CO2e emissions, the features of all technological elements and building-integrated green areas shall be further defined through detailed technical documents which may be updated with a grounded Executive Decision (*determina dirigenziale*), in light of the changes to the relevant regulatory framework and to the technical knowledge, as well as in light of the monitoring of the results achieved in their respective application.

8. The performance benchmarks set out in the "climate impact reduction" paragraph may be updated with an Executive Decision (*determina dirigenziale*).

Article 11 Abandoned and dilapidated buildings

1. The recovery of abandoned and dilapidated buildings, (*edifici abbandonati e degradati*) that put at risk urban safety and public health whilst generating environmental and social degradation, amounts to an activity of public use and of general interest, which can be pursued according to the following paragraphs.

2. This article applies to all those areas and buildings identified by Table R.10, regardless of their functional use. To this extent, Table R.10 is updated on an annual basis with an Executive Decision (*determina dirigenziale*), after serving notice on the parties concerned as to the commencement of the procedure.

Abandoned buildings shall mean buildings which have no longer been used for over a year and that pose either a threat to public health, safety or security, or discomfort to urban decorum and aesthetics, not to mention the presence of asbestos or other chemical dangers for public health.

The identification of those buildings under this paragraph shall be regularly disclosed to the local government office (Prefecture – *Prefettura*) and to the Police.

3. Without prejudice to any ongoing administrative procedure having a positive outcome, in the event of abandoned and dilapidated buildings under Table R.10 the owner may file a request for the approval of either of the following: an Implementation Plan (*piano attuativo*), or a suitable building permit (*titolo abilitativo*) aimed at restoring the building(s) concerned. Construction works shall have to commence within 18 months from the first classification of the building(s) as abandoned or dilapidated.
Should that not be the case, it is compulsory to demolish the building(s) concerned:

a. if the property owner demolishes the existing building, the existing SL will be fully preserved. Development rights (*diritti edificatori*) will be recorded in the Register of Transfer of Development Rights, and it will be possible to use them *in situ* or in other Receiving Sites (*pertinenze dirette*) by means of equalization and in compliance with the laws and regulations in force;

b. should the property owner not demolish the existing building, save for the powers to be exercised by the City of Milan in lieu thereof and aimed at the demolition, a Single IT equal to 0.35 sqm/sqm shall be acknowledged. The property owner or any holder of real estate rights over said property shall reimburse the expenses incurred by the Public Administration. Otherwise, the debtors shall be subject to compulsory execution under the applicable laws and regulations.
Notice to such extent shall be served on the property owner, on the local government office (Prefecture – *Prefettura*) and on the Police.
Upon failure to demolish, it shall only be permitted to carry out works aimed at repairing the existing buildings up to the respective preservation without changing the relevant use class.

4. However, this article does not apply to:

a. heritage listed buildings under Legislative Decree No. 42/2004;
b. buildings in rural districts as listed under Table R.03 and governed under article 21, paragraph 5;
c. areas and buildings zoned as districts governed by decisions adopted and/or approved until their expiry as foreseen by the legislation in force or by their specific planning tool.

5. The application of this article is suspended with regard to buildings that fail to prove to be fully at their owner's disposal due to foreclosure, distraint, bankruptcy or a composition with creditors in order to avoid bankruptcy (*pignoramenti e/o sequestri giudiziari, fallimenti, concordati preventivi*).

Article 12 Private Parking Lots

1. Private parking lots are those private parking spaces serving one's property and meeting the minimum parking requirements set forth by article 41-*sexies* of Law No. 1150 of 17 August 1942. In order to verify compliance with the above-mentioned minimum parking requirements, the volume for each and any use class is obtained based on the definition under article 5, paragraph 8, above.

In any and all new development and refurbishment with total demolition and reconstruction, for all urban functions, the minimum number of parking lots required by law must be located not at ground level but underground, or in a structure aboveground within the building structure not overlooking a public space, unless it is proven impossible to do so.

If a parking lot is built at ground level and in case of special maintenance of existing parking lot at ground level, the relevant area to be used as parking lot shall have to be tree-planted so as to ensure ecosystem services (by applying a "two trees for each parking space" parameter).

It is possible to monetize the above-mentioned arboreal requirements. The funds deriving from that possibility shall be allocated to the development of the future metropolitan park as well as to all de-paving works of areas outside the lot under building works, giving priority to the areas adjacent to the works, as identified in Table S.03. Should there be no areas in the immediate surroundings, other areas amongst those given or put forward by the Municipalities (*Municipi*) having authority thereover must be found.

It is always possible to prove to have met the private parking lot requirements within highly accessible areas, even within the immediate surroundings of the works.

Article 31 hereof governs the minimum private parking requirements generated by urban commercial uses.

2. A share equal to 10% of the minimum private parking requirements must be ensured in order to create parking lots suitable for bicycles and for other means of transportation that do not use fuel or non-renewable sources.

Article 13 Plan Implementation

1. 1The Regulatory Plan shall be enacted according to the implementation criteria and procedures hereunder, unless otherwise provided for in detail in other articles.

2. 2For all building works, save for those listed under the following paragraph 3, the implementation must take place as follows:
a. directly without a dedicated town planning agreement (*modalità diretta non convenzionata*) for those building works consisting in ordinary and special maintenance, restoration and preservation, building refurbishment keeping the shape (*sagoma*) and/or the building footprint (*sedime*), and building refurbishment changing the shape and/or the building footprint in compliance with the morphological instructions under articles 19, 21 and 23 hereof;
b. directly with a compulsory opinion (*modalità diretta con parere obbligatorio*) of the Landscape Commission in case of building refurbishment changing the shape and/or the building footprint which requires a change of the morphological instructions under articles 19, 21 and 23 hereof; the opinion is compulsory and to be issued beforehand, also prior to any and all execution of the amendments to the morphological instructions;
c. directly with a dedicated town planning agreement (*modalità diretta convenzionata*) in the following cases:
i. refurbishment with demolition and reconstruction of an SL beyond 20,000 sqm or exceeding the Net

Floor Area ratio (IF) of 7 cbm/sqm;

ii. in those cases listed in paragraph 3.2 subparagraphs a, d and e hereunder.

3. For any and all new development, by extending an existing construction or within an area free of constructions, and for urban refurbishment, the implementation must take place:

a. directly without a dedicated town planning agreement until the Single IT is reached in compliance with the morphological instructions under articles 19, 21 and 23 hereof. If the morphological instructions are not followed, it is required to obtain a prior compulsory opinion from the Landscape Commission;

b. directly with a dedicated town planning agreement:

i. in case the following rights are used, either alternatively or together:

- assignment of development rights;
- Social Housing shares as per article 9 hereof;

ii. for all building works exceeding the Net Floor Area ratio (IF) of 7 cbm/sqm;

iii. for all building works in the Ancient Urban Fabric (NAF), save for the provisions under paragraph a. above;

iv. when having recourse to the bonuses under article 13, paragraph 11;

v. for the transfer of areas, implementation of urbanization works and conferral of areas for services;

vi. for building works with an ST exceeding 20,000 sqm, save for the provisions under paragraph c. below;

c. through an Implementation Plan - be it public, private or both - in case of building works having an ST in excess of 20,000 sqm and connected to urban renewal works or, in any event, to a forecast of significant new urban amenities.

4. The town planning agreement preceding the issuance of the building permit, the unilateral deed of undertaking attached to the building permit and the town planning agreement attached to the Implementation Plan govern and/or set forth:

a. the transfers of areas in the case of Urban Equalization pursuant to paragraph 6 hereunder;

b. the primary and secondary urban infrastructure works (*opere di urbanizzazione primaria e secondaria*) to be deducted from the urbanization fees and/or additional works;

c. procedures for finding and/or adapting the amount of areas for services under article 11 of the Implementation Rules of the Plan of Services;

d. the transfers of development rights referred to in article 7 and the Social Housing shares;

e. the implementation procedures and the obligations – also of managerial nature – to be governed with a deed executed by the developer at a later stage, should the latter avail itself of the right to carry out Social Housing works;

f. the guarantees required for the fulfilment of the obligations under the town planning agreement, including those arising out of any land remediation;

g. the relevant recording, registration and publicity formalities;

h. the timeline.

5. The above finds application without prejudice to the provisions under Legislative Decree No. 42/2004, as amended, regulating the management, rules and regulations, extent and measures for the protection of cultural and landscape heritage restrictions, as well as under the laws and regulations in force stemming from higher-ranking restrictions of other type.

6. Direct building works with a dedicated town planning agreement having recourse to equalized development rights may also include non-adjacent areas. In said case, the following allocation must be foreseen:

a. an area defined as Net Lot Area;

b. one or more areas for services (as provided for in the Plan of Services), to be transferred free of charge to the City of Milan (Sending Sites); the latter shall not contribute to fulfilling the demand for services.

7. The adoption and approval procedure under article 14, paragraph 1, of Regional Law No. 12/2005, as amended, shall apply to the Implementation Plans and to their respective amendments, provided they are compliant with the PGT.

8. Parking lots, regardless of whether they are appurtenant thereto or not, are always allowed in Receiving Sites (*aree a pertinenza diretta*), in application of the regional legislation and of article 12 above.

9. In case that the town planning agreement preceding the building permit or attached to the Implementation Plan prescribes that the operator must carry out building works to be deducted totally or partially from the urbanization fees, the Public Administration must assess the technical and financial suitability of such works and must verify their actual cost following the final inspection. The execution of such works shall be foreseen and checked concomitantly with that of the relevant private building works and, in any case, they shall be completed within the

end of any such private building works. If the implementation is foreseen by functional phases, such checks refer to the relevant specific phase.

