

MILAN, NEW URBAN PLANNING GUIDELINES: STRICTER CONSTRAINTS, REDUCED ADMINISTRATIVE DISCRETION

On 7 May 2025, the City Council of Milan approved the new policy guidelines for the management of urban planning and building activities, pending the adoption of the amendment to the general zoning plan currently in force (the so-called "*Piano di Governo del Territorio*" or "PGT"), which is currently being drafted.

The guidelines are intended to ensure legal certainty, consistency and the uniform application of the procedural rules governing building interventions, by laying down more specific and binding criteria for determining the type of building permit required for each intervention.

Namely, based on the guidelines, the adoption of a detailed implementation plan is mandatory for building interventions exceeding 25 metres in height, or resulting in a land-use density greater than 3 cubic metres per square metre, and when the intervention fails to comply with the morphological rules set out in the PGT.

For interventions having an extension exceeding 20,000 square metres, a predetermined percentage equal to at least 50% of the total surface area involved must be intended for public use.

A building permit subject to a previous agreement with the Public Administration is allowed, when the intervention is compliant with the morphological rules applicable within historic urban cores ("*nuclei di antica formazione*") or dense urban fabrics characterised by continuous perimeter blocks ("*tessuti urbani compatti a cortina*").

In all the other cases, building interventions could be carried out without implementation plan nor agreement with the Public Administration. Nevertheless, where the intervention entails a change of use of urban planning relevance, the Municipality shall determine the most appropriate arrangements to ensure adequate territorial compensatory measures, such as the provision of public services or infrastructure, or the transfer, encumbrance or monetary compensation substitutive of the assignment of the areas for public use.

Furthermore, a reorganisation of the competent technical departments is under assessment, for the purpose of reinforcing the administrative structures responsible for examining and adopting detailed implementation plans, in order to improve the overall efficiency of the relevant procedural framework.

It may therefore be concluded that the new guidelines lay down binding procedural rules, with a view to significantly reducing the discretion granted to the Municipality in determining the type of building permit required for individual interventions. Such a measure appears necessary in order to facilitate the clearance of currently pending building applications, all the more so in the light of the ongoing investigations led

by the Milan Public Prosecutor's Office concerning multiple construction sites and residential complexes within Milan.

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