



ADD HOME

SUMMARY ON WORK PACKAGE 2 -ANALYSIS OF LAWS AND REGULATIONS

MOBILITY MANAGEMENT FOR HOUSING AREAS - FROM CAR-DEPENDENCY TO FREE CHOICE

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Index

1. Introduction	3
2. Basic conditions for sustainable transport at the place of residence	4
3. Results	6
3.1 Public transport in residential areas	6
3.1.1 Comparative consideration	6
3.1.2 The most important national results in detail	6
3.1.3 Lessons learnt from each other	8
3.2 Bicycle-parking, cycling and walking in residential areas	9
3.2.1 Comparative consideration	9
3.2.2 The most important national results in detail	10
3.2.3 Lessons learnt from each other	14
3.3 Private car-use in residential areas	15
3.3.1 Comparative consideration	15
3.3.2 The most important national results in detail	16
3.3.3 Lessons learnt from each other	20
3.4 Mobility services for residents	21
3.4.1 Comparative consideration	21
3.4.2 The most important national results in detail	21
3.4.3 Lessons learnt from each other	22
3.5 Mobility in housing subsidy codes	23
4. Conclusions and recommendations	23
4.1 The national conclusions in detail	23
4.2 Recommendations	26
5. ANNEX: The most important national laws and regulations	29
5.1 Austria	29
5.2 Bulgaria	30
5.3 Germany	31
5.4 Italy	32
5.5 Slovenia	35

Analysis of laws and regulations in the context of housing and mobility

- Overall Summary –

Page | 3

1 Introduction

The EU-project “ADD HOME: Mobility Management for housing areas - from car-dependency to free choice” is fostering a modal shift from car-trips to energy saving modes especially starting from residential areas.

The approach includes three main points:

- Analysis of legal and regulatory settings and analysis of good-practise experiences in the field of housing and mobility.
- Demonstration projects to increase the accessibility of new and old residential areas for more energy saving modes of transport aiming to bundle trips, shift trips and substitute them. This includes infrastructural measures as well as new mobility services.
- Know-how-transfer and training of people being involved in the thematic field of housing and mobility: municipalities, housing companies/neighbourhood administrations and mobility provider.

The proceeding of point 1 is finished. Each national analysis resulted in a summary highlighting the positive and negative national aspects and coming up with ideas for integrating energy-efficient transportation more intensively.¹ It is accompanied by a more elaborated description of the characteristics of the analyzed laws and regulations.²

It was aimed to identify positive preconditions and hinders for supplying housing areas with infrastructure and mobility services for energy efficient transport modes - as there are public transport, cycling, walking and reduced private car use.

In detail, the survey included e.g.

¹ www.add-home.eu → download section → ADD HOME Legal preconditions → **Summaries on the analysis**

² www.add-home.eu → download section → ADD HOME Legal preconditions → **Characteristics of analyzed laws and regulations**

- national spatial planning and building laws, regional building laws, laws on construction and reconstruction subsidies, local instruments like zoning and legally binding land use plans, as well as
- national and regional laws relating to public transport, local laws and regulations concerning transport and mobility such as the German “transport development plan” and many more.

The results show the level of consideration of sustainable modes of transport, the set of integration and the creative will that is conceded to public authorities and construction companies. The findings clearly show where changes and suggestions have to be placed.

2 Basic conditions for sustainable transport at the place of residence

Even if the concrete implementation of mobility offers has to consider the specific on-site situation and possibilities, favourable terms can be described.

Thus, as the basis for the analysis of the above mentioned categories of laws and regulations, important basic conditions fostering the choice of sustainable transport modes were defined – rest upon the knowledge about convenient conditions for sustainable transport modes.

Basic conditions	at the place of residence
Relating to single modes of transport	
Public transport (PT)	<ul style="list-style-type: none"> - Good accessibility of PT stops and lines (local transport and long-distance traffic; usual and on-demand service) fitting to the individual needs/destinations of the residents - PT-services; tickets for tenants
Cycling	<ul style="list-style-type: none"> - Good connection to the local network of bicycle paths - Safe, dry and easy accessible bike-parking facilities at the place of residence - Access to additional transport items like bicycle trailers or carrier bikes
Walking	<ul style="list-style-type: none"> - Network of internal walking paths offering direct and short connections
Car sharing / -pooling Taxi	<ul style="list-style-type: none"> - Car-pooling schemes – origin/site related - Car sharing facilities close to the potentially users or especially for a housing area

Basic conditions	at the place of residence
(low) Use of the (own) car	<ul style="list-style-type: none"> - Low number of necessary parking spaces - Parking management on public ground: e. g. limited parking permits allocated due to fixed criteria (social, economic, time etc.) - Separation of costs for parking and housing - Traffic calming, car-free zones/areas - Distance to car parking spaces at least as long as the distance to the nearest PT stop
Relating to all transport modes	
Information	<ul style="list-style-type: none"> - Access to individual, static and dynamic mobility information (via phone, web, computer, info-panel of housing unit, etc.) - Site information like site maps - individualized PT marketing for inhabitants
Safety	<ul style="list-style-type: none"> - Subjective sensation of safety and security at the place of residence (mainly relating to cycling and walking)
Other useful conditions	
City structure/ kind and place of location	<ul style="list-style-type: none"> - location close to or with good connection to the central facilities - high density
Supply facilities	<ul style="list-style-type: none"> - retail facilities for daily needs
Additional services	<ul style="list-style-type: none"> - Delivery services - Relocation service - Shopping services - Generation services

3 Results

Each participating partner analyzed the relevant laws and regulations following this scheme of basic conditions. Consequently the overall summary follows the same systematic. As expected, the results differ quite a lot from country to country! These are the central points:

3.1 Public transport (PT) in residential areas

3.1.1 Comparative consideration

Regulations about the coverage of residential areas by public transport are different. In Slovenia and Bulgaria public transport must be accessible within 5 minutes walking distance from residential areas (in urban areas). In Bulgaria the distance from residential houses and working places to the bus stops should not exceed 400m. In residential areas of houses up to 3 storied built the distance can be prolonged to 500m. Moreover the distance between the bus stops should not be longer than 500 m. In Germany and Austria coverage by PT is not guaranteed concretely. Just on the local level accessibility and supply of PT is specifically defined via local PT-plans. In Italy a unique definition concerning accessibility is also missing.

3.1.2 The most important national regulations in detail

Austria

In general, public transportation is the issue of local authorities and public transport providers. The authorities fix in their local regulations e.g. the quality of the public transport supply. The regulations at the national and regional level set the frame for the design of the public transport service. At national level, they fix the conditions for 1) who is able to offer public transportation (mostly a matter of licenses), 2) who is responsible from the public side to manage public transportation systems and 3) setting quality criteria for public transport services.

Besides the specific public transport related laws and regulations, public transport has a role in the regional laws and regulations of construction subsidies and spatial planning as well as the national road traffic act. The regional laws regulate the tools for the municipal level (zoning and legally binding land use plan), but the decisive power is at the local level and often the development is not in accordance with the regional land use laws. The local laws and instruments directly aim at attractive residential areas by reducing car transportation and increasing the share and the potential of sustainable mobility modes

like public transport.

Bulgaria

The municipalities are obliged to develop transport schemes, including the organisation of public transport. According to these schemes, the transport system should provide fast, easy, safe and economic transport for passengers and cargo while respecting the requirements for health and environment, protection of noise and harm from emissions and/or substances. In urban areas the distance between the bus stops is supposed to be between 250 and 500m and public transport must be accessible within 5 minutes walking distance from residential areas (*Reg. 2/29.06.2004 → characteristics no.6/housing*).