10. In compliance with the provisions under the key programme documents and in order to implement the provisions under the Plan of Services, in-lieu fees (*monetizzazioni*) shall be used primarily within the Core of Local Identity (*Nucleo di Identità Locale* or NIL) affected by the building works, or in its adjacent areas in which the building works are located, including the Regeneration Areas.

The overall proceeds deriving from urbanization fees and in-lieu fees related to the public areas for services arising out of town planning and building developments within Municipality (*Municipio*) 1 are allocated for a share at least of 50% for works planned in other Municipalities, in compliance with the provisions under the key programme documents and regulatory provisions.

11. A bonus up to a maximum of 7% of the allowed SL may be assigned to those projects to be carried out at the end of an architectural plan and/or design competition, with a view to facilitating the comparison between different solutions, to improving the quality of the offer and to declaring the project's pre-eminence. The SL bonus applies to all Urban Functions implemented through direct building works, regardless of whether a town planning agreement is needed or not, and to all Implementation Plans. The Building Code sets forth the rules and regulations governing this SL bonus.

12. Within a dedicated town planning agreement, it is possible to sign a unilateral deed of undertaking in those cases in which the declaration of intents of the developer is enough to bring about the legal effect in compliance with the developer's intent. Town planning agreements shall be used when the legal effect is caused with the contribution of the declaration of intents of both the party entitled thereto and of the City of Milan.

13. Within the areas owned by the City of Milan, private owners may promote building works, also through public and private partnership proposals (the so-called PPP), to be implemented as per the procedures permitted under the laws and regulations in force, even in derogation of the maximum floor area ratios foreseen by the Regulatory Plan, provided that the private party proves, consistently with the competent offices, the balance between private advantages and public goals.

This rule also applies to the areas and to the buildings identified by the Plan of Services, save for the existing green areas and for the areas to be developed.

TITLE II - TOWN PLANNING RULES AND REGULATIONS

CHAPTER I - REGENERATION

Article 14 Definition

1. In Table R.02 and in Table R.10 the Regulatory Plan identifies areas in which, as a priority over others, the PGT provides a set of rules and parameters, as well as an integrated series of actions, both in private areas and in public areas, aimed at activating widespread regeneration processes; town planning and building development and as well as other social initiatives may be foreseen in such areas, including (i) the urban regeneration of an already built environment, (ii) the reorganization of the existing urban structure through the development of facilities and infrastructures, (iii) green areas and services, (iv) the recovery or the enhancement of those already existing; and (v) the redevelopment of an already built environment through the provision of ecological infrastructures with a purpose to increase biodiversity in the urban environment of special public interest.

The general criteria and aims are specified in the Development Plan.

Article 15 Rules and Regulations

1. The Regeneration Areas, as per Table R.02, are the following:
- **a.** Urban Renewal Areas (ARU), as defined under article 22;
- **b.** Areas relating to Squares, understood as urban spaces acting as a hinge between the city's central and fringe areas;
- **c.** Areas relating to Transport Hubs, understood as large public transport and hub facilities;
- **d.** Environmental Regeneration Areas, understood as places of high environmental sensitivity and criticality;
- **e.** Areas relating to the External Historic Fabric (*nuclei storici esterni*), understood as areas in which the quality of the morphological fabric arises out of the transformations following one another throughout the city's urban history – as well as historic working-class districts, and relating to pedestrian areas, understood as public areas or as areas of public use, whereby pedestrian and cycle mobility shall prevail as a cornerstone of collective urban life;
- **f.** Zones for Large Urban Functions (*Grandi Funzioni Urbane* or GFU), as defined under article 16 below.

As per the areas under regeneration governed under this article, building works may be executed by applying the ge eral rules and the specific rules for the urban fabric of reference included herein; furthermore, the provisions under the paragraphs below shall also apply.

2. *Urban Renewal Areas* (ARU)
- **a.** It is possible to apply the rules on Urban Equalization and transfer of development rights as per article 7, paragraph 11;
- **b.** The Social Housing share under article 8, paragraph 5, and article 9, paragraph 4, may be monetised based on the criteria and guidelines to be identified through the relevant decision of the City Board setting out the values having at least the development costs as reference.
  The proceeds of any such in-lieu fees must be used for building works related to the regeneration of existing public housing services weighing upon the developer or, alternatively, tying it up under a specific item of the financial statements aimed at developing public housing services.
  Should said Social Housing share be monetised, it is possible to develop any Urban Function within the same quantitative provision.
- **c.** It is possible to apply the provisions under paragraph 6 below.

3. *Environmental Regeneration*
- **a.** It is possible to apply the rules on Urban Equalization and transfer of development rights under article 7, paragraph 11;
- **b.** The obligation to develop Social Housing under article 8, paragraph 5, and article 9, paragraph 4, does not apply;
- **c.** It is possible to apply the provisions under paragraph 6 below;
- **d.** For any demolition and reconstruction works, as well as for any new development works, reaching the "climate impact reduction" ratio defined under article 10 above is compulsory. Any and all green areas shall preferably have to be planned uninterruptedly with the existing public areas;
- **e.** Should the transfer or the dedication to public use not to be foreseen, following a technical assessment made by the competent offices, the privately owned green area, permeable on the ground, shall have to undergo the relevant land remediation, provided that (i) the requirements under Legislative Decree No. 152/2006, as amended, and under the specific rules in force on the subject matter are met; and (ii) if free of construction, it shall be arranged as a duly forested green area. The relevant maintenance shall be at the owner's expense unless otherwise provided for by the relevant town planning agreements, if any;
- **f.** The settlement of residential functions is conditional upon the ascertainment of either the supply or the implementation of public services and of services of public or general interest relating to the Health and Education categories within the relevant NIL of reference, or even external, provided that adjacent thereto.

4. *Squares*
- **a.** It is possible to apply the rules on Urban Equalization and transfer of development rights as referred to in article 7, paragraph 11;
- **b.** The Social Housing share, as per article 8, paragraph 5, and article 9, paragraph 4, may be monetised based on the criteria and guidelines to be identified through a specific decision of the City Board setting out the values having at least the development costs as reference.
  The proceeds of any such in-lieu fees must be used for building works related to the regeneration of existing public housing services weighing upon the developer or, alternatively, tying it up under a specific item of the financial statements aimed at developing public housing services.
  In case of in-lieu fees in respect of any such Social Housing share, it is possible to develop any Urban Function

within the same quantitative provision;

c. It is possible to apply the provisions under paragraph 6 below;

d. It is possible to exceed the maximum Gross Floor Area Ratio in those blocks identified by Table R.02;

e. It is possible to exceed the maximum Gross Floor Area Ratio by using, alternatively or together, development rights, even equalized; the bonus referred to in article 13, paragraph 11; Social Housing shares under article 9; and public housing services. It is permitted to do so only in case of building works for the regeneration of the public area concerned as per Table R.02 and according to the following general criteria and aims:

- **i.** ensure ongoing urban connections by optimizing the road network;
- **ii.** maximise pedestrian areas by enhancing the safety, permeability and coverage of the connections;
- **iii.** diversify the uses on the ground floor and maximise the appeal of open areas;
- **iv.** improve the relationship between built areas and open areas by interacting with the functional spaces of the public transport system;
- **v.** integrate natural regeneration elements to improve the microclimate.

f. The City of Milan shall promote suitable procedures within areas owned by the latter, also by way of public-private partnerships, to obtain the urban reorganisation of the areas, including the development of Urban Functions within areas intended for the road system and/or to existing green areas, through the transfer of public and private equalized development rights.

- **i.** For such areas, the implementation of the provisions must be governed by an instrument, preferentially through a selective procedure, stating the aims to be achieved and, consequently, a maximum Gross Floor Area Ratio that takes into consideration the territorial context in which the building works are executed, as well as the extent of potential impact (*intorno di potenziale ricaduta*), together with the relevant environmental and territorial effects;
- **ii.** In case of different concomitant building works, the synergetic effects arising out of the implementation of different instruments (such as, for instance, the relation amongst them and the rules for the Railway Stations provided for by the relevant Plan Agreement and in the compulsory Implementation Plans) must also be considered;
- **iii.** Any possible building works by phases must be traced back to a unitary logic and each phase must be implemented by fixing specific aims to be achieved;
- **iv.** Given the innovative nature of the dispositive provisions, the relevant monitoring shall have to be foreseen (for instance, in the annual report) also reporting the outcome of the implementation of these building works and of their respective effects, as well as the effectiveness of the procedure itself, in such a way as to get any corrective measures which may become necessary.

g. Medium Retail Structures, even if organised as a unitary structure, and Large Retail Structures, even if organised as a unitary structure, are permitted, provided that they directly concern the underground's mezzanine floor areas.

