

**The real estate market in Rebouças avenue axis: Application of the
Urbanistic Guidelines for the Urban Structuring Zones of the São Paulo's
Strategic Master Plan from 2014**

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SUMMARY

This article addresses the history of the configuration of the Rebouças Avenue axis, considering the strategies of urban development by contextualizing the inflection periods of São Paulo planning, resulting from the political, economic and social (re)orientations, through urban legislation. applied especially from the 1970s focusing on the recent verifiable real estate development in the area. The highlight, however, is on the most recent urban policy, defined by the Strategic Master Plan of 2014 and the Land, Use and Occupation Law of 2016, that defined qualifying urban parameters in which applications are mandatory or encouraged. The Rebouças avenue axis, as it is currently classified as an Urban Structuring Zone, represents a good perspective for analyzing the application of such parameters, because, besides promoting a constructive and demographic density, it also seeks to articulate the territory in benefit of local economic dynamism, pedestrian scale, public transport and intra-urban relations.

KEY WORDS: Urban Structuring Zone. Axis. Rebouças. Strategic Master Plan. São Paulo.

1. INTRODUCTION

The 2014 Strategic Master Plan is the result of a participatory review of urban development guidelines for at least the next 10 years in the city of São Paulo. It aims to direct the actions of producers in public and private spaces in such a way that meets the collective needs to guarantee a balanced, inclusive and productive development. The Plan was developed between 2013 and 2014 by the Urban Development Department, through a broad participatory process that counted on the contribution of several sectors of civil society from all regions of the municipality, also receiving contributions from other spheres and sectors of public administration with the objective of gathering most information relevant to the scope of the 2001 City Statute guidelines.

In this sense, one of the most significant strategies in this Master Plan is the definition of a template limitation and a basic utilization coefficient corresponding to 1.00 for the entire urban territory, which can be increased up to 2.00 upon financial consideration. Few areas of the city received different directions, among them the areas that involve environmental protection. However, we highlight here the Structuring Areas of Urban Transformation, later regulated by the Law of Installment, Use and Occupation of Land, as Urban Structuring Zones.

The differential of USZ is manifested mainly in directing the growth of the city through the most significant public transportation axes that also have some degree of relevance in the structuring of metropolitan flows, allowing greater utilization coefficients and stimulating population density.

2. OBJECTIVES

The general objective of this research was to obtain, through a detailed analysis, results of how the real estate market is responding to the qualifying parameters foreseen for the Urban Structuring Zone in the axis of Rebouças Avenue, located in the West Zone of São Paulo since the approval of the Strategic Master Plan 2014.

The specific objectives were: to introduce the historical evolution of the Rebouças axis considering the aspects of metropolitan dynamics and their reflexes in the built environment and, based on the diagnosis of the territory under Municipal Law 16.050 / 2014 and Municipal Law 16.402 / 2016, present how real estate launches between 2014 and June 2020 applied the specific guidelines for the Structuring Axis.

3. METHODOLOGY

To achieve the proposed objectives, the methodology used consisted of: a bibliographic review of the history of urban development in the region of Rebouças Avenue, in São Paulo city; analysis of urban guidelines prior to current legislation; survey of the qualifying parameters of the urban space; mapping and analysis of new real estate launches on the axis through field visits; gathering information through research in the commercial information for each project and contact with developers; elaboration of a quantitative table presenting the results obtained.

4. RESULTS

4.1. History of the configuration and consolidation of the Rebouças Axis at the Urban and Metropolitan scales

For the analysis of the urban transformations that took place in the city of São Paulo, especially in the west expansion axis where Rebouças Avenue is located, throughout the 20th century, it is essential to understand that urban expansion is defined according to the principles of concentration of power and it is the result not only of a spatial organization regulated by a legal-urbanistic order but above all by an almost spontaneous expansion, in scale and strength much higher than the said ordinance, which determined the vectors of development of the built environment present until today, whatever, those anthropized spaces comprised “in an intermediate zone between the legal and the illegal” (ROLNIK, 1997, p.181). Furthermore, other patterns that define expansion axes, many of which are not exclusive to São Paulo but characteristic of the expansion of the cities themselves, are those that determine the relationship between centralities or municipalities, which, for the present case, are exemplified in the interaction of cities that make up the metropolitan region of São Paulo.