The traffic organisation, as well as the specific requirements for traffic road systems and public transport of passengers, has to be managed by the local authorities and monitored by the district government (*Reg.33/03.11.1999 → characteristics no.5/mobility*).

Germany

Although there are many laws at national level that support public transport and aim to increase traffic conditions in cities towards sustainable mobility, local authorities or investors are not per se obliged to cover new residential areas by public transport.

Regional laws relating to public transport are of more importance in this context (e. g. *ÖPNV NW → characteristics no. 8/mobility*). Most of the regional regulations obligate local authorities to arrange a legal instrument for the development of public transport or offer them to do so (*Nahverkehrsplan → characteristics no. 11/mobility*). There is also an informal instrument for integrated transport and mobility development (*Verkehrsentwicklungsplan → characteristics no. 12/mobility*), which usually handles public transport as an important part of an integrated local approach.

Apart from measures intended in those plans, there is always scope in decision-making for single public transport measures – in new developed areas as well as in existing settlements. Suggestions of a developer/investor have to be negotiated between the local authority (transport department), the local public transport company, the licensing authority and the investor (e. g. in case of a new bus-line). Success depends on different factors, like the financial situation of the local authorities and the public transport company or the expected number of new customers.

Italy

On national level, Law 29 December 1969, n. 1042 “Dispositions concerning urban rail-

ways construction and management” (→ *characteristics no. 15/mobility*) addresses municipalities to realize and to manage undergrounds in urban areas and to realize a Public Transport Plan in the interested area in order to coordinate underground lines with railroads and bus lines.

Regarding local public transport, legislative decree n. 422/1997 “Regional and local organization and allocation of functions and tasks in matter of local public transport” (→ *characteristics no. 18/mobility*) transfers to the regions all tasks and functions in matter of local public transport. Regions define the criteria for local transport planning and they write up regional transport plans according to local organization plans in order to assure integration among different transport modalities and to favour environmental impact minimization. There are twenty regional laws about public transport. Regions approve triennial service programs in order to manage local transport services.

Slovenia

In Slovenia, there are only two political levels - national and municipal; there are no regions. By national law, urban public transport is required to be organised in cities with more than 100.000 inhabitants; cities with fewer inhabitants can decide optionally. Authorities, responsible for the urban public transport are municipalities as covenants and there is mostly one operator. National key players of public transport in Slovenia are ministries, local policy and bus operators. Regional public transport is based on a concession between an operator and the Directorate of Road Traffic of the Republic of Slovenia.

According to national law, public transport must be accessible within 5 minutes walking distance from residential areas. In practice, the distance between bus stops and housing areas is usually a maximum of 800 meters.

3.1.3 Lessons learnt from each other

When accessibility of public transport stops is not standardized in Austria, Bulgaria, Germany and Italy, Slovenia defined - according to national law – that public transport **must** be accessible within 5 minutes walking distance from residential areas (usually a maximum of 800 meters). That guarantees the coverage of residential areas by PT. This is also the case in Bulgaria. Moreover in Bulgaria, a national standard is defined (250 – 500m between the next PT stop); not as a “must”, but supposed. These are regulations worth to be discussed in other European countries.

Even if Germany does not fix concrete standards for accessibility of PT on national level, the above mentioned local “Nahverkehrsplan” is an adequate instrument to define specific standards on the local level – beside all other aspects according to PT.

3.2 Bicycle-parking, cycling and walking in residential areas

3.2.1 Comparative consideration

Bicycle parking

In Germany a general duty to build parking spaces for bikes is included in many building laws at the Federal State level (9 of 16 cases). Building-owners have to construct necessary bike parking spaces on the property to get the building license. But in terms of number and quality, there just exist recommendations. The situation in Austria is similar. In the building laws cycling is only a rather marginal matter; number and quality of parking facilities are mostly only recommended. In Slovenia and Austria the local administration is free to define standards related to bike-parking facilities or not. There is no duty to construct them. In Bulgaria local authorities should consider the construction of bicycle parking lots together with the bicycle tracks. The total capacity is determined according to the local conditions. In Italy the construction of parking spaces for bikes isn't obligatory, but financial incentives are given by national administrations for their construction to foster convenient conditions for bicycle parking.

Bicycle paths

The construction of bicycle paths itself is always matter of the local tools such as development plan or land use plan. They give the opportunity to fix in detail the provision of bicycle paths in parts of municipal areas. Whether bicycle paths in residential areas are going to be realised or not, is also a question of local priorities in transport policy and of public financial incentives. The feasibility, to realise high-quality infrastructure for cycling in single residential areas, is higher, if local instruments - like integrated transport plans, master plans cycling or coequal plans – are adopted.

For a close local network of walking and cycling paths, it is sometimes necessary to develop bicycle and walking paths on private ground. In Germany for example it is in principle possible, to safeguard this opportunity by registering an easement in the land register.

The national police laws deliver the necessary signposting. Cyclists in Austria, Germany and Slovenia are bound to use the signposted paths and lanes when provided, which especially for cyclists is a hinder since it makes the street network less dense for them and

can cause several shift of street sides following the paths / lanes. In Italy cyclists are free to use the normal road infrastructure, even if paths and lanes (financed at national and local level) are provided for them (→ *characteristics no. 19/mobility*).

Walking

What can be noticed for cycling applies more or less similar for walking. The operative tools on local level do sufficiently offer options for the planning, construction and signposting of infrastructure for pedestrians – in the form of pedestrian zones or walking paths. But unlike as in case of cycling, special programs fostering good conditions for walking are missing.

3.2.2 The most important national regulations in detail

Austria

Bicycle parking

Bicycle parking is regulated in the regional building laws and codes. The paragraphs mostly deal with setting the supply of a bicycle storage room or a bicycle parking facility outside a building beginning from a fixed number of housing units per building varying from 3-6 units (*Austrian building codes* → *characteristics no. 1-14/housing*). The number of parking spaces per housing unit or the provision of parking facilities for smaller buildings is hardly dealt with. The quality of the facilities such as roofs and the access without ramps or stairs are hardly regulated either. Nevertheless, good examples exist to build on (*Oberösterreichisches Bautechnikgesetz 2006* → *characteristics no. 7/housing*). The same applies to all other non-residential buildings. Local authorities partially have the possibility to set own regulations (*Steiermärkisches Baugesetz 2004* → *characteristics no. 10/housing*), which is hardly used by them. Furthermore, the laws and regulations lack a definition of bicycle parking facilities (e.g. size and quality) and by that reduce the positive impact of the provincial building laws and codes.

Bicycle paths

There are several laws on national level which deal with bicycling. They for example aim to increase the safety of bicycles by defining the correct form of design and equipment or at giving an impulse for fostering bicycling and to implement measures in co-operation with the provinces, the municipalities and other important stakeholders, such as the economy. Details deal e.g. with planning guidelines and infrastructure improvement. The construction of bicycle paths itself is a matter of the local tools.

Walking

Walking is even more seldom a topic for laws and regulations at national and regional level than bicycle transportation. At national level, support is given to pedestrians by providing them with infrastructure and specially designed zones like pedestrian areas or play streets. However, the fact that pedestrians are bound to pedestrian paths and especially the conditions for crossing a street even for reaching a PT vehicle have to be seen as obstacles.

Local regulations intend to make residential areas more attractive by reducing car transportation and increasing the share and the potential of walking. Aims are e.g. the creation of an area-covering and safe pedestrian network, independent from streets, and additional sidewalks at all streets with housing (*Grazer integrierte Verkehrsentwicklung (GIVE) → characteristics no.45/mobility*).

Further engagement to foster walking is up to the municipalities and construction companies. This engagement could for example be an attractive green space design or the inner-site development for recreation and pedestrian connections.