5. *Transport Hubs*

a. It is possible to apply the rules on Urban Equalization and on the transfer of development rights under article 7, paragraph 11;

b. The Social Housing share under article 8, paragraph 5, and article 9, paragraph 4, may be monetised based on the criteria and guidelines to be identified through the relevant decision of the City Board setting out the values having at least the development costs as reference.
The proceeds of any such in-lieu fees must be used for building works related to the regeneration of existing public housing services weighing upon the developer or, alternatively, tying it up under a specific item of the financial statements aimed at developing public housing services.
Should said Social Housing share be monetised, it is possible to develop any Urban Function within the same quantitative provision;

c. It is possible to apply the provisions under paragraph 6 below;

d. It is possible to exceed the maximum Gross Floor Area Ratio within the perimeters shown in Table R.02;

e. It is possible to exceed the maximum Gross Floor Area Ratio by using, alternatively or together, development rights, even equalized; the bonus referred to in article 13, paragraph 11; Social Housing shares under article 9. However, it is permitted to do so – also within auxiliary areas – only in case of building works for the regeneration of the public area concerned, by keeping or enhancing hub related functions, as per Table R.02 and according to the following general criteria and aims:

- **i.** ensure ongoing urban connections by optimising the road network;
- **ii.** improve the relationship between built areas and open areas by interacting with the functional spaces of the public transport system;
- **iii.** ensure continuity of urban relations by detecting connections that may overcome infrastructural barriers – even by covering up railway tracks – enabling, where needed, business transport continuity and building development;
- **iv.** maximise pedestrian areas by enhancing the safety, permeability and coverage of connections;

v. diversify the uses and maximising the appeal of open areas;
vi. integrate natural regeneration elements to improve the microclimate and the connections with the ecological network.

f. Medium Retail Structures, even if organised as a unitary structure, and Large Retail Structures, even if organised as a unitary structure, are permitted;

g. The City of Milan shall promote suitable procedures within the areas it owns, also by way of public-private partnerships, to obtain the urban reorganisation of the areas, including the development of Urban Functions within areas intended for the road system and/or to existing green areas, through the transfer of public and private equalized development rights:
i. For such areas, the implementation of the provisions must be governed by an instrument, preferentially through a selective procedure, stating the aims to be achieved and, consequently, a maximum Gross Floor Area Ratio that takes into consideration the territorial context in which the building works are carried out, as well as the extent of potential impact and the environmental and territorial effects;
ii. In case of different concomitant building works, the synergetic effects arising out of the implementation of different instruments (such as, for instance, the relation amongst them and the rules for the Railway Stations provided forby the relevant Plan Agreement and in the compulsory Implementation Plans) must also be considered;
iii. Any possible building works by phases must be traced back to a unitary logic and each phase must be implemented by fixing specific aims to be achieved;
iv. Given the innovative nature of the dispositive provisions, the relevant monitoring shall have to be foreseen (for instance, in the annual report) also reporting the outcome of the implementation of these building works and of their respective effects, as well as the effectiveness of the procedure itself, in such a way as to get any corrective measures which may become necessary ready.

h. As per the acknowledgment of the relevant existing Gross Floor Area, in these areas it is possible to extend the application of article 7, paragraph 5, of the Implementation Rules of the Plan of Services to the services falling within the zones governed by the 1980 General Regulatory Plan (PGR), where neither zone ratios nor coverage ratios were foreseen.

6. *External historic fabric and pedestrian Areas*

a. It is possible to apply the rules on Urban Equalization and on transfer of development rights under article 7, paragraph 11;

b. The Social Housing share under article 8, paragraph 5, and article 9, paragraph 4, may be monetised based on the criteria and guidelines to be identified through the relevant decision of the City Board setting out the values having at least the development costs as reference.
The proceeds of any such in-lieu fees must be used for building works related to the regeneration of existing public housing services weighing upon the developer or, alternatively, tying it up under a specific item of the financial statements aimed at developing public housing services.
Should said Social Housing share be monetised, it is possible to develop any Urban Function within the same quantitative provision;

c. Private services, local shops (*esercizi di vicinato*), handicraft businesses (concerning services to people and those in the food and non-food sectors) and shops for the supply of food and drinks with a sales area up to 250 sqm of SL, including underground floors and basements, as well as mezzanine floors (provided that functionally and physically connected and located on the ground floor overlooking a public floor and/or a floor of public use), are excluded from the calculation of the SL. This shall apply provided that (i) those services are identified in a specific deed of dedication to be recorded in the public registers, they are not counted in the calculation of the maximum Gross Floor Area and do not generate requirements for services and (ii) the corresponding lease, if any, for their premises, the management of commercial undertakings by the end user, together with the type of commercial undertaking liable to settlement are agreed with the City of Milan:
i. in case of new development;
ii. in case of any other type of building works, even upon a change of use class, provided that a building density deed is executed with a view to certifying the existing SL.

This rule only applies to those building works falling within the areas under Regeneration and directly adjacent to pedestrian Areas and within the entire external historic fabric, as per Table R.02.

7. The in-lieu fees arising from the building works governed by the paragraphs above may be used for the regeneration of public housing services and for the regeneration of Areas governed by the Plan of Services, also by way of deduction from the urbanization fees.

8. In case of refurbishment works and within the scope of Urban Regeneration, the reduction of the construction costs as per article 10, paragraph 1-*bis*, of Regional Law No. 12/05 shall apply.

CHAPTER II - LARGE URBAN FUNCTIONS

Article 16 Large Urban Functions

1. Zones for Large Urban Functions (GFU) and the corresponding sub-zones, if specified, are pinned down in Table R.02. They are intended for the localization of relevant functions for public services and/or for functions of public or general interest, for public facilities, as well as for functions, even if private, of strategic nature.

2. Within each zone and subzone for the GFU, the same Single IT that is applied to the Consolidated Urban Fabric (equal to 0.35 sqm/sqm of SL) so as to develop ancillary Urban Functions or, in any case, functions compatible with the GFU, is acknowledged. The abovementioned ratio corresponds to the maximum Gross Floor Area ratio.

In the San Siro GFU – predominantly owned by the City of Milan – the City Council, pursuant to paragraph 3 below, may authorize the realization of Large Retail Structures among ancillary or, in any case, compatible Urban Functions needed to ensure the financial feasibility of the GFU and without it being necessary to have recourse to a formal amendment to the planning framework.

Large Urban Functions are developed autonomously, whilst the right to utilise the Gross Floor Area ratio of the TUC for Urban Functions must be functionally and temporally linked to the development of functions for public services and/or for functions of public or general interest, for public facilities, as well as for functions, even if private, of strategic nature in a manner and timing to be established by a dedicated "Framework Agreement", as stated in paragraph 4 hereunder.

3. For each single zone and subzone for GFU, save for the "Bovisa - Goccia - Villapizzone" area and the "Piazza d'Armi" area, and without prejudice to the provisions referred to in paragraphs 5 and 6 below, the City Council approves the development of a Large Urban Function by stating – should said GFU not be included amongst the services of the Catalogue of Services of the PGT – the nature and significance of the function put forward, as well as the public goals to be achieved. Only in the San Siro area it is possible to realize a Large Retail Structure within the maximum Gross Floor Area Ratio laid out by article 2 above, without the need of further authorizations by the City Council.

4. GFU-related building works may also be implemented in phases. Should the above building works not be developed by the City of Milan, they shall have to be implemented following a specific "Framework Agreement", for each area or sub-zone, approved with a Decision of the City Board, in which the latter shall have to give its opinion on the following essential elements:

- **a.** Urban Functions ancillary or compatible with the GFU;
- **b.** The mobility and public transport system;
- **c.** The minimum amount of areas for services, the areas to be transferred to the City and the permeable area;
- **d.** the overall timeline for building works, also as regards the possible use of the Single IT equal to 0.35 sqm/sqm of SL for ancillary Urban Functions;
- **e.** The general project scheme and, if necessary, the identification of sub-lots of action and of the related implementing procedures.

Should there be sub-zones, the City of Milan may draw up a planning policy scheme (*schema di indirizzo pianificatorio*), to be approved by a decision of the City Board, in order to coordinate and to guide a process of development of the sub-zones together with the whole GFU area.

Pending the Framework Agreement, inside the areas allocated to GFU, building works aimed at public services and/or services of public or general interest are always permitted.

Prior to the measures above, building works up to refurbishment, by keeping the shape and/or the building footprint, may be carried out, even by changing use class.

During the technical assessment (*istruttoria*) of the building works proposal within the GFU areas, a special working group amongst the City of Milan, the Metropolitan City and Regione Lombardia will be arranged, aimed at coordinating plans amongst the different Institutions, thus strengthening the relevant inter-institutional cooperation processes at all levels.

The Framework Agreement shall identify adequate indicators compared with the Urban Functions to be settled,

which shall meet the fundamental elements identified, as well as other deemed necessary, which are capable of assessing the sustainability of the building works planned during the implementation phase.

5. The "Bovisa - Goccia - Villapizzone" area is made up by the "Bovisa - Goccia" and the "Bovisa - Villapizzone" sub-zones, for which the GFU and the main public targets are identified as follows:
- **a.** As regards the "Bovisa - Goccia" sub-zone, the GFU is intended to host an extension of the University Campus and the creation of research and innovation spaces;
  - **i.** the public targets aim at land remediation works, as well as at creating a significant system of services, public spaces and green areas, at restoring existing historic buildings of great value, at regenerating the Bovisa FNM station and at improving the connections amongst railway stations, the entire "Bovisa - Goccia - Villapizzone" area and the Bovisa, Villapizzone and Certosa districts;
  - **ii.** the prevailing ancillary Urban Functions are those falling within office and industrial use classes, as well as those aimed at creating a scientific and technological park; student accommodation facilities are permitted;
  - **iii.** the minimum amount of areas for services is at least equal to 50% of the ST for green areas.
- **b.** As regards the "Bovisa - Villapizzone" sub-zone, the GFU aims at enhancing the plants serving the City's network for the production of energy and at hosting the extension of the University Campus and the creation of research and innovation spaces;
  - **i.** the public targets aim at land remediation works, at restoring existing historic buildings of great value, at improving the connections amongst railway stations, the entire "Bovisa - Goccia - Villapizzone" area and the Bovisa, and Villapizzone districts;
  - **ii.** the prevailing ancillary Urban Functions are those falling within office, industrial and tourist accommodation use classes; student accommodation facilities are permitted;
  - **iii.** the minimum amount of areas for services is the provision of the network for the supply of energy and the restoration of existing historic buildings;

6. As regards the "Piazza d'Armi" area:
- **a.** The GFU is made up by a large urban park which also includes the existing woodland and amounts to at least 75% of the ST. The park represents the minimum amount of areas for services.
- **b.** Inside the areas not affected by the large urban park, ancillary Urban Functions and services provided for in the catalogue and not computable in the SL (by way of example and amongst others, the administrative, social services, sports, housing services categories) are permitted.