It can be considered that the forms of urban expansion are defined, therefore, beyond the territorial ordering established in the political-administrative spheres, based on the way in which the relations between the productive, commercial and consumer spheres are established in space. Nevertheless, it is highlighted the fact attested by several studies by Rolnik (1997) and Santos (2018) that the city of São Paulo and its metropolitan region under such aspects expose a socially and economically stratified urban fabric constantly revealing in the course of its expansion territorial and over time, the emergence and decline of industrial sectors, the

emergence of single-family residential areas transformed into mixed areas of high density, transportation axes and strategic link between centralities becoming tertiary urban centers, and the occupation of diverse spaces, on the margins of the law, by the lowest-income population systematically excluded from citizenship.

As the object of study focuses specifically on the latest urban guidelines, in this stage we will trace the main antecedents of the urban consolidation of this portion of the southwestern quadrant of the municipality during the 20th century, with emphasis on the Metropolitan Plan for Integrated Development of 1970, the 1971 Integrated Development Master Plan, the 1972 Zoning, public transport expansion plans, 2002 Strategic Master Plan and 2004 Zoning.

In the first decades of the twentieth century, along with the first public lighting services, the advancement of the electric tram lines through the Pinheiros neighborhood, covering the Teodoro Sampaio and Capote Valente streets passing through the Araçá cemetery and Pinheiros Market, formed the formation of an important axis of urban development in relation to the productive dynamics in the city (CAMPOS, SOMEKH, 2008). Not long after, it started to consolidate when it represented a connection to the productive regions through the São Paulo-Paraná road, the future Raposo Tavares highway. Furthermore, even during this period, such consolidation was facilitated by the expansion of the automobile industry, which provided the advance of the road network and the beginning of the bus service present in the region. Then, after the coffee crisis, from the 1930s onwards, industrialization and migratory processes will also allow the region to be characterized as a residential area. In addition to the new logic of São Paulo urban planning represented by the Avenues Plan (1930) and in the legislative scope by the Arthur Saboya Code (1929), the consolidation of the Jardins neighborhoods, implemented by the City company, characterized by low density residential use, remaining so until today. From this period onwards, the verticalization process also covers the region of the axis treated here, especially for residential use (SOMEKH, 1997).

In the context between the late 1940s and 1970s, according to studies by Sarah Feldman (2005), the periods of “zoning construction (1947-1957)” and “second planning configuration in São Paulo” stand out (1967-1972). In the list of urban plans, improvement laws and acts of control and development of the built environment, the urban guidelines not only within the scope of the municipal executive and legislative powers but also under the arguments of institutes such as the Brazilian Architects Institute, the Friends of the City society, among others, they varied between the slogan “São Paulo needs to stop” and “São Paulo cannot stop”. In the midst of the discussions, during the management of Anhaia Melo, a new model for the control of urban space is forwarded, which would consider for the first time the concept of floor space index (coefficient of use) and the minimum area of land per unit, simultaneously introducing the construction density and demographic density in vertical dwellings (ROLNIK, 1997).

At the time, despite intense discussions about setting construction limits, the application of these new concepts, regulated by Law No. 5,261 of 1957, which would be amended occasionally on several occasions until 1966, meant, even for the development of the axis

translated here, the opportunity of large construction projects for residential and non-residential buildings:

“The effects of Law 5,261 on the verticalization process are unquestionable: the law eliminates the standard of apartments because it sets the minimum quota per apartment at 35m², which, according to Somekh (1987: 115),” determined the (large) size of the apartments and consequently its (high) price “. As for the use of the law, as stipulated by two coefficients of use, it encouraged the practice of constructing non-residential buildings, which enable a higher rate, and after obtaining the habitation, they become apartment buildings”(FELDMAN, 2005, p. 182)

The so-called Rebouças axis, defined as the immediate surroundings of the Rebouças Avenue perimeter, would have, from this period understood until the mid-1960s, its characteristic of commercial sub-center and low residential density altered to the new reality envisioned not only by urban legislation but also due to the interest of the real estate market, which would be to house a higher housing density between axes of commercial relevance and services: Paulista and Faria Lima avenues, without disregarding the permanent importance of the axis as a connector of other centralities, even in metropolitan scale.

From the 1970s, with the advent of the Integrated Development Master Plan (Law 7.688 of 1971) and Zoning (Law 7.805 of 1972), whose guidelines for the control and induction of urban development were in force until the end of the 1990s , the real estate market focused on residential production as well as the implementation of new commercial and service activities in the region, tried to promote the desired density, further intensifying the characteristic of strategic axis to the point that important roads such as Teodoro Sampaio street, Arthur Azevedo street, Eusébio Matoso avenue and Rebouças avenue started to house intense flows of pedestrians, private vehicles and public transport. In this logic, in the 1990s, new urban planning instruments would come to consolidate the axis as currently characterized, which would be the Interconnected Operations and the Urban Operation Faria Lima.