Bulgaria³

Bicycle parking

In general bicycling is regulated by two national laws which determine the design and development of bicycle paths and parking. To this end the local authorities should consider the construction of bicycle parking spaces together with the bicycle paths while designing the transport schemes of urban areas (*Roal → characteristics no.2/mobility*). The total capacity of bicycle parking lots is determined considering the structure of the urban areas, local conditions and lifestyle. The bicycle facilities are designed integrated in the spatial planning of the urban areas and their construction (*Reg. 2/29.06.2004 → characteristics no.6/housing*).

Bicycle paths

The construction of bicycle paths is provided together with the construction and reconstruction of roads at national level. The requirements for bicycle riders are set in a specific regulation at regional and local level (*Reg. 2/29.06.2004 → characteristics no.6/housing*).

The bicycle mobility is designed as part of the local transport system plan. The bicycle paths are constructed considering the major bicycle flow towards the central and industrial zones, the green areas, sports and playgrounds and the schools (*PlaT → characteristics*

³ (*Reg. 2/29.06.2004 → characteristics no.6/housing*)

no.7/housing).

Walking

Walking paths in urban areas are regulated both within the national and local legislative documents and decisions issued by the municipalities. The organisation of walking paths is arranged together with the transport system as a structure of the urban area. Special requirements are applied in pedestrian zones, in areas designed for the traffic organisation and for people involved in traffic (*Roal* → *characteristics no.2/mobility*).

Page | 12

At local level, it is designated that the municipalities can establish pedestrian zones in specific sites of public significance for the residents. Specific walking routes are intended in spaces between the residential blocks and neighbouring facilities like schools, kindergartens, sports and playgrounds (*Reg. 2/29.06.2004* → *characteristics no.6/housing*).

Germany

Bicycle paths as well as safe, dry and easy accessible parking facilities for bikes are the most important measures to support a comfortable transportation by bike. Relating to these aspects, the existing regulations are basically sufficient to provide good conditions for cycling at the place of residence.

Bicycle parking

Most of the building laws of the federal states define a general duty of building bicycle parking facilities for new housing constructions and in case of changing. Only four federal states (Baden-Württemberg, Bavaria, Rhineland-Palatinate and Saxony-Anhalt) do not provide for this. Brandenburg and Hessen authorise the local communities to implement a duty or not. All other federal states define a general duty to build bike parking facilities on the property/building parcel (*LBOs* → *characteristics no. 4-19/housing*).

Bicycle paths

Bicycle paths, bicycle roads or mixed paths for cycling and walking, as well as the different signs to signpost bike paths corresponding to their purpose, can be fixed via National Planning Law (*BauBG* → *characteristics no. 1/housing*) and Road Traffic Act (*StVO* → *characteristics no. 3/mobility*). Residential roads and paths with little car traffic usually do not need separate bike paths. There, traffic calming measures are sufficient to realise safe and comfortable cycling.

Walking

From the legal point of view, the interests of pedestrians can sufficiently be respected

through national laws, especially through the national planning law/legally binding land use plan – similar to bicycle transportation. But in praxis needs of pedestrians are often disregarded.

In new residential areas it is often easier to realise good conditions for walking because they can be respected in the plans from the beginning on. In existing developments it is often very difficult to realise good conditions, because the space for transport is already defined and limited and usually parted in favour of motorised transport. Nevertheless, renovation work of the surface can be used to create traffic calming zones, where the surface is used for all transport needs at the same level.

Italy

Cycling

Law 19 October 1998, n. 366 “Norms about bike mobility financing” (→ *characteristics no. 19/mobility*) imposes a regional plan about financing bicycle mobility. The plan finances projects having as priority the connection of school buildings, green belts, areas for services, social-health organizations, public transport system, public offices and tourist structures. The law focuses on interventions in the construction of pedestrian/bicycle paths and infrastructural equipments in order to guarantee bike safety in the crossings, equipped free and fostered parking lots as well as services for rental bicycles.

Walking

There is a great interest in pedestrian mobility and in particular in the realization of pedestrian paths in residential settlements, but no rules have been found about pedestrian connections to the public transport system.

Slovenia

Bicycle parking

According to the Rules on minimum technical conditions for the construction of apartment buildings and apartments (→ *characteristics no. 5/housing*), easily accessible and covered (dry) cycling parking spaces must be provided in the residential building or on the building land. The size of a cycle parking space depends on planned number of beds in residential building – 0.4 cycle parking space per planned bed.

Furthermore, we can also find good example on the local level also in the Ordinance on Spatial regulation for area of urbanistic design of municipality Maribor (→ *characteristics no. 6/housing*). To park bicycles, bike parking spaces are needed. In case of long-term

parking, bike shelters can be built. The parking spaces must be of good quality, lasting, aesthetic and in harmony with the street equipment and the city.

In some municipalities e.g. Maribor (→ *characteristics no. 6/housing*) in case of bike parking facilities, only a recommended number of necessary parking spaces are listed, but so it is not obligatory to assure necessary parking spaces for cyclists. In practice, residential buildings usually have stands for cyclists located near the entrance or underground cycling parking spaces (bicycle shed). On the national level, parking spaces for cyclists and their design is not mentioned. In the municipalities of Ptuj and Nova Gorica (local regulations), an equal number of parking spaces for cyclists besides car parking spaces must be assured.

Bicycle paths

Good connections to the local bicycle path network are included in national and local regulations as well as in an informal national act. These regulations apply only to the newer residential areas in the elderly, good connections to the local bicycle path network, are still quite a big problem.

Walking

In national and local legislation, direct and short connections of the internal walking paths network are included. The “Decree on Spatial Order of Slovenia” (→ *characteristics no. 4/housing*) dictates to plan the road infrastructure in the following order: pedestrians, cyclists, PT and other motor traffic. In practice, it is difficult to provide good connections because the traffic planning is usually designed in favour of motorised transport. Sometimes, good connections cannot be achieved because private vehicles are violating of the parking legislation. This problem can be seen in the old residential areas where infrastructure for pedestrians is used as additional parking area.

In pedestrian zones, a license for car driving is necessary. The licensing is the responsibility of city authorities. In most cities every household can get only one license for parking if there is a parking space (courtyards) or only for delivery if there is no parking space available.

3.2.3 Lessons learnt from each other

Bicycle parking

The obligatory construction of parking facilities for bikes in the context of new housing constructions is on a higher administrative level only defined in Germany (in 9 of 16 Federal States) and Austria (2 of 9). An adaptation of a general duty to built parking facilities for bikes is worth to be discussed in other European countries; it might help to get

bicycle parking at the place of residence more accepted.

Bicycle paths

The existing laws and regulations are basically sufficient to provide infrastructure for cycling at the place of residence. If there is a will, there could be found a legal basis. In Italy the regulation that cyclists are free to use the normal road infrastructure, even if paths and lanes are provided for them, might be pattern for other European countries.

Others

Beyond the legal definitions informal instruments to foster cycling are crowned with success. National programs like the “National Cycling Plan” in Germany (*NRVP* → *characteristics no. 6/mobility*), the “Regional plan about financing bicycle mobility” in Italy or the “Working group bicycle friendly communities” in North-Rhine-Westphalia (Germany → *characteristics no.10/mobility*) support local efforts to foster bicycle transportation. Austria adapted the Masterplan Cycling (*Masterplan Radfahren* → *characteristics no. 44/mobility*) at national level. These informal instruments often lead to a clear increase of the local cycling rate.

Walking

In all participating countries the needs of pedestrians are often disregarded in practice – although the legal basis is given. The Slovenian Decree on Spatial Order can be considered as a good example for the priority of sustainable modes of transport (planning the road infrastructure in the following order: pedestrians, cyclists, PT and other motor traffic), even if reality is often different.