7. The implementation of the Rubattino GFU shall involve District (*Municipio*) 3.

8. As regards the Porto di Mare area, all building works proposals shall have to be compatible with the contents of the protection.

CHAPTER III - ACCESSIBILITY

Art. 17 Density and accessibility criteria

1. The areas having high levels of accessibility to the public transport network are shown in Table R.02 within the Consolidated Urban Fabric.

2. The aforementioned zones shall also include those areas only partially included within the zones as shown in Table R.02 and referring only to existing or future stations and stops (the relevant update is possible).

3. The building works referring to the areas belonging to the zones in question are governed herein. More in detail, the works related to the buildings subject to landscaping protection, as per the relevant administrative measure and as shown in Table R.06, have to be compliant with the criteria and guidelines provided for in their own protection measures.

4. These rules and regulations shall not apply *i)* to the compulsory Implementation Plans pursuant to article 26, *ii)* to those areas under article 52 and *iii)* to the Zones for Large Urban Functions, as per article 16 hereof.

CHAPTER IV - ANCIENT URBAN FABRIC

Article 18 Definition

1. The Ancient Urban Fabric (NAF) is the part of urban fabric characterized by historic, identity, morphological and typological features that present a stratified process of formation.

2. Table R.04 - NAF - Analysis of the historic and morphological values - identifies:
- **a.** the building complexes with intrinsic historic and architectural value;
- **b.** the architectural and vegetable composition of historic, artistic and testimonial nature;
- **c.** the building complexes with intrinsic architectural value;
- **d.** the buildings with aesthetic, cultural and environmental value;
- **e.** the buildings not falling within the categories above.

3. Within the NAF:
- **a.** the real estate of artistic, historic, archaeological and ethno-anthropological interest is identified and registered, as well as the landscape assets under protection and preservation in accordance with the relevant statutory framework;
- **b.** the building fabric worthy of protection and assuming testimonial and documental value with regard to the various types of buildings and to the morphological models constituting the architectonic and urban culture of the periods of formation, reconstruction and extension of the City of Milan are identified;
- **c.** the building fabric which must comply with the environmental features of the urban context is also identified.

4. Building works concerning areas, buildings or building complexes constituting cultural or landscape heritage shall aim at fostering the protection, preservation, enjoyment and enhancement of the cultural heritage.

Article 19 Rules and Regulations

1. Table R.03 identifies and regulates the building works permitted in the buildings and in the urban fabric mentioned under article 18, paragraph 2.

2. In particular, the following building works are permitted:
- **a.** special maintenance and restoration works (*manutenzione straordinaria e restauro*) for the buildings referred to in article 18, paragraph 2, subparagraphs a. and b. The permitted building works aim: at enhancing the typical features forming the specific value of the buildings, *i.e.* their specific stylistic and constructional features, with reference to article 18, paragraph 2, subparagraph a.; at the same time, they aim at the preservation and restoration of the scenic and environmental distinguishing features, to be inferred from the design and furniture of green areas and trees, with reference to article 18, paragraph 2, subparagraph b.;
- **b.** special maintenance, restoration and preservation works (*manutenzione straordinaria, restauro e risanamento conservativo)* for the buildings referred to in article 18, paragraph 2, subparagraph c.; these building works are aimed at keeping or enhancing the typical features forming the specific value of the buildings, *i.e.* their specific stylistic and constructional connotations;
- **c.** special maintenance, restoration, preservation, refurbishment works – in said case, the shape, the footprint and the façade overlooking a public area shall not be changed – (*manutenzione straordinaria, restauro e risanamento conservativo*, *ristrutturazione edilizia*) for the buildings referred to under article18, paragraph 2, subparagraph d.;
- **d.** special maintenance, restoration, preservation, refurbishment and new development works (*manutenzione straordinaria, restauro e risanamento conservativo*, *ristrutturazione edilizia, nuova costruzione*) for the buildings referred to in article 18, paragraph 2, subparagraph e. As to such buildings, for the purpose of applying article 64, paragraph 1, of Regional Law No. 12/2005, the maximum height is to be understood as that already existing, increased, if necessary, by an amount strictly functional to allow the residential retrieval/recovery of attics (*recupero abitativo dei sottotetti*) having an average ponderal height equal to 2.40 sqm.

3. When specifically mentioned under Table R.03, building works on the buildings referred to in article 18, paragraph 2, subparagraph e., are allowed only in compliance with the following planning requirements:
- **a.** maintenance or restoration of the existing *cortine edilizie* (*i.e.* unitary fronts of the buildings having the same height), or completion of the continuous façade of the buildings facing the same street; constructions facing

the street must reach up to the height line of the lowest building next to it; should that building be shorter than the existing height line, the existing height may be maintained; it is possible to exceed the maximum Gross Floor Area Ratio by using, either alternatively or together, development rights, even equalized, the bonus under article 13, paragraph 11, above and the Social Housing shares;

b. regeneration and development of courtyards and gardens;

c. Covered Area (SCOP):

i. SCOP ≤ existing SCOP in case of building works up to refurbishment (the existing SCOP may be increased up to a maximum ratio of 60% of the Net Lot Area, should the existing one be lower);

ii. SCOP ≤ 60% of the existing Net Lot Area in case of new development and urban refurbishment;

d. within the Consolidated Urban Fabric (TUC), any construction within the courtyards, either in full or in part, shall be lower or equal to the pre-existing building (without prejudice to compliance with existing health and hygiene laws and regulations). The development rights may be totally or partially transferred. The residential renovation of attics is permitted for those buildings identified under article 18, paragraph 2, subparagraph e.;

e. within the Consolidated Urban Fabric (TUC), in all building works, the creation and the alteration of attics shall only be allowed if the interior height is less than 1.80 metres at each point.

4. For those building works and relevant amendments mentioned above under paragraph 2, the following is permitted:

a. Insofar as heritage listed buildings (subject both to a direct and to an indirect protection constraint pursuant to articles 10 and 11, in case of direct protection, and to articles 45, 46 and 47, in case of indirect protection, of Legislative Decree No. 42/2004, respectively) are concerned, to expedite any type of building works permitted by the provisions set forth by the legislation in force, should the development project be approved by the competent authority;

b. as to those buildings that are not subject to the aforementioned direct protection (articles 10 and 11) and indirect protection (articles 45, 46 and 47) restrictions pursuant to Legislative Decree No. 42 of 22 January 2004, to expedite a different type of building works compared to those foreseen for the building at issue, after having submitted suitable historic and documentary documentation proving relation between the restrictions under paragraph 2, sub-paragraphs a., b., c. and the new type of building works put forward, provided that the favourable opinion of the Landscape Commission is obtained.

The competent offices of the City of Milan will check the admissibility of the request for deviation based on a report, which must include at least a morphological and typological analysis of the environment, an analysis of the intrinsic architectural features of the prospective building to be altered, of the architectural relations that the new works would create with the building under the works concerned or, in any event, with the environment of reference.

Without prejudice to the provisions under article 6 hereof.

5. If so positively assessed by the Landscape Commission and after filing a suitable report highlighting the architectural, typological and morphological reasons for the request for deviation, a different implementation of the provisions set forth under paragraph 3, subparagraphs a. and b. above, with regard to the planivolumetric solutions provided for under Title I hereof, is allowed.

The competent offices of the City of Milan will check the admissibility of the request for deviation based on a report, which must include at least a morphological and typological analysis of the environment, an analysis of the intrinsic architectural features of the prospective building to be altered, of the architectural relations that the new works would create with the building under the works concerned or, in any event, with the environment of reference.

Without prejudice to the provisions under article 6 hereof.

CHAPTER V - AREAS WITH A RECOGNIZABLE URBAN DESIGN

Article 20 Definition

1. Areas with a Recognizable Urban Design (**ADR**) are those parts of the city whereby the different urban fabrics are unified under a morphological point of view, and where there is a consolidated connection between private and public areas.

2. The ADR includes:
- **a.** *Tessuti urbani compatti a cortina* (Unitary Front Urban Fabric, *i.e.* urban fabric characterized by a unitary front of buildings having the same height);
- **b.** *Tessuti urbani a impianto aperto* (Open System Urban Fabric, *i.e.* urban fabric characterised by a combination of detached buildings);
- **c.** *Tessuti urbani della città giardino* (City Garden Urban Fabric, i.e. urban fabric whose predominant feature is the presence of green areas);
- **d.** *Tipologia rurale* (*i.e.* Rural Urban Fabric);
- **e.** *Insiemi urbani unitari* (Unitary Urban Aggregations, *i.e.* recognisable combinations of aggregated buildings);
- **f.** Architectural and green compositions of historic, artistic and testimonial value.

3. The goal to be pursued in these zones is to regulate the urban transformation affecting areas that in most cases have already been developed and that present recognizable uniform features under a morphological and naturalistic viewpoint.

Article 21 Rules and Regulations

1. Table R.03 of the Regulatory Plan identifies and governs the urban fabric mentioned by article 20, paragraph 2 above.

2. In the Unitary Front Urban Fabric (*tessuti urbani compatti a cortina*), direct building works must abide by the following criteria:
- **a.** the construction within an existing pattern of development characterized by unitary fronts (*costruzione in cortina*) must reach up to the height line of the lowest building next to it; should that building be shorter than the existing height line, the existing height will be maintained; it is possible to exceed the maximum Gross Floor Area Ratio by using, either alternatively or together, development rights, even equalized, the bonus under article 13, paragraph 11, above and Social Housing shares;
- **b.** within the Consolidated Urban Fabric (TUC), any construction within courtyards, either in full or in part, shall be shorter or equal to the pre-existing building (without prejudice to compliance with existing health and hygiene laws and regulations). Development rights may be totally or partially transferred;
- **c.** when two sidewalls with no windows face each other, the construction shall be carried out so as to let the two opposite buildings join together by their sidewalls, unless it is proven to be impossible;
- **d.** within the Consolidated Urban Fabric (TUC), in all building works, the creation and the alteration of attics shall only be permitted if the interior height is less than 1.80 m. at each point.