During the administration of Mayor Marta Suplicy, the 2002 Strategic Master Plan, together with the Regional Plans and the Land Use and Occupation Law approved in 2004, was one of the first plans in Brazil to meet the guidelines established in the City Statute, law created in 2001 at the beginning of the term of the president of the republic Luiz Inácio Lula da Silva. The statute intended to democratize the management of Brazilian cities through management instruments, such as the Master Plan, mandatory for any city with more than twenty thousand inhabitants or urban agglomerations.

According to Bonduki (2007), entrepreneurs in the real estate sector, in the so-called “Front for Citizenship”, asked for the establishment of the single basic use coefficient for the entire city and even used the media to criticize the Master Plan. The “Popular Front for the Master Plan” movement, which brought together people focused on the National Movement for Urban Reform, criticized the lack of popular participation in the elaboration of the plan and called for an increase in the number of Special Areas of Social Interest Housing. Meanwhile, the group “Defend São Paulo” had middle-class residents concerned about changes in zoning in

exclusively commercial areas and made a general criticism attacking the content and methodology of the Plan.

Thus, Nabil Bonduki, rapporteur for the 2002 Master Plan, proposed a discussion process for the elaboration of an alternative proposal, which would come in consultations with society and councilors. The replacement of the Strategic Master Plan maintained the essence of the previous one, but improving and reorganizing the proposal according to the suggestions made by society. In addition, efforts were made to put the fundamentals of urban reform into practice, without creating embarrassment to the market. Instruments were also created to encourage the promotion of social housing in central areas and with infrastructure. The informal city was included in the map and a process of regularization of slums and clandestine subdivisions was established. The proposal was presented and received support from all sectors. However, at the last minute, dozens of amendments to zoning emerged. Through intense discussion, Nabil Bonduki achieved a significant reduction in the number of amendments. The project was approved, but the inclusion of changes generated major protests. Under pressure, then-mayor Marta Suplicy decided to veto all zoning changes, even the creation of exclusively residential neighborhoods that were part of the original project.

As a result of Law 13.430, of the Strategic Master Plan of 2002 and Law 13.885, of the zoning of 2004, for the territory treated here, it is important to highlight the guidelines for land use and occupation, which, to a certain extent, understood it as a “strategic axis” While it determined areas of greater and lesser building density, areas of linear centrality and the consolidation of the strictly residential area concentrated in the Jardins neighborhoods. In the Regional Plan of the Subprefecture of Pinheiros, the High Density Mixed Zone was concentrated along the streets Teodoro Sampaio, Cardeal Arcoverde and Arthur Azevedo, allowing a maximum use of 2.5 for residential and non-residential buildings. The rest of the area was registered as a Mixed Medium Density Zone whose maximum use would be limited to 2.00.

It is noteworthy in this period between the 2000s until today, the implementation of exclusive bus lanes on the structuring routes of the axis and the bus corridor of Rebouças Avenue implemented in 2004. The measure, in addition to consolidating the axis under its relevance strategic in the municipal and metropolitan scales, it gave new dynamics of occupation of the territory, attracting even more the real estate interest for diverse activities.

In this sense, along these routes, the so-called Linear Centrality Zone was also instituted, applicable inside the lots up to the 40m or 50m range, regardless of the bottom zone, whose objective would demonstrate the relevance of the axis through the intention of densification and diversification of uses:

"V. linear centrality zones - ZCL: lots facing the stretches of roads, excluding ZERs in bands of 40m (forty meters) or 50m (fifty meters) measured from the alignment of the road, intended for the location of activities typical of central areas or regional sub-centers, characterized by the coexistence between non-residential uses and housing, but with a predominance of non-residential uses, classified as: a) ZCLa: linear centrality zone with minimum utilization coefficient equal to 0.20, basic equal to 1.0 and maximum ranging from 1.0 to the limit of 2.5; b) ZCLb: linear centrality zone with

minimum utilization coefficient equal to 0.20, basic equal to 2.0 and maximum varying from 2.0 to the limit of 4.0;" (LAW 13,885 / 2004, article 108 - emphasis added)

This diversity, together with other factors that are established in the pedestrian scale, can be considered one of the concerns of the agents of the revision of the Strategic Master Plan, which will be addressed below.