But walking gets support inside of special initiatives fostering an urban structure based on principles of sustainability. In residential quarters realized for example on the basis of the “Quarter agreements” (→ *characteristics no. 14/mobility*) in Italy or the CERQUAL label “habitat and environment”, infrastructure for cycling and walking is an integral part of the concept. In Germany, special conditions for a walking and cycling friendly infrastructure in single settlements can be successfully worked out via so-called “urbanistic contracts”, which are defined in the national planning law.

Other special programs oriented at respective programs for cycling as the above mentioned activities of the “working group bicycle friendly communities” could help to make the special needs of pedestrians more aware.

3.3 Private car use in residential areas

3.3.1 Comparative consideration

Car parking

Parking - or better – the handling of the construction of necessary parking spaces at the place of residence is the important key of the matter related to car use in this project's context. The nearly overall existing duty to build a sufficient number of car-parking spaces leads to standardized solutions and in the following to costs, even if people are ready to live without an own car. What "sufficient" means is defined on different public levels. In Austria and Germany regulations related to the regional building laws give recommendations to local authorities, considering basic conditions like site, accessibility of public transport, car-free initiatives etc. This can lead to a low number of parking spaces such as 0.1 per accommodation unit (*Wiener Garagengesetz 2004 → characteristics no. 14/housing*), what is in practise realised in the context of car-free housing. In Slovenia local authorities are free to enact related local legislation. In practise municipalities define at least one parking space per residential unit, but often more. A national requirement, that accessibility to Public Transport must be respected in terms of reduction of the necessary number is mainly neglected.

Car sharing

Car sharing is another interesting issue. E. g. in Germany it is not yet allowed to reserve parking spaces for Car sharing vehicles on public ground - but changes are already in the pipeline. In Italy it is not only allowed to reserve parking spaces for Car sharing vehicles, but moreover Car sharing vehicles are allowed to use public bus lanes and don't have to pay for public parking spaces!

In Austria (Vorarlberg) the provision of Car sharing parking spaces is credited with positive points for the construction subsidies (*Land Vorarlberg Wohnbauförderungsrichtlinien 2007 → characteristics no. 27/housing*). In Bulgaria and Slovenia Car sharing isn't public-regulated at all.

3.3.2 The most important national regulations in detail

Austria

All regional laws and regulations deal with the provision of car parking spaces. These regulate rather detailed the design, location and number of car parking spaces, as well as the access by motorised transport. However, regional laws and regulations often give local authorities the possibility to deviate from the regionally set goals: The setting for the location of car parking spaces and their number per housing unit do not give exact figures but most often set a minimum of parking spaces or a maximum of distance to the housing unit. However, the potential to build fewer parking spaces than usual, like in the respective law for Vienna, is very positive (*Wiener Garagengesetz 2004 → characteristics no.*

14/housing or Salzburger Bautechnikgesetz 2004 → characteristics no. 9/housing).

The building laws and regulations in many cases tie the condition for receiving a building permit to providing car parking spaces. It can be positively mentioned that it is possible to make a payment instead of building parking spaces that is then invested in public transport (*Niederösterreichische Bauordnung 2005 → characteristics no. 9/housing*); however, this is in practice rarely implemented at local level.

Laws regulating construction subsidies usually support the construction and supply of close-by car parking spaces in underground parking lots or other car parking facilities. Some issues, like car-pooling and Car sharing, are hardly not dealt with (*exception Province of Vorarlberg → characteristics no. 26/housing*), neither by laws and regulations nor by proactive initiatives.

Bulgaria

The regulation for planning and design of the transport systems of urban areas determines the obligatory number of parking spaces depending on the type and function of the building (*Reg. 2/29.06.2004 → characteristics no.6/housing*).

The local authorities of large and medium sized cities elaborate action plans for parking preceded with feasibility studies on “park and ride” systems, parking time limits and/or the introduction of paid parking (*Reg. 2/29.06.2004 → characteristics no.6/housing*).

There are no regulations available which regulate Car sharing.

Germany

Parking

In 14 out of 16 federal states, the building laws (*LBOs → characteristics no. 4-19/housing*) and related regulations provide the possibility to define the number of parking spaces depending on the expected traffic caused by permanent users and visitors as well as (in some cases) in consideration of the on-site traffic conditions (e.g. coverage by PT, infrastructure for biking). In case of car-free projects whose residents contract to live without an own car, this can lead to a very low number of necessary parking spaces (usually just 0.2 parking space per household). In Baden-Württemberg, one parking space per accommodation unit is mandatory in all cases. In Berlin, the general duty to build parking spaces is completely cancelled.

Furthermore, the building laws of nearly every federal state authorise the planning communities to reduce or restrict the number of necessary parking spaces e.g. because of

negative effects of traffic, urbanistic reasons or good public transport services. Besides the option to reduce or restrict the number of parking spaces, municipalities get the chance to abandon on the construction. Reasons can be the assumption that only a low car use is probable or that the users of the building do not depend on private car-use because of a good public transport connection or a good quality of infrastructure for cycling. Moreover, there are two federal states where the municipality can suspend the construction of parking spaces for a certain time after completing a building.

Moreover, it can be positively mentioned that – similar to Austria - it is possible to make a payment instead of building parking spaces, if the construction of necessary parking spaces isn't possible. Local authorities are allowed to use the payment for public transport, bike and ride or bike-parking facilities.

Car sharing

The success of Car sharing depends to a great extent on the closeness to the users. Therefore, exclusive parking facilities near to the customers are essential.

However, it is not yet allowed to reserve (free) parking areas for Car sharing vehicles on public ground. On private property a reservation is legally allowed but often difficult to realise – either due to a lack of space or to high lease prices and costs for the Car sharing-company.

Experiences in Germany and abroad with reserved Car sharing parking spaces close to important stops of public transport show a positive impact on the choice of the mode of transport.

Italy

Parking

Law 24 March 1989 n.122 “Dispositions in matters of parking” (→ *characteristics no. 16/mobility*) addresses municipalities to realize an urban parking program indicating the parking requirements in order to limit traffic congestion in the city centres. The program has to identify parking localizations and dimensions as well as the priorities of intervention and the related actions to decrease congestion.

Law 24 March 1989 n.122 proposes provisions finalized to traffic decongestion but it does not favour the relation between mobility and new residences. It indicates actions in order to solve traffic problems in an already built area. Dispositions about the connection parking lots - residences are in several regional and local building laws. They connect lodgings number and surface with the number of parking lots in a city area.

Car sharing/Car-Pooling

Car sharing, car-pooling, collective taxi and “on demand” transport services contribute to increase transport system sustainability and to reduce private car use.

For these systems some facilities are provided; i.e. it is allowed to reserve parking spaces for Car sharing vehicles and moreover Car sharing vehicles are allowed to use public bus lanes and don't have to pay for public parking spaces.

There are no laws and/or rules regulating and prescribing benefit in favour of Car sharing, car pooling and collective taxi in residential areas.

Law 340/2000 “Dispositions for simplification of administrative procedures” (→ *characteristics no. 20/mobility*) introduces (Art. 22) the Mobility City Plan (PUM). PUM is a strategic medium/long term plan made by Municipality in order to manage in an integrated way mobility projects that include actions to satisfy the people's mobility needs, to reduce atmospheric and acoustic pollution, to reduce energetic consumption, to increase safety, to diminish private car use, to increase transport ability and to increase inhabitants' percentage using collective transport. In particular, car pooling and Car sharing are explicitly quoted as collective transport solutions. The plans must take into account also users information. Law 340/2000 does not go into more depth about these themes.