3. In the Open System Urban Fabric (*tessuti urbani a impianto aperto*), direct building works must keep the alignments with the pre-existing buildings facing the public space.

4. In the City Garden Urban Fabric (*tessuti urbani della città giardino*), direct building works must:
- **a.** maintain the fabric's morphological features: building typologies, alignments, number of storeys of the pre-existing building, if any, scope of the building works.

5. In the Rural Urban Fabric (*tipologia rurale*), building works:
- **a.** aim at maintaining the buildings' original and typological features;
- **b.** must not exceed the existing physical volume, even if the maximum Gross Floor Area Ratio (IT) is exceeded thanks to the use of equalized development rights, provided that a deed of undertaking for the conservation of the typical morphological features of the Urban Fabric is entered, thus maintaining the original features of the building;
- **c.** are permitted provided that they aim at rebuilding parts of the construction which may no longer be restored. Said building works may be executed following the filing of documentation that allows to identify the build-

ing's original volumetric consistency and typological features;

d. are also permitted insofar as they consist in enlargement works (*interventi di ampliamento*) due to the different calculation of the SL existing within the structure, as provided for under the paragraphs above, stemming from the application of the relevant energy efficiency rules.

e. are not permitted in case of any new development not covered by subparagraphs b., c. and d. above;

f. in particular, those under subparagraphs a., b., and c. above must be accompanied by a deed of undertaking, following the Landscape Commission's favourable opinion;

g. furthermore, those under subparagraph d. above shall be implemented by way of a building permit subject to the prior execution of a town planning agreement (*permesso di costruire convenzionato*), following the Landscape Commission's favourable opinion.

The provisions under this article shall apply to the areas included in the *Parco Agricolo Sud*, provided that the rules and regulations of any such *Parco Agricolo Sud* make reference to the municipal town planning tools.

6. In the Unitary Urban Aggregations, refurbishment and new development works are permitted according to the procedures foreseen under article 13 above. In any event, they shall in no way be carried out directly without the prior execution of a dedicated town planning agreement, given that the typological, morphological and planovolumetric features are typically governed by town planning agreements. Urban refurbishment works (*ristrutturazione urbanistica*), unlike the provisions under article 13 above, are conditional upon the approval of an implementation plan or scheme which must be extended to the entire perimeter of the Unitary Urban Aggregation.

7. In the "architectural and green compositions having a historic, artistic and testimonial value" special maintenance and restoration works are allowed with a view to preserving and restoring the scenic and environmental features, to be inferred from the design and furniture of the relevant green areas and trees.

8. Should the provisions under the paragraphs above be otherwise implemented, save for paragraph 2, subparagraph b., paragraph 5 and paragraph 7, the right to proceed forward with the construction works shall be conditional upon the prior submission of a suitable report highlighting the architectural, typological and morphological reasons for the request for deviation following the relevant Landscape Commission's favourable opinion.

The competent offices of the City of Milan will check the admissibility of the request for deviation based on the report, which must include at least a morphological and typological analysis of the environment, an analysis of the intrinsic architectural features of the prospective building to be altered, of the architectural relations that the new works would create with the building under the works concerned or, in any event, with the environment of reference.

Without prejudice to the provisions under article 6 hereof.

9. Covered area (SCOP):

a. SCOP ≤ to the existing SCOP in case of building works up to refurbishment. The existing SCOP may be increased, if necessary, up to a maximum ratio equal to 60% of the Net Lot Area, if the existing one is lower.

b. SCOP ≤ 60% of the Net Lot Area in case of new development and urban refurbishment.

10. The building works foreseen under said article affecting buildings under landscape protection, as per the relevant decision and as shown in Table R.06, must implement the criteria and the guidelines mentioned in the relevant protection provisions.

CHAPTER VI - URBAN RENEWAL AREAS

Article 22 Definition

1. Urban Renewal Areas (ARU) are those parts of the city in which the design of public areas is incomplete.

2. In these zones the goal is to encourage a process of urban development aimed at regenerating the existing public areas by redefining their connection with private areas, as well as at fostering the development of a new network of local collective areas.

Article 23 Rules and Regulations

1. Table R.03 of the Regulatory Plan identifies and governs the ARU.

2. Within the ARU, in case of refurbishment, new development and urban refurbishment works, the following criteria – as shown in Table R.03 – will apply:
- **a.** at least 50% of the Height Line of the building shall be aligned with the boundary line on the public space within the Building Projection Plane (IL). If the lot to be developed is located in an existing pattern of development characterized by unitary public fronts (*contesto di cortina esistente*) and the envisaged building works aim at establishing predominantly residential uses, the height to be considered shall be that of the highest adjacent building in the unitary front line. Said height may be reached by exceeding the maximum Gross Floor Area Ratio through the use, either alternatively or together, of development rights, even equalized, the bonus under article 13, paragraph 11, and Social Housing shares;
- **b.** setting the building's Height Line back at least 3 m from the boundary line of the building towards the public area. The resulting area must be used mainly as a public green area duly tree-planted and preferably of public use. The latter is prescriptive for all building works under a town planning agreement

3. Within the Consolidated Urban Fabric (TUC), any construction within courtyards, either in full or in part, shall be shorter or equal to the pre-existing building (without prejudice to compliance with existing health and hygiene laws and regulations). The development rights may be totally or partially transferred.

4. Should the provisions set forth under paragraph 2 above be otherwise implemented, the right to proceed forward with the construction works once that the Landscape Commission's positive opinion is issued will remain unprejudiced.
Without prejudice to the provisions under article 6 hereof.

5. Covered area (SCOP)
- **a.** SCOP ≤ to the existing SCOP in case of building works classified up to refurbishment. The existing SCOP may be increased, if necessary, up to a maximum ratio equal to 60% of the Net Lot Area, if the existing one is lower.
- **b.** SCOP ≤ 60% of the Net Lot Area in case of new development and urban refurbishment.

6. The building works foreseen under said article affecting buildings under landscape protection, as per the relevant decision and as shown in Table R.06, must implement the criteria and the guidelines mentioned in the relevant protection provisions.

7. Within the Consolidated Urban Fabric (TUC), in all building works, the creation and the alteration of attics shall only be permitted if the interior height is less than 1.80 m. at each point.

CHAPTER VII - AREAS INTENDED FOR AGRICULTURE

Article 24 Identification

1. The areas intended for agriculture are regarded both as an aspect of the agricultural business and as a tool for safeguarding the environmental features of the landscape, as well as a way of controlling the territory.

2. The Regulatory Plan implements and redefines the areas intended for agricultural activities of strategic interest (AAS) in greater detail, within the municipality and on an adequate scale, by identifying - with a special graphic symbol - the areas governed by the main prescriptive provisions of the Provincial Coordinated Town Planning Scheme (*Piano Territoriale di Coordinamento Provinciale* or PTCP).

3. Moreover, the Regulatory Plan identifies – with a special graphic symbol – the municipal agricultural areas contributing to complete the areas intended for agriculture. The environmental function is paramount for those areas, which may be observed thanks to the significant stratification of the high-ranking landscape rules and regulations, in respect of which they represent a connection amongst the elements making up the regional ecological network.

4. As regards the areas under paragraph 2, the adaptation process, the integration or the changes aimed at correcting

material errors, at updating the content of acknowledgment and/or at the corresponding best definition of the provisions and instructions under the PTCP, follow the procedure set forth in article 6, paragraph 4, of the PTCP in force.

Article 25 Rules and Regulations

1. The main land use is agricultural, including all the permitted functions under the regional rules and regulations in force, pursuant to Title III of the second part of Regional Law No. 12/2005, as amended, and compatible with the guidelines for enhancing, using and protecting the PTCP in force, thus excluding any and all other land uses.

2. *Land uses.*
The activities allowed in the areas intended for agriculture are the following:
- **a.** land cultivation, forestry, animal farming, as well as vegetable gardening and nursery-gardening related activities;
- **b.** any activity closely intertwined with those outlined above, *i.e.* any activity functional to the handling, storage, processing, marketing and enhancement of the products obtained from the cultivation of the land or of the forest or from animal farming;
- **c.** farm tourism-related activities as defined by law, with reference to be made to the sectoral rules and regulations;
- **d.** the residence of the farmer and of his/her collaborators.

3. *Building works:*
- **a.** any new development in areas intended for agriculture, as well as the construction of permanent, movable, seasonal and temporary greenhouses, shall be governed by the laws and regulations in force;
- **b.** as regards existing constructions, in addition to the building works for internal alterations and for creating new technical volumes, special maintenance, restoration, preservation and building refurbishment works are permitted too, provided that they are in compliance with the building's original and typological features;
- **c.** fencing is permitted only for the protection of the main residences and business structures;
- **d.** the construction of small, non-fixed structures, which must be without any foundations whatsoever and not anchored steadily to the ground; moreover, these structures shall: have no masonry structural components, be open on two sides, be instrumental to the agricultural business in light of the needs of the farmland, and be used as a shed for agricultural tools for sylvo-pastoral and woodland maintenance. The construction of the cabins mentioned above is subject to the filing of the relevant deed of undertaking with the City of Milan, to be recorded under the responsibility and at the expense of the proponent.

4. Should the agricultural business be discontinued, the following requirements shall have to be checked:
- **a.** production of the relevant business divestiture certification as provided for by law;
- **b.** the land that was used for the divested business must still keep an agricultural vocation so that it will be possible to carry out the permitted activities, as per paragraph 2;
- **c.** already existing farms may be restored by applying the provisions herein intended for the Rural Fabric of the Areas with a Recognizable Urban Design (ADR).
- **d.** The provisions under subparagraph c. above will also be permitted if it is proven that the farm areas are no longer deemed functional to the existing agricultural activity, regardless of the business divestiture.

5. In any event, notwithstanding the sectoral laws and regulations pertaining to the activities specified above.

6. Services may be rendered and activities of general public interest shall be permitted, as long as they comply with the provisions of the Plan of Services of the Town Planning Scheme and provided that they are functional to the prevailing agricultural activities.

CHAPTER VIII – COMPULSORY IMPLEMENTATION PLANS

Article 26 Compulsory Implementation Plans

1. The buildings outlined and numbered – from PA1 to PA8 – in Table R.02, are subject to a compulsory Implementation Plan. The graphic perimeter of compulsory Implementation Plans may be corrected at the time of approval of any such plan, based on a more precise definition of the real cadastral properties of the areas concerned.

2. This article governs the urban parameters by which the Implementation Plans above must abide.

[...]

TITLE III - COMMERCIAL ACTIVITIES

CHAPTER I - DEFINITION

Article 27 Commercial Uses: Definition

1. Commercial uses are those defined under article 4, paragraphs 1 and 2, of Legislative Decree No. 114 of 31 March 1998, to the extent relevant from a town planning standpoint, as well as the exclusive or prevailing use of premises or of areas accessible to the public for delivering, taking away and returning products purchased online, and the business related to the supply of food and drinks, even if unassisted.

Article 28 Commercial Service Areas: Definition

1. Total Gross Floor Area (SL): cross-reference is hereby made to the definition under article 5.

2. Sales Area (*Superficie di Vendita* or S.d.V.): as defined under Regional Board Resolution (D.G.R.) No. X/1193 of 20 December 2013, as amended. For the purposes hereof, the S.d.V. may also include private outdoor areas located outside the premises (e.g. open spaces available to the shopkeeper) that are not included in the calculation of the SL.

CHAPTER II - COMMERCIAL SERVICES CLASSIFICATION

Article 29 Retail sales activities within private areas

1. Pursuant to Legislative Decree No. 114 of 31 March 1998, retail activities within private areas are classified according to the following formats:
- **a.** Small Retail Structures (*Esercizi di vicinato*): shops having a Sales Area (S.d.V.) up to 250 sqm;
- **b.** Medium Retail Structures (*Medie strutture di vendita* or MSV): shops having a Sales Area (S.d.V.) ranging between 251 sqm and 2,500 sqm;
- **c.** Large Retail Structures (*Grandi strutture di vendita* or GSV): shops having a Sales Area (S.d.V) of more than 2,500 sqm;
- **d.** Retail Structures organized in a unitary form: cross-reference is hereby made to D.G.R. No. X/1193 of 20 December 2013, as amended, for the relevant definition;
- **e.** Natural shopping centres:

i. areas falling within the Commercial Urban Districts (*Distretti Urbani del Commercio*) inserted in the dedicated list of Regione Lombardia;
ii. urban commercial galleries - either historic or deriving anew from the recovery of existing surfaces in heritage listed buildings - facing an existing public or of public use space;
iii. local markets on public areas, covered or not;
iv. further stretches of roads, if any, characterized by the continuous and material presence of commercial undertakings, public establishments or other services facing the street, to be periodically accredited by the City as such with specific deeds of acknowledgment.

CHAPTER III - SALE ACTIVITIES LOCALISATION

Article 30 Sale activities localisation and development procedure

1. Existing retail structures or retail structures dismantled and replaced by a new sale structure that does not change the total pre-existing commercial SL are deemed to be always compliant with the town planning framework.

2. Petrol stations are forbidden within the Ancient Urban Fabric (NAF) and within heritage listed assets or landscape assets, pursuant to Regional Law No. 6/2010, as amended.

With a view to preserving the environmental sustainability of the areas in question, also in light of the increase of traffic caused, it is forbidden to establish a wholesale trade activity therein. Wholesale trade activity shall mean any form of trade in which someone purchases professionally goods in one's own name and on one's own account, and resells them to other wholesale or retail traders, or to professional utilizers or other large utilizers. This trade can be exercised both as a form of domestic trade and as an import and/or export trade. The sale to professional utilizers, including but not limited to commercial operators, is limited to those goods that are functionally dedicated to running their business and, thus, for their good's own nature dedicated to the production of goods and services.

3. In the Consolidated Urban Fabric (TUC), newly developed sale structures are admitted insofar as they are compliant with the following dimensions and development procedures:
a. Small Retail Structures shall be developed with a direct implementation procedure (*i.e.* that does not require dedicated urban agreements and the like);
b. Medium Retail Structures (from 251 to 2,500 sqm of S.d.V.), even if organised in a unitary form, shall be developed directly or by way of a building permit requiring a prior town planning agreement, should it be necessary to provide areas for public facilities or for facilities of public interest or else in light of any other aspects that may require the execution of a town planning agreement;
c. Large Retail Structures, even if organised in a unitary form:
- from 2,501 to 10,000 sqm of S.d.V., with a building permit requiring a prior town planning agreement;
- over 10,000 sqm of S.d.V., exclusively within the scope of the relevant Programme Agreement (*accordo di programma*);

d. petrol stations are allowed within Receiving Sites, save for those belonging to the Ancient Urban Fabric. The respective ancillary functions are to be counted in the area's Single IT, without prejudice to the applicable safety, road traffic and environmental laws and regulations;
e. the merger of two or more building units of Small Retail Structures and/or Medium Retail Structures into an additional MSV with a direct implementation procedure, and without increasing the demand of public areas, is always permitted.

4. In passing from an existing MSV to a GSV having no more than 10,000 sqm of S.d.V., the implementation shall take place directly or by way of a building permit requiring a prior town planning agreement, should it be necessary to provide areas for public facilities or for facilities of public interest, or else in light of any other aspects that may require the execution of a town planning agreement.

5. Shops having a licence to supply food and drinks can be developed directly inside the Consolidated Urban Fabric, regardless of the overall gross floor and supply area.

6. Newly developed Large Retail Structures (GSV), even if organised in a unitary form, are admitted exclusively within the Transport Hubs and Squares amongst the Regeneration Areas, as long as they directly involve the Underground's mezzanine areas, as per articles 14 and 15, as well as the San Siro GFU areas, as per article 16, paragraphs 2 and 3.

CHAPTER IV - AREAS FOR PARKING LOTS AND SERVICES

Article 31 Private Parking Lots

1. The provision of appurtenant parking lots pursuant to Regional Law No. 12/2005, as amended, is mandated *i)* in the minimum quantities requested under Law No. 122/1989, *ii)* exclusively in the event of building refurbishment and new development works aimed at creating new commercial Urban Functions (with the exception of Small Retail Structures) and *iii)* only as regards new SL or SL subject to a change of use class relevant from a town planning standpoint.

2. In any and all new developments and building refurbishment with total demolition and new construction works, the mandatory amount of parking lots shall be allocated underground and, thus, not level with the ground, or in an above ground structure not facing a public area within the building , unless it is proven to be impossible. In case of development of parking lots level with the ground and in case of special maintenance of existing parking lots level with the ground, the area intended for parking spaces must be duly tree-planted in order to ensure ecosystem services, by abiding by the following criteria: two trees per each single parking space developed.

The arboreal-endowment-related works above may be monetised by way of in-lieu fees. The resulting funds are to be allocated to developing the future metropolitan park, as well as to the depaving works related to areas outside the lot under works, by giving priority to those areas neighbouring the building works concerned, as identified within Table S.03, and in view of ensuring ecosystem services.

Should there be no areas available in the immediate vicinity, other areas amongst those mentioned or put forward by the competent Municipalities must be found.

Within highly accessible areas, it shall always be possible to prove that the areas for private parking lots have been found even in the immediate surroundings of the building works.

3. Small Retail Structures do not require any areas for private parking lots whatsoever. This also applies to Medium and Large Retail Structures settled within pedestrian areas, or under a privileged pedestrian system, or within with a pedestrian areas, or in the so-called C Area and in the ZTL (Limited Traffic Zones) without time limitations.

4. A share equal to 10% of the areas for parking lots under this article shall have to be ensured for areas suitable for parking bicycles.

Article 32 Commercial Procedure, and Town Planning and Building Procedure

1. Notice on the opening, relocation and extension up to 250 sqm of Sales Area (S.d.V.) must be served beforehand on the City of Milan.

2. Completion of the relevant building title procedure shall always be conditional upon and follow the obtainment of the corresponding commercial licence, without prejudice to the applicable law provisions concerning GSVs in negotiated plans (*atti di programmazione negoziata*).

Article 33 Areas for Services

1. The provision of public areas for services is not required in case of new developments up to the 0.35 sqm/sqm Single IT and in case of building works recovering the existing SL without changing the use class.

In case of any new development, the following quantities of areas for public services, or of areas of public or general interest, are required for that part exceeding the Single IT:

- Small Retail Structures: no endowment needed;
- Medium Retail Structures: 100% of the SL;
- Large Retail Structures: 200% of the SL. After assessing the building works also from an accessibility standpoint, the City of Milan may request that part of the amount of areas for public services, or for services of public

or general interest, due pursuant to article 150 of Regional Law No. 6/2010, as amended, is dedicated to host public parking lots.

In case of building works involving changes of use class relevant from a town planning standpoint towards commercial Urban Functions, the required amount of areas for services is mentioned under article 11 of the Implementation Rules of the Plan of Services.

2. The areas intended for parking lots under article 31 above subject to a town planning agreement or dedicated to public use may be counted within the amount of areas for public services to be provided in connection with private developments.