Moreover, Car sharing, car pooling and collective taxi, as “on demand” transport services, are indicated as strategic points in the new Transport and Logistic General Plan instituted by Republic Chairperson Decree 14 March 2001 “New Transport and Logistic General Plan” (→ *characteristics no. 21/mobility*). The plan has the following objectives:

- Offer a service transport of high quality
- Guarantee safety for people and preserve environment
- Guarantee access to peripheral areas
- Address people to sustainable transport modes.

It gives general strategies about mobility systems at national level.

Slovenia

Slovenia

According to the Rules on minimum technical conditions for the construction of apartment buildings and apartments (→ *characteristics no. 5/housing*), each accommodation unit must be provided with the minimum of 1.5 car parking space. Some local legislation defines 2 parking spaces per residential unit. The latter is because the number of registered cars is constantly raising and the number of necessary parking spaces and the

need for parking is also growing. Therefore, the minimum number of car parking spaces in the local legislation is also rising.

By the municipality the definition for a necessary number of parking spaces is based on data like the number of residents, visitors, gross or net floor area. The number of parking spaces can be reduced by a factor of reduction, which depends on basic spatial use, capacity of public transport and size of an area.

There is no regulation available to regulate Car sharing or car-pooling.

3.3.3 Lessons learnt from each other

Car parking

One of the most important findings of the ADD HOME consortium in this context is to avoid inflexible regulations like a defined number of necessary parking spaces per accommodation unit. Even if the national or regional regulations in Austria, Germany and Slovenia demand just a sufficient number of parking spaces, local authorities are usually deciding very inflexible.

Only in the context of car-free or car-reduced housing, the desire of the residents to live without or just with few (common used) cars is sometimes respected in terms of a low number of necessary parking spaces. As additional safeguarding residents often have to sign a confirmation, that they do not use an own car, while living in the car-free area. Moreover a so-called “Vorhaltefläche” (reserved area for potential parking spaces) needs to be defined in the development plan. All in all these are often very complicated and bureaucratic solutions.

To foster sustainable modes of transport it would be helpful to look on the concrete needs of the current (and future) residents, to integrate their needs more un-bureaucracy and to come to more flexible and sometimes just temporary effective solutions. The “Berliner solution” (no duty at all) as well as the “Vienna solution” (very low of parking space per housing unit) is worth to be discussed in the European context as well.

Existing or planned offers like a good PT-connection, infrastructure for walking and cycling, additional services etc. should come into account, when fixing the number of necessary parking spaces (Germany, Slovenia).

The opportunity to make a payment instead of building parking spaces, if that is not possible (Austria, Germany) is also worth mentioning as a positive aspect. Local authorities should be allowed to use the payment for public transport, bike and ride or bike-parking facilities.

Car sharing

The missing possibility to reserve parking spaces on public ground - in the participating countries except Italy - has to be changed. It should be legally and easily possible to do so.

In the context of legally binding agreements (e. g . as the so-called urbanistic contracts in the German Planning Law) Car sharing in terms of parking spaces and ideally in terms of the obligation to provide a respective service should be more often an inherent part.

Housing subsidy codes should consider the implementation of Car sharing as one criteria for public funding. The Austrian system might be an applicable system for the integration of mobility aspects. Constructors and developers might get additional funding, if they realise mobility offers for future residents.

An explicitly identification of car pooling and Car sharing as collective transport solutions, as it is given in the Italian law n. 340/2000, might help to increase both supply and demand of Car sharing services.

3.4 Mobility services for residence

3.4.1 Comparative consideration

Most often the provision of mobility services such as information on site, PT information and advertisement, car-pooling schemes, special boxes for the placement of additional transport items, good delivery services, shopping services or incentives on public transport tickets for tenants are subject to private initiatives or the public transport providers.

3.4.2 The most important national results in detail

Austria

Mobility services are hardly dealt with in any laws and regulations, with the exception of public transport information. Most often, the provision of mobility services – such as information on site, public transport information and advertisement, car-pooling schemes, Car sharing, good delivery services, shopping services or incentives on public transport tickets for tenants – is subject to private initiatives or the public transport providers. Own initiatives do not minimise the chances of success of mobility services, but it depends on own commitment. Laws and regulations setting a legal framework to make these kinds of services obligatory would improve the situation, especially for overcoming the potential reluctance of public transport providers or Car sharing and car-pooling providers to engage in residential areas. The matter of cost recovery has to play a major role concerning these

instruments nonetheless.

Bulgaria

Most of the mobility services commonly applied for mobility management are not applicable at local level due to a lack of specific regulations permitted by a national law. Unless some initiatives for car pooling are reported by private companies, they are not officially and legally announced.

Page | 22

Germany

All interesting services relating to ADD HOME – as public transport tickets for tenants, information services (site-information, individualised marketing), transport items, car-pooling/Car sharing, delivery service, relocation service, shopping service, generation service – are voluntary tasks of local stakeholders. Therefore, a standardised approach, given by legal regulations, is missing.

Italy

There are no laws and/or rules about marketing in the transport system, thematic maps and incentives for the development of mobility services.

Slovenia

Slovenia does not have an officially organised mobility management. All interesting services relating to ADD HOME are voluntary tasks of the local stakeholders without any legal support.

3.4.3 Lessons learnt from each other

Even if the idea of service(s) in mobility is more or less not regulated legally, good practices can be found in all participating countries – based on private agreements and strategies. Nevertheless it might be useful to think about a stronger integration in laws and regulations, for example in the laws related to public transport. Another approach could be the integration of costs for mobility services in the tenancy contract or purchase contract, that guarantees e. g. the availability of bicycles, PT-seasonal tickets, bicycle service station (for the repair of bicycles) or transport items like bicycle trailers. Moreover, financial incentives for suppliers such as PT providers but also housing companies can result in

better offers for residential areas. For this, the suppliers need knowledge on the importance of their activities, which can be done by training sessions and information events. Furthermore, subsidies for the construction of residential houses can be bound stronger to sustainable transport provision.

3.5 Mobility in housing subsidy codes

Construction subsidy codes rarely consider sustainable modes of transport or an urban design that favours sustainable transport. Only a few examples reward the construction of bicycle parking facilities or the integration of Car sharing parking spaces. Additionally, some examples give positive credits for construction sites in central or very dense areas. Codes dealing with renovation of houses do not include sustainable mobility at all. Nevertheless both, construction and renovation subsidy codes, show high potential to influence the provision of parking facilities and the accessibility of residential areas in favour of sustainable transport modes. This heavily depends on the attractiveness of the incentives given to construction and property management companies as well as private constructors.

4 Conclusions and recommendations

4.1 The national conclusions in detail

Austria

The most powerful tools are the zoning plan, the legally binding land use plan and the local regulations for transportation. These tools regulate for each municipality the general development of residential areas in relation to transport and other topics as well as the detailed design of one or of parts of a residential area showing bicycle and pedestrian paths and setting the number of parking spaces.

Most important and most promising is the potential of changes in laws and regulations at the regional level to integrate sustainable transport in the same or even better way than car transportation. This regards to all three major tools: building, construction and reconstruction subsidies as well as spatial planning.

Investors, such as construction and property management companies, do not have a judicial influence but can use the space that both, regional and local laws and regulations leave to them. Moreover, investors are free in their actions concerning a number of

relevant topics as long as they stay in the framework set by the laws and regulations. The same applies for the field of construction subsidies since they give incentives for construction companies to follow the respectively desired quality of housing. Actions that go beyond these goals are possible here as well.

Bulgaria

Currently, the national parliament is discussing modifications and adjustments to the acts concerning transport, mobility and property management, as most of them do not fully follow the state of art at the local and regional level. For instance, the system of issuing penalties for people who disobey the traffic law is not fully implemented at national level.

In addition, there are no established institutions to deal with housing area management, mobility issues in residential areas, etc.