The above-mentioned public areas for services must be provided through a transfer to the City of Milan, free of charge or, alternatively, through the total or partial payment of in-lieu fees, should the transfer of areas prove to be impossible or not suitable given its localisation, width, shape, or because in conflict with the programmes of the City of Milan. The above notwithstanding the procedures under article 11, paragraph 4, of the Implementation Rules of the Plan of Services.

TITLE IV - SPECIAL AND HIGHER-RANKING PROTECTION

CHAPTER I - ENVIRONMENTAL ENHANCEMENT AREAS

Article 34 Definition and rules and regulations

1. The following areas are identified in Annex 1 of the PdR:
- **a.** Urban landscape enhancement areas;
- **b.** Regional parks landscape and agrarian landscape enhancement areas;
- **c.** River Lambro enhancement areas.

2. The enhancement areas are divided into the prevailing sensitivity classes under Annex 1 for the purpose of submitting the building works to the Landscape Committee's opinion.

3. Agricultural businesses must be protected and the existing agricultural infrastructure network within the territory must be safeguarded in the agricultural areas of landscape relevance identified in Annex 1. Moreover, the streams for irrigation must also be protected, in particular, those detectable by historical and local maps. The transformation of the existing built areas therein not related to the agricultural business is permitted as long as it does not imply a soil permeability reduction.

4. The sensitivity class of the area in which the various path stretches are located shall apply to the historical and landscape road system, made up by paths of historical and landscape interest, panoramic roads and landscape guidance tracks. The instructions and rules under article 34, paragraph 3, of the Implementation Rules of the PTCP shall apply to the paths and the areas overlooking same.

CHAPTER II - AREAS SUBJECT TO THE RULES AND REGULATIONS OF REGIONAL PARKS AND OF LOCAL PARKS OF SUPRA-LOCAL INTEREST

Article 35 Definition and rules and regulations

1. The Regulatory Plan implements and identifies the areas falling within the perimeters of the Regional Parks: Parco Nord Milano and Parco Agricolo Sud Milano. Within the perimeters of the Regional Parks, the zoning and the implementation rules and regulations of the corresponding Territorial Coordination Plans (*Piani Territoriali di Coordinamento* or PTC) are to be applied. The instructions, and the regulatory and cartographic contents of the corresponding PTCs shall apply within the territories included in Parco Agricolo Sud Milano and Parco Nord Milano, and are implemented in the PGT *ipso iure*, thus prevailing over any divergent provisions.

2. In all the areas falling within the perimeter of Parco Nord Milano and shown in the PTC in force as "Built Zone" (*Zona edificata*) and, upon a specific Implementation Plan or building permit under a town planning agreement, in the "functional reorganisation Zone" (*Zona di riorganizzazione funzionale*) the existing SL may be kept, or the maximum Gross Floor Area Ratio equal to 0.15 sqm/sqm may be reached by also using equalized development rights stemming from Sending Sites identified by the Plan of Services. Cross-reference is hereby made to the general provisions under the Regulatory Plan for anything not directly specified herein.

3. The Regulatory Plan identifies the areas falling within the perimeters of the local parks of supra-local interest: Media Valle del Lambro and Martesana. The provisions under this Regulatory Plan shall apply within the perimeter of the parks, notwithstanding any further higher-ranking instructions and rules.

CHAPTER III – HIGHER-RANKING PROTECTION AND SECTOR PLANS

Article 36 Properties and areas subject to higher-ranking protection and to sector plans

This article governs buildings and areas affected by restrictions on the construction activity, as well as whose development is burdened by the obtainment of specific authorizations or opinions, pursuant to the legislation in force and/or higher ranking plans and/or sector plans (*piani di settore*). These restrictions or burdens and the relevant areas and properties are identified in Table R. 05 and in Table R. 06.

[...]

CHAPTER VI - HYDROGRAPHIC NETWORK AND PORT AREA

Article 49 Definition

1. The hydrographic network and the port area are identified, classified and shown graphically in Table. R.09.

2. The hydrographic network consists of:
- **a.** streams included in the Main Hydrographic Network (*Reticolo Idrografico Principale* or RIP) as identified by Regione Lombardia;
- **b.** streams forming the Minor Hydrographic Network (*Reticolo Idrografico Minore* or RIM), namely, publicly-owned streams, shown in the official cartography (cadastral, IGM, CTR), having the following hydraulic functional features: their own waters; a hydraulic connection with the hydrographic network at the origin (either from the source or from derivation) and/or at the end; state of repair and continuity with the river-bed;
- **c.** streams managed by private parties, shown in the official cartography (cadastral, IGM, CTR), having the following functional and hydraulic features: their own waters, a hydraulic connection with the hydrographic network at the origin (either from the source or from derivation) and/or at the end; state of repair and state of the river-bed;
- **d.** streams forming the Hydrographic Network for Land Remediation (*Reticolo Idrografico di Bonifica* or RIB) of the Est Ticino Villoresi (ETV) Consortium.

3. The port area is formed by the Darsena di Porta Ticinese, by the Naviglio Grande stretch that goes from Darsena to Via Casale, and by the Naviglio Pavese stretch that goes from Darsena to Via E. Gola, as originally mentioned under the Transports Ministerial Decree of 20 August 1956. Any future alterations or extensions of the port area are approved in compliance with the Regional laws and regulations on the subject matter, in particular, as regards Regional Regulation No. 9/2015.

Article 50 Rules and regulations

1. The streams forming the hydrographic network, both in the open air and culverted, are subject to specific and prevalently hydraulic and environmental protection, taking into consideration that water is a resource.

2. The Main Hydrographic Network identifies the buffer zones required to ensure the accessibility to the streams aimed at the relevant maintenance, enjoyment and environmental regeneration. Any new development shall be prohibited within said zones, except for prospective public infrastructures and infrastructures of public or general interest as long as not otherwise placeable, provided with a hydraulic compatibility check of the building works. Building works aimed at facilitating water outflow are permitted. As for infrastructural works, geognostic surveys are necessary in order to verify the local geotechnical conditions with a stability check of the excavation sides, aimed at planning the works and at foreseeing the necessary works for protecting the digging or the excavation during construction site works. Notwithstanding the need for an authorisation from the competent hydraulic Authority, all building works directly affecting the river-bed, banks included, of the streams of the natural and/or natural-shaped hydrographic network, of structural (alteration of the stream), infrastructural (crossings), hydraulic quality and quantitative (water draining) nature, necessarily require to carry out hydraulic compatibility checks.

3. The buffer zones and the relevant provisions of the Minor Hydrographic Network are, moreover, specified and defined in the Hydraulic Police Regulation (PdR Annex 2).

4. In case of springs and resurgences included in the regional parks, the specific rules laid down by the Territorial Coordination Plans of the regional parks shall apply.

5. For streams falling within the scope of authority of the Est Ticino Villoresi Consortium for Land Remediation the national, regional and consortium distances, provisions and police, including Regional Regulation No. 3 of 8 February 2010, as amended, and the Consortium Regulation for managing the hydraulic police, approved by Regione Lombardia with Regional Board Resolution No. X/6037 of 19 December 2016, as amended, shall apply. For each canal of the RIB, the hydraulic buffer zones to be complied with and their respective measurement procedures are mentioned in Annex B and in Annex C to the above-mentioned Hydraulic Police Consortium Regulation, as regularly updated and published on the Consortium's institutional Internet website.

6. Cross-reference is hereby made to the Hydraulic Police Regulation (PdR Annex 2) for any and all limits and undertakings in concession within the buffer zones for private streams.

7. A 10 m. buffer zone must be applied to the Vettabbia irrigation ditch (*roggia Vettabbia alta*), even if it is included in the Consolidated Urban Fabric.

8. A 4 m. buffer zone, as for the right bank, and a 10 m. buffer zone, as for the left bank, must be applied to the stretch of the Nirone torrent and Baragge or Baregge torrent included inside the MIND Post-Expo area.

9. A 10 m. buffer zone must be applied to the stretches of the Tosolo and Triulza resurgences included inside the MIND Post-Expo area.

10. In case of culverted streams, a 20 m checking-out zone must be drawn from the middle of the stream to check the exact geometric size of the structure and its reckoning; in this event, the established buffer zone is to be applied. The developer shall carry out the above-mentioned check in collaboration with the competent Management Public Entity.

11. The areas included in the buffer zones and located in the Consolidated Urban Fabric are subject to the equalization mechanism: therefore, the development rights granted thereto may be transferred elsewhere. Upon transfer of the development rights, the Sending Sites must be concomitantly transferred to the City of Milan or dedicated perpetually to public use. In the latter case, it is compulsory for the owner to always ensure maintenance of such areas.

12. For river-beds and prospective streams identified and not included in the hydrographic network under Table R.09 but located inside the municipal territory and/or detectable by the cadastral cartography or by the municipal technical maps, a hydraulic survey must be drafted in order to check their hydraulic potential and, in case the stream shows proven hydraulic potential, a 1 m. buffer zone must be implemented.

13. The areas constituting the publicly-owned Ports are subject to monumental and landscape protection pursuant to Part II and Part III of Legislative Decree No. 42 of 22 January 2004.

14. A 30 m. buffer zone shall apply to the port areas in order to check compliance with the public uses of the Public Domain (Regional Board Resolution no. 8/7967 of 6 August 2008 and Regional Regulation No. 9 of 27 October 2015). As regards the areas falling within the port area and within the buffer zone, without prejudice to the Regulation approved with City Council Resolution No. 12 of 17 May 2017 for the rules and regulations governing the administrative functions delegated to the City of Milan, as well as to the contents under Ordinance No. 1/2017 of 28 March 2017 issued by the Port Authority for motor vehicle and pedestrian flow in the Darsena port area.

15. Table R.09 of the PGT identifies the publicly-owned Ports and the relevant 30 m. buffer zone to be calculated from their respective boundary.