Another issue the municipality is faced with is the improvement of the technical infrastructure concerning transport management and construction of facilities which need additional resources in terms of policy making and fund raising.

With Bulgaria joining the EU in January 2007 the Bulgarian transport system has to be integrated into the European transport system. For this purpose, the responsible authorities at national, regional and local level have made efforts for the introduction and conformation of European standards for a modern, ecological and safe transport system.

Germany

Where there is a will, there is a way! The existing obligatory guidelines basically support the development of a sustainable transport system. Only a few rules are problematic: e.g. the missing obligation of coverage by public transport within the preparation of land for building or the missing option to reserve parking areas for Car sharing vehicles on public ground.

Decision-making scope of municipalities is high. Besides the legally demanded planning criteria, local authorities are free to adopt integrated or specific mobility concepts. If they do so, they often get support from the higher level (e.g. Working Group Bicycle Friendly Communities).

However, from the view of the financial situation of local governments not all preferable aspects will be realised. So Public-Private-Partnership-constructs might be helpful to increase the quality of the mobility system in new residential areas. If the investor is able and willing to co-finance mobility measures, chances are better to realise them.

Italy

A critical element is the insufficient elaboration and approval of rules safeguarding the connection between housing and mobility. The laws' approval process is often long and makes the land use planning prematurely obsolete and it therefore cannot answer to the requirements expressed by the economic and territorial context.

Only some local public administrations have defined laws about the accessibility of public transport nets in respect to residential areas.

One of the emergent problems in city planning is the expectation of the effects on mobility produced by residential and/or commercial settlements.

The increase of mobility needs has determined a change in the customers' habits and, consequently, a displacement tendency different from the traditional ones. Moreover, the interest towards localisation of the great commercial poles in the external areas is increasing. If not adequately addressed, this element can determine great pressure in the transport system from and towards the city centre.

Slovenia

When building new residential areas, new cycling tracks and footpaths are also built. They are usually not connected to the local network, but they are expected to be united in the next few years. Cycle parking spaces in residential areas are usually provided next to entrance (usually not covered, but easily accessible) or underground (dry, but not so easily accessible). Some local legislation for residential areas does not define exact numbers of parking spaces for bicycles but only recommends them. Corrections in the local legislation could be done according to examples from the local legislation of the municipality of Ptuj and Nova Gorica, where equal number of car parking spaces and cycling parking spaces must be provided. Nevertheless, cycle parking spaces are defined in the Rules on minimum technical conditions for the construction of apartment buildings and apartments (→ *characteristics no. 5/housing*) and are obligatory for building companies to provide them.

The minimum number of car parking spaces in the local legislation is rising. Since 2000, the legislation for motor-vehicle parking in Maribor prescribed one parking space per residential unit and additional 10 % of all parking spaces for visitors, and the local decree by 2006 defines 1.5 parking spaces per one residential unit (→ *characteristics no. 6/housing*). The latter is a consequence of adjustment with the national legislation which defines minimum 1.5 car parking space per accommodation unit. Some

municipalities define 2 parking spaces per residential unit (→ *characteristics no. 6/housing*).

On the other hand, reduction of car parking spaces will be difficult to achieve. First, the problem is in unaccepted measures and criteria at the local level for the reduction of a required number of parking spaces, concerning accessibility to PT as it is written on the national level - Decree on Spatial order of Slovenia (→ *characteristics no. 4/housing*). Second, the problem of social acceptance can occur if these activities are realized very quickly. Slovenia has not started stimulating sustainable modes of travel and rising awareness of ecological and health issues of using personal vehicle yet. The next problem is the system of paying transport costs to the working place and the way back. According to Slovenian legislation employers are obliged to pay transport costs.

Due to low financing, good quality of PT service is quite a big problem: frequencies have to be higher, bus punctuality; according to the time table and information system has to be better (often the passengers cannot get the information about tickets and where to purchase these tickets).

In conclusion, it can be said that there are some promotional activities for the reduction of personal motor-vehicle transport, but there are no official measures worth mentioning. Inside the traffic policy arrangements and residential planning policy, we can recognize some measures which partly and indirectly have positive influences on mobility behaviour. On the other hand, some traffic and residential planning trends show increase in personal traffic demand and car dependence.

4.2 Recommendations

The ADD HOME consortium discussed the following recommendations as the most important for a better connection of housing and mobility in terms of free choice, energy efficiency and sustainability in individual transport:

Public Transport:

- The construction of residential areas must primarily happen in the catchment-area of public transport as it is mentioned in several spatial planning laws or codes in various countries. For those parts of regions, where no usual PT service can be provided, on-demand solutions and alternative forms of car transportation such as carpooling, Car sharing and neighbourhood cars need to be installed.
- The PT catchment area's level of service e.g. regarding the distance to PT stops should orientate on the regulations in Slovenia or Bulgaria.

- Where provided, PT stops should be directly and easily accessible by foot. The distance should be not longer than the average distance of inhabitants to go to their cars.

Private Car Use:

- A flexible and un-bureaucracy approach relating to the **construction of car parking spaces on private properties** is needed. Either the abandonment of fixed numbers of car parking spaces per household should be possible or the setting of a minimum of car parking spaces should be exchanged by a maximum leaving also the option of no parking spaces at all as it is practised in Switzerland and Belgium/Brussels. This is mainly relevant for those countries defining standards with just a little decision-making scope for local authorities.
- In this context the opportunity to make a payment instead of building parking spaces, if that is not possible (Austria, Germany) is also worth mentioning as a positive aspect. Local authorities should be allowed to use the payment for public transport, bike and ride or bike-parking facilities.
- Moreover the construction of collective parking areas at the edges of residential areas instead of single spaces on private properties might help to increase the quality of neighbourhoods and opens up opportunities for a better use to capacity (→ see working paper of Rhomberg/Christian Steger-Vonmetz).
- The opportunity to reserve **parking spaces for Car sharing** vehicles on public ground should be given as in Italy and e. g. Brussels.
- A different approach as it is usual in Japan might be worth to be discussed in the European countries as well. The one, who owns a car, must prove a car-parking space on private property. Otherwise one cannot register a motor vehicle. This approach follows the idea of costs-by-cause principle.

Cycling:

- Legally binding regulations about **bike parking facilities** (relating to quantity, distance to the front door and quality) are needed.
Financial incentives e. g. for the construction of bicycle parking facilities might be useful in existing residential areas, where the current legal regulations should not be implemented (example Austria).

Others:

- An increased consideration of mobility aspects in **housing subsidy codes** would be useful. This includes the new construction, renovation/reconstruction as well as

the subsidies for flats supporting poor people (the latter one affects the owners of the flats, not the people). Measures fostering the use of sustainable modes of transport should be supported by (additional) financial incentives.

- The consideration of energy aspects of mobility in the context of the issue of an **“energy performance certificate”** (in German: Energiepass) should be discussed as well.
- A stronger **integration of soft-policy measures in legal instruments** as well as a mandatory character to implement these should be proofed more carefully.

But don't forget: whether good conditions for sustainable mobility lead to a change in mobility behaviour of residents depends last but not least on their individual attitudes and living conditions (see working paper “Factors of Influence on Mobility Behaviour” → download section). Besides supporting guidelines and attractive offers, communication with and participation of (future) users should therefore be a substantial part of the concept.

5 Annex: The most important national laws and regulations

5.1 Austria

In general, the decision making scope of local authorities is rather high. Although most of the laws and regulations in the field of mobility and housing are set by the provinces of Austria, local authorities have the task of detailed planning for both, mobility related tasks only as well as housing and mobility related tools. Their most powerful tools are the zoning plan and the legally binding land use plan. These tools regulate for each municipality the general development of residential areas in relation to transport and other topics as well as the detailed design of one or of parts of a residential area showing bicycle and pedestrian paths as well as setting the number of all kinds of parking spaces. Zoning and especially legally binding land use plans can be used for setting the conditions for cycling and walking even without the respective suggested changes above.