16. Cross-reference is hereby made to the Hydraulic Police Regulation (PdR Annex 2) for anything not regulated herein.

17. The buffer zones for streams are identified in the table below, save for the Vettabbia irrigation ditch, the Nirone torrent or Baragge or Baregge torrent, the Tosolo torrent and the Triulza resurgence, governed by the buffer zones under paragraphs 7, 8 and 9 of this article.

AREAS OF APPLICATION	STREAM CLASSIFICATION	BUFFER ZONES (in mt)
Consolidated Urban Fabric (TUC) and area destined for agriculture	RIP	10
Consolidated Urban Fabric (TUC) and area destined for agriculture	RIM	4
Consolidated Urban Fabric (TUC) and area destined for agriculture	PRIVATE	4
Consolidated Urban Fabric (TUC) and area destined for agriculture	PRIVATE DERIVING FROM ETV	4
Regional Parks	RIP	10
Regional Parks	RIM	10
Regional Parks	PRIVATE	10
Regional Parks	PRIVATE DERIVING FROM ETV	10

[...]

TITLE V – TEMPORARY AND FINAL PROVISIONS

CHAPTER 1 – TEMPORARY PROVISIONS

Article 52 Rules and regulations for the areas affected by measures already approved and adopted

1. The general town planning provisions and the rules under the Implementation Plans, as well as those contained in the Integrated Building Works Plans (*programmi integrati di intervento*), in the negotiated territorial plans (*atti di programmazione negoziale con valenza territoriale*), in Zone C of the former Town Planning Scheme of the City of Milan (PRG), in the Plans for the Enhancement of the public real estate assets of the City of Milan, in the memorandums of understanding (as identified and outlined in Table R. 02), already approved as at the date of adoption of this amendment to the Town Planning Scheme, in the town planning agreements already entered into and in the building permits requiring a prior town planning agreement, shall remain valid until the respective expiry dates under the applicable laws and regulations or under the specific planning tool itself. Following expiry of any such planning tools, the provisions under the PGT in force shall apply. Until the expiry of any such planning tools, the representation under the graphic documentation of the PGT has, thus, a pure check value, without any conformational effectiveness whatsoever, notwithstanding the possible certification or check, even partial, under article 53 hereunder.

The provisions under this paragraph shall apply to the planning tools as described above, even if they are not identified by the Tables of this amendment to the Town Planning Scheme.

2. The provisions under paragraph 1 above shall apply to the implementation plans that have already been adopted (*i.e.* only preliminary approved) as at the date of adoption of the amendment to the PGT, provided that they are finally approved prior to the final entry into force of this amendment to the Town Planning Scheme.

3. The planning provisions included in the Programme Agreements (*Accordi di Programma*), or in subsequent amendments up to their completion unless otherwise provided for, pursuant to Article 34 of Legislative Decree No. 267/2000 and pursuant to Article 6 of Regional Law No. 2/2003 shall be applicable to those Programme Agreements that are

already in force at the date of adoption of this amendment to the Town Planning Scheme or for which, as at the same date, the Conference of Representatives or the Committee for the Programme Agreement have been set up.

4. Notwithstanding the foregoing, as regards the railway areas (either already dismantled or to be dismantled) called "*Scalo Farini, Scalo Romana, Scalo Genova, Scalo Lambrate, part of the Scali Greco-Breda and Rogoredo, S. Cristoforo Scalo-Parco attrezzato*", as shown in Table R.02 of the Regulatory Plan of the PGT, the contents of City Council Resolution No. 19 of 13 July 2017 and of its annexes are hereby fully implemented.

5. As regards the areas concerning the second phase of the Rubattino Urban Regeneration Programme, for which the Town Planning Scheme foresees the implementation of the GFU, the amounts fixed in the Deed of Amendment to the Programme Agreement executed on 10 April 2011 and published in the BURL (that is the Official Gazette of Regione Lombardia) on 29 July 2011 are confirmed.
The delocalisation of volumetries, exceeding the single IT 0.35 sqm/sqm SL, the transfer or the exchange of the areas and the environmental regeneration of public areas shall be governed within the scope of the Framework Agreement foreseen.

6. For those building works mentioned by paragraphs 1 and 2 above, it is possible to make amendments, provided that they do not affect the envisaged measures and dimensions and that they do not diminish the amount of areas for public services, as well as for services of public or general interest.

7. The town planning rules on development rights and on the amount of public areas for public or general interest facilities included in the planning tools mentioned in this article are adopted and implemented by this amendment to the Town Planning Scheme.

8. As regards the buildings falling within the "Zones A - Areas of restoration" and within the "Zones B - Areas of restoration" (the so-called "B2" zones) of the PRG dated 1980, as amended, the requests for Implementation Plans (Integrated Building Works Plans included) shall still be valid within six months from the date of publication of this amendment to the Town Planning Agreement.

The requests for planivolumetric town planning agreements, are deemed to be valid provided that, within three months effective as from the date of publication of this amendment to the Town Planning Scheme, the developer has renewed the respective interest in the aforementioned request by filing a building permit request complete with the whole documentation required by the relevant rules and regulations, hereby laying stress on the fact that issuance of the building permit is conditional upon the entering into of the relevant town planning agreement.

In such cases, at the moment of filing the request for the town planning agreement, including the definition of the town planning parameters, the general and implementing provisions and rules in force governing the aforementioned "Zones A - Areas of restoration" and "Zones B - Areas of restoration" (the so-called "B2" zones), shall remain applicable.

After 15 months as from the date of publication of this amendment to the Town Planning Scheme, the competent office shall subject the buildings - for which a request for the relevant building permit has been filed pursuant to the previous subparagraph and for which town planning agreements for the implementation of the building works foreseen have not been entered into - to the rules under the Regulatory Plan for the territorial area of reference.

9. The perimeter of the town planning agreements referred to in this article, in cases of discrepancy and upon previous check, shall prevail over that identified in the graphic documents of the technical documentation of the Town Planning Scheme.

10. The rules and regulations under the Town Planning Scheme approved with City Council Resolution No. 16 of 22 May 2012 shall apply to the buildings owned by the City of Milan located in via Serio and in via Doria and involved in the international programme called "Reinventing Cities". Upon failure to complete the above-mentioned procedure for the sale of the buildings, the latter shall be governed by the specific rules and regulations laid down by this amendment to the Town Planning Scheme. The building owned by the City of Milan and located in via Fetonte, also involved in the same international programme, is zoned within the Consolidated Urban Fabric.

11. The requests for recording an entry with the Register of Transfers of development rights that were filed before the adoption of this amendment are still deemed to be valid.

12. In order to abide by the new Building Code, to be enacted by way of implementation of Regional Board Resolution no. XI/695 of 24 October 2018, and in line with the provisions set forth in these Implementation Rules, the deadlines

as per article 11, paragraph 6, of the Building Code in force are postponed for 12 months.

CHAPTER II - FINAL PROVISIONS

Article 53 Final provisions

1. In the areas within the scope of application of article 52 above and upon completion of the building works, the areas and buildings regulated by the temporary rules and regulations shall be governed by the specific rules and regulations that the Regulatory Plan sets forth to the territorial area of reference and based on the competent office's certification and assessment.

Partial certifications and checks may be carried out by phases or by functional lots identified by the competent office; however, the perimeter of the implementation plan shall remain unchanged. The specific provisions foreseen by specific agreements, implementation plans or building permits requiring a prior town planning agreement shall continue to apply to the unfinished and certified parts.

In the areas within the scope of application of article 52 above, until completion of the building works and until the relevant certification or check, even partial, the representation included in the graphic documents of the Town Planning Scheme has, thus, the value of a pure check, without any conformational effectiveness whatsoever.

2. Upon failure to implement the aforementioned provisions in terms of effectiveness and/or following the occurred or declared invalidity of the planning tools and/or of the town planning agreements, the areas and the buildings governed by the temporary rules and regulations shall be subject to the specific rules and regulations foreseen by Regulatory Plan to the territorial area of reference, based on the same check above.

3. Upon completion of the building works foreseen by the implementation plans, or upon expiry of their term, as certified by the competent Office, the buildings concerned shall be governed by the specific rules and regulations foreseen by the Regulatory Plan to the relevant territorial area of reference, based on the competent Office's check.

4. The buildings identified by the City of Milan pursuant to article 58 of Law No. 133/2008, at the time of their transfer from public to private ownership shall be governed by the rules and regulations set forth in the relevant City Council resolution.

5. The buildings belonging to the public administrations, as mentioned in detail by article 1, paragraph 2, of Legislative Decree No. 165/2001, as amended, as well as the buildings belonging to entities of public interest and privately-owned buildings, identified as public services and facilities, and of public or general interest, for the following categories: Culture-Museums and similar exhibition areas, Theatres, Auditoriums and Premises for shows, specialised Libraries, conservation Libraries, Healthcare facilities, Large-Sport facilities, Tourism-Exhibition Areas and pavilions, University and facilities for University research, as defined in the Plan of Services, developed prior to 21 November 2012, shall keep their use class and utilisation until the respective termination of the service. Following termination of the service, the City Board shall decide how to replace or to relocate the public service in question, within the municipal territory, in connection with the demand for services and the corresponding re-functionalisation of the buildings related to the service. In the latter case and without any need to formally amend the Regulatory Plan, the buildings shall implement the rules and regulations hereof and take on: the zoning under Table R.02 on the basis of the urban context in which they are placed and based on the prior check of the competent Office; the Urban Functions under article 5, paragraph 15; the Single IT under article 6.

6. As regards the buildings under paragraph 4 above, the development rights equal to the Single IT, or to the existing development rights or to the Gross Lot Area, may be transferred to another area, provided that a building under the previous paragraph is built thereon in compliance with article 7 hereof.

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