Page | 30

Promising aspects can be found in all studied laws and regulations such as building codes, construction subsidy regulations, spatial planning laws, the bicycle regulation, laws concerning public transport, local transport regulations as well as town development concepts. Of great importance is the proper enforcement of the spatial planning laws and regulations, since these are very often based on a balanced set of growth with the ecological and economical capacity.

The negative aspects are concentrated on the regional or national level. In all three major tools for construction, the building codes, laws regulating construction subsidies and the spatial planning laws, major parts are not supporting a sustainable development regarding housing and mobility.

The most negative point for the regional laws and regulations on construction is that, although they sometimes contain positive settings for sustainable transport, they most often concentrate on car transportation and leave out sustainable transport modes.

Positive examples are for example

- the **option for Styrian municipalities** to set a minimum number of bicycle parking spaces per household in local regulations (*Steirisches Baugesetz 2004* → *characteristics no. 10/housing; § 74,1*),
- the **regulation for buildings** with 3-6 or more housing units to provide bicycle parking rooms or qualitatively equivalent parking facilities close to the entrance (→ *characteristics no. 1-14/housing*) and

- the **regulation of the Province of Oberösterreich** that bicycle parking rooms have to be accessible at-grade (*OÖ BauTG → characteristics no.6/housing; § 8a*).
- the **option to reduce the number of car parking spaces to 0,1 spaces per accommodation unit** in Vienna (*Wiener Garagengesetz 2004 → characteristics no.14/housing; § 36 (2) f.*)
- **regulations concerning the distance that car parking spaces can have from the respective building up to 500 m** (*Wiener Garagengesetz 2004 → characteristics no.14/housing; § 37 (1) and Steirisches Baugesetz 2004 → characteristics no.10/housing; § 71 (5)*)
- moreover, the Provinces of Austria show a very positive trend to improve their regional building codes as the example of the most recent building code of the Province of Oberösterreich from 2008 shows, which sets requirements concerning the number of bicycle parking spaces for different kinds of land use

Nevertheless, local authorities so far hardly use the opportunity to set own regulations.

Concerning laws and regulations for construction subsidies, they hardly emphasise in transport with the exception of fixing the provision of car parking spaces. The improvement would be rather easy following the example given for car transportation and copying them for sustainable modes of transport such as cycling, PT and Car sharing. Additionally, the laws and regulations dealing with subsidies for the reconstruction of existing areas do not mention transport at all. They can be included by copying from the laws and regulations for construction subsidies and the above mentioned ideas for laws and regulations for construction subsidies.

5.2 Bulgaria

The most important acts which respect the ADD HOME concept at the local level to a high degree are as follows:

- The **Law of Automobile Transportation** (*AutoTR → characteristics no.1/mobility*) which regulates the obligations assigned to the registered transport providers according to the legislative documents and the construction and equipment of vehicles.
- The **Property Law** (*PrL → characteristics no.8/housing*) which arranges the property issue, other real rights, their gains and losses especially on topics related to housing. There is a big problem with management of multilevel buildings and maintenance of the share parts of the building. Currently this topic is part of the Property Law, but it will be necessary to develop and adopt a new regulation.

- The **Traffic Law** (*TraL* → *characteristics no.3/mobility*) and the regulation for its implementation define the terms and conditions for public transportation of passengers, walking and biking facilities, transport of cargo and passengers, etc.
- **Regulation No2** (*Reg. 2/29.06.2004* → *characteristics no.6/housing*) for planning and design of the transport systems of urban areas which is applicable at regional and local level upon municipal council decisions. The regulation is the basic document with respect to the action plans development at the municipal and district level concerning the organisation of traffic, transport, separation of walking zones, construction of bicycles track and parking lots at the municipal level.
- **Regulation No 2/15.03.2002** (*Reg. 2/15.03.2002* → *characteristics no4/mobility*) for the conditions and procedures of transport schemes ratification and public transport of passengers organized by buses and mini buses which stipulates that the Municipal administrations bear the whole responsibility for the transport scheme's effectiveness and the public transport of passengers organised by buses and mini buses at the local level.

5.3 Germany

Looking from the legal point of view, the following regulations are very important relating to the ideas of ADD HOME:

- The **National Building Law** (*BauGB* → *characteristics no. 1/housing*), that provides urbanistic options for the development of the site level. All components of a sustainable mobility concept with urbanistic connections are basically contained in the BauGB (bike and walking paths, residential paths, collective parking spaces (in connection with the BauNVO → *characteristics no. 2/housing*), areas for Public Transport).

Missing aspects: coverage of residential areas by public transport is not obligatory.

- The **Road Traffic Act** (*StVO* → *characteristics no. 3/mobility*) in connection with the regional Road Traffic Laws (*StVG* → *characteristics no. 4/mobility*). The StVO provides many different options to identify/mark public roads for cycling, walking and slow traffic.

Missing aspect: reservation of parking spaces for Car sharing vehicles is not yet possible.

- The **Building Laws of the Federal States** (*LBOs* → *characteristics no.4-19/housing*), which regulate number and placement of parking spaces on private property. Nearly every regulation contains the options to reduce the number of car-parking spaces in consideration of traffic and transport conditions. In general this allows the implementation of car-free or car-reduced areas. But several judicial arrangements are necessary to legally secure the car-free status.

Some regulations include the duty to build bike-parking spaces.

Missing aspect: general duty to build bike-parking spaces

- The **regional Public Transport Laws** (e. g. ÖPNV NW → *characteristics no. 8/mobility*), which usually contain the provision to enact a local public transport planning (NVP → *characteristics no. 11/mobility*). The NVPs are the most important instruments for the development of local public transport.

Missing aspects: proximity (e.g. five minutes walking distance to the next PT stop) is not guaranteed / defined

Besides these aspects, a duty to develop an integrated mobility concept on the local level (like the NVP for PT) as it is regulated in some European Countries is missing.

5.4 Italy

City planning national laws and the relation with mobility

The main Italian law is Law 17 August 1942, n. 1150 “City Planning Law“(→ *characteristics no. 1/housing*) that has been partially modified but not annulled. It introduces different city planning levels:

- *Regional level:* the Regional Territorial Plan – PTR - has an address function for the definition of a regional policy (→ *characteristics no. 1/housing*)

- *Intermediate level:* The Territorial Plan of Coordination - PTC - is a socio-economic and territorial planning instrument that fixes the main lines for general territorial planning at province level. It gives indication also on the main communication networks, defining at the same time the zonings (residential, trade, industrial, landscape, agricultural-forest and infrastructural zones). (→ *characteristics no. 1/housing*)

- *Communal level:* The Town Plan - PRG - is a programming, management and control instrument at the municipality level. It is implemented by legally binding land use plans, the “Detailed Plans”. (→ *characteristics no. 1/housing*)

All these instruments discipline the land use without a specific connection with mobility choices.

The Economic Building Plan, introduced by Law 18 April 1962 N. 167 “Dispositions to improve building areas acquisition for economic and popular building” (→ *characteristics no. 2/housing*), does not have a specific reference to mobility even if we have found a lot of good practices in the realization of economic residential quarters.

Interesting is the Economic Building Plan of Veneto Region that establishes rules about

parking (→ *characteristics no. 7/housing*). The economic and popular quarters are usually high-density quarters so this plan wants to prevent parking lack and obstruction in the viability system.

On national level the only rule connecting mobility with building actions is “Legislative decree 1444/68” (→ *characteristics no. 3/housing*) establishing that a standard has to be quantitatively defined in terms of public spaces or spaces reserved for collective activities, public green belt and parking lots. In particular the minimal standard area for parking lots is 2.50 m² for each inhabitant and, in special cases, it can be distributed on various levels.

The minimal standard for public spaces or spaces reserved to collective activities, public green belt or parking lots it is established in connection with the residential settlements in the homogenous territorial zones.

Each region implemented Law 1150/1942 with regional city planning law. The most important regional laws are those of Liguria, Emilia Romagna and Toscana (→ *characteristics no. 4,5,6,8/housing*). They give some general indications at regional level about development strategies but they do not examine the mobility system in detail.

Only law 12/2005 of Lombardia Region (→ *characteristics no. 9/housing*) takes into account the relationship between residence and mobility. It connects new housing areas with parking areas.

At local level, complex programs were born in the 1990s as instruments of urban planning. They can be subdivided into three families: urban transformation and regeneration complex programs that have as objective the new definition of urban and territorial politics for a correct territory management; negotiated programming instruments about economic and productive actions to define strategies of local development; urban regeneration programs.

These instruments are focused on city planning actions but they can also support interventions on sustainable mobility in specific zones of an urban area: bicycle and pedestrian paths in high-density residential quarters, new parking areas, etc.

The urban transformation and regeneration complex programs are innovative instruments in territory management because they introduce a competitive process at national level for each project, they make obligatory public and private resources and they preview program agreement.

They make local and punctual actions to recover critical urban areas. In fact, in the 1990s the building market fell down and the plan model based on building expansion was abandoned. Urban regeneration of areas with an obsolete use or degenerated zones also belongs to these programs.

They are:

- Intervention Integrated Programs (PII, PRI): Actions about urban regeneration and environmental improvement in zones influencing city setting through a pluralism of interventions, functions and operators (→ *characteristics no. 10/housing*).
- Urban Regeneration Program (PRIU): Spatial and functional configuration of demoted city zones through building and functional recovery and a complete block of interventions about both primary and secondary urbanization activities (→ *characteristics no. 10/housing*).
- Urban Recovery Program (PRU): Economic and popular residential quarter recovery through servicing and redecoration building interventions, services introduction and interventions on contiguous areas (→ *characteristics no. 11/housing*).

Negotiated programming instruments promote local subjects action to produce innovation and to improve local performance and fight. They want to use public and private resources to promote cooperation among local subjects in order to guarantee a local development “from the bottom”.

Negotiated programming instruments involve contents from a lot of sectors and they make integration among different politics.

They are:

- Urban Regeneration Program and Sustainable Development (PRUSST): Programs incentive reinforcement and regeneration of urban demoted areas in order to encourage a sustainable development (→ *characteristics no. 12/housing*).
- Territorial agreement: Agreement among subjects for an interventions program implementation in industry, services, tourism and infrastructure sectors in order to promote local eco sustainable development (→ *characteristics no. 13/housing*).
- Area contract: Progress acceleration and new work creation in critical areas through interventions on industry, services, tourism and infrastructure sectors (→ *characteristics no. 13/housing*).

Urban regeneration programs make actions of building urban, social and economic character to avoid social exclusion. These programs integrate actions to fight poverty and social ostracism with actions of urban regeneration and local development.

They refer to critical urban areas, areas with social uneasiness and scarcity of economic opportunities where hostilities can originate toward the surrounding zones. They make actions on “quarter level” where inhabitants have an important role in the decision process.

They are:

- Quarter Agreement 1: Actions for dilapidated quarters recovery also from social point of view (→ *characteristics no. 14/housing*)
- Quarter Agreement 2: Actions to improve private financing in order to give infrastructures to dilapidated quarters with scarcity of work and housing. Interventions to encourage work social integration and housing offer (→ *characteristics no. 14/housing*).

- Urban 1 and 2: Programs for coherent and balanced actions for economic development, social integration and environmental preservation based on local interventions (→ *characteristics no. 14/housing*).
- Pilot Urban Project: Projects to correct unbalanced urban development effects, to revitalize critical urban zones with news business introduction and to foster cooperation between public and private subjects (→ *characteristics no. 14/housing*).

Mobility laws and regulations and the relations to housing

Mobility laws and regulations normally support sustainable transport modes but without a specific connection to housing.

Legislative Decree 285/1992 “New Road Code” (→ *characteristics no. 17/mobility*) introduces the Urban Transport Plan. It is a technical and administrative instrument constituted by a coordination of actions to improve road circulation in urban areas, to favour pedestrian mobility and public transport utilization, to reduce atmospheric and acoustic pollution in the cities, to reduce energy consumption and to increase safety levels in transport and road circulation.

It previews interventions on infrastructure, technology and management in order to address mobility development in the medium-long period.

Principal objectives of the plan are

- environmental quality and urban sustainability improvement,
- efficiency and efficacy increase in public transport and
- rationalization of private mobility.

5.5 Slovenia

The following regulations are very important for the project ADD HOME:

The Ordinance on Spatial Planning Strategy of Slovenia (→ *characteristics no. 3/housing*) is a basic national document concerning the direction of spatial development, its use and protection. The following content is the most relevant for ADD HOME:

- PT must follow the enlargement of a settlement.
- Priority in planning traffic infrastructure must be the spreading of central walking infrastructure, cycling networks and PT.

The Decree on Spatial Order of Slovenia (→ *characteristics no. 4/housing*) is the most relevant document for ADD HOME in the housing category. This document defines accessibility of PT from residential areas (5 minutes walking distance) and planning the

road infrastructure in the following order: pedestrians, cyclists, PT and other motor traffic. On the other hand, the car parking spaces must be built on the building land (near the building); if this is not possible, the remaining number of parking spaces must be provided in the distance less than 200 m away.

Rules on minimum technical condition for the construction of apartment buildings and apartments (→ *characteristics no. 5/housing*) are the most relevant national legislation for ADD HOME because it defines necessary number of cycling and car parking spaces. According to this legislation each accommodation unit must be provided with the minimum of 1.5 car parking space. The size of a cycle parking space or bicycle shed depends on planned number of beds in residential building – 0.4 cycle parking space per planned bed

Page | 37

Missing aspects: according to the Decree on Spatial order of Slovenia and this rule necessary parking spaces must be provided and available on a distance, which is less than 200 m faraway from building land.

The Ordinance on Spatial Regulation for the Area of Urban Design of the Municipality (→ *characteristics no. 6/housing*) is a basic document about spatial order of the municipality. In general, this legislation is almost the same in all municipalities, but some differences could be found. In the local legislation of the municipality of Maribor, only a recommended number of cycle parking spaces are listed, in the case of the municipality of Ptuj and Nova Gorica an equal number of car and cycle parking spaces must be provided.

Missing aspects: Criteria for reduction of the required number of parking spaces according to the accessibility of the PT must be formulated and included in the local legislation.

The Transport Policy Resolution of the Republic of Slovenia (→ *characteristics no. 10/mobility*) defines a starting point, goals, measures for achieving goals and main holders of traffic policy. Stimulation of using sustainable transport modes and induction of common tickets is mentioned. This legislation was accepted in 2006, but there are still no prominent activities in these two fields.

The Road Transport Safety Acts (*ZVCP-1-UPB1* → *characteristics no. 13/mobility*) in connection with the local Ordinance concerning the road traffic regulation of the municipality define rules and terms for participation in road traffic. Although car parking on the pedestrian and cycle path is prohibited, in almost every housing area this problem occurs; a penalty for violation of parking is listed, but in practice it is not implemented in those housing areas which are located outside the central area.

Missing aspects: On the national level, all car parking spaces in the central area should be payable.