4.2. The 2014 Strategic Master Plan and the structuring of urban transformation in the city of São Paulo

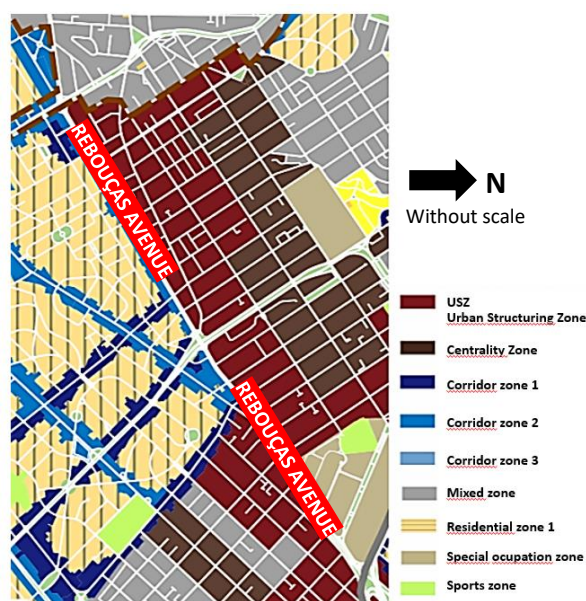
The Strategic Master Plan approved in 2014 and the São Paulo Zoning Law (officially called the Land Installment, Use and Occupation Law, approved in 2016), under Mayor Fernando Haddad, are more emphatic than their versions previous with regard to the presence of pedestrians in the city, seeking to bring jobs, leisure and housing closer together, with a series of guidelines to guide the development of the municipality for the next years. The plan divided the city into macro-areas and macro-areas, guiding the specific objectives of urban development and the application of urban and environmental instruments.

The Urban Structuring Zones (USZ) seek to guide real estate production to areas located along public transportation axes with new ways of implementing projects that promote better relations between public and private spaces and contribute to the reduction of times and distances of displacements. The axes of structuring the urban transformation are defined by the blocks inserted in the range of 150 meters on each side of the bus corridors, as well as in the radius of 400m. along the metro and train stations. Thus, they seek to stimulate densification near public transport routes reaching occupancy rate between 0.6 and 0.7 and utilization rate up to 4, in addition to discouraging the use of individual vehicles and parking spaces, limiting one space for each housing unit.

The qualifying instruments of urban transformation in the USZ, according to MUNICIPIO DE SÃO PAULO (2014) are: active facade, with the requirement of occupying the horizontal extension of the facade for non-residential use with direct access and opening to the street, in order to avoid the formation of closed plans at the interface between buildings and public places, promoting the dynamism of public sidewalks; quota minimum land area per unit, calculated by the ratio of the maximum allowed housing density, expressed in unit area, between the total area of the land and the number of housing units to be ideally produced; public fruition, corresponding to the free external or internal area of the buildings, located on the floors of direct access to the public street, with connection at the level of the street and other public spaces whenever the lot faces more than one public street, intended for the circulation of people, not being exclusive to users and residents; donation of a public walkway, with the allocation of an area to widen the mandatory public walkway in USZ for lots with an area greater than 250m² to improve the conditions of pedestrian flows; non-residential use

encouraged, stating that in USZ, non-residential use will not be counted for use up to the limit of 20% of the computable built area of the enterprise.

Figure 1: Perimeter map of land use zones in the Rebouças Axis:

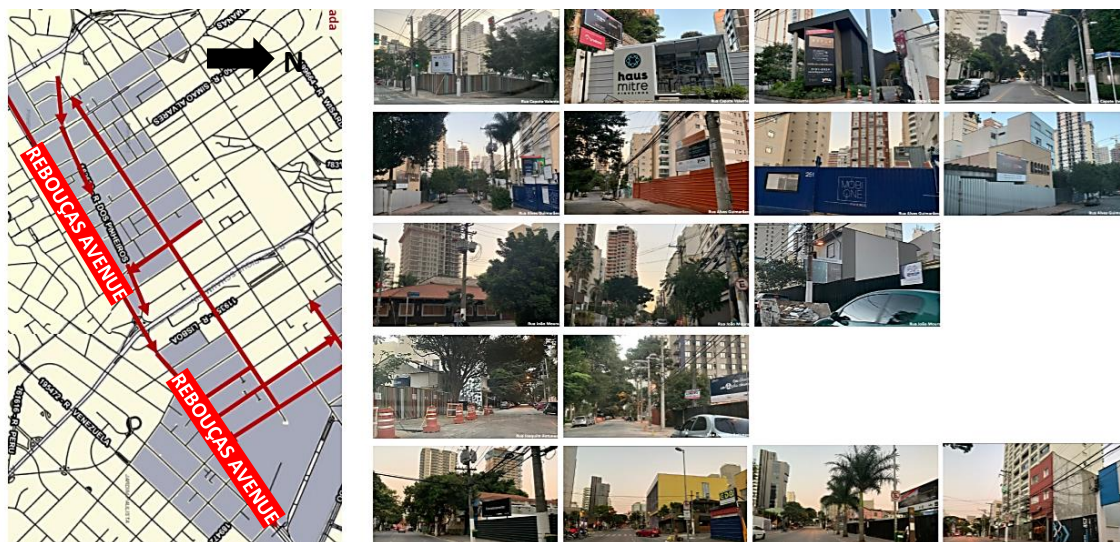


Source: MUNICÍPIO DE SÃO PAULO. Lei Municipal no 16.402/2016. Gestão Urbana SP, São Paulo, 2014.

4.3. The USZ of the Rebouças Avenue axis: survey of qualifying instruments by enterprise

An important structural road in the west of the city of São Paulo, Rebouças Avenue is 4km long and has urban infrastructure and connects important roads, such as the Faria Lima, Brazil, Dr. Arnaldo and Paulista avenues, crossing through the neighborhoods of Pinheiros, Jardim Paulistano, Jardim América and Cerqueira Cesar. The survey developed, concentrated in the USZ of Rebouças axis, listed the real estate developments launched that the works were in execution or whose exhibition stands were already installed. The analysis of the projects (classified by USZ sector: Cerqueira Cesar sector and Faria Lima sector) sought to relate the application of the qualifying instruments provided for in São Paulo's Master Plan of 2014 and Zoning of 2016, as mentioned above, considering variations in residential typologies for each of them, the degree of verticalization measured by the number of floors and the average number of parking spaces per housing unit. Figure 2 indicates the diagram of the route taken in the field survey, in April 2020, with a serial view of the axis, while Figure 3 indicates the mapping of the enterprises with the indication of the sectors (blue: Setor Faria Lima; green: Setor Cerqueira Cesar) and Chart 1 indicates the results of the mentioned analysis.

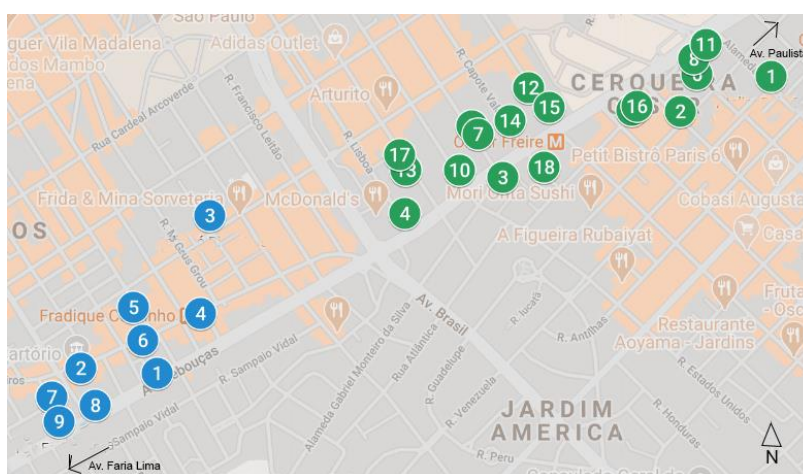
Figure 2: Diagram of the route taken in the field survey, in April 2020, with a serial view of the axis



Source: Prepared by the authors. July 2020.

The sampling of the surveyed projects indicates that, although there is no standard, the average is 15 to 20 floors of predominant use. In observation of the size of the lots, the sampling suggests that the projects tend to reach the maximum of the allowed constructive use, reaching the number of floors according to the limitations of the lot and not of the Zoning. It is worth noting that in USZ there is no limit on the number of jobs. There are no relevant differences between sectors.

Figure 3: Mapping of vertical residential projects launched between 2014 and June/2020



Source: Prepared by the authors. July 2020.

Chart 1: Result of the analysis of the listed projects, according to qualifying parameters:

S.	No.	P.U.	A.N.F.	Residential typologies (m ²)			Average parking spaces per housing unit	A.F.	P.F.	S.D.	E.U.
				until 50	from 50 to 100	more than 100					
CERQUEIRA CESAR SECTOR	1	R	27	NO	YES	NO	2	YES	NO	YES	NO
	2	NR	16	NO	NO	YES	6	NO	NO	NO	NO
	3	R	12	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
	4	M	24	NO	YES	YES	2	YES	NO	NO	YES
	5	R	20	NO	YES	NO	1	YES	NO	NO	NO
	6	R	21	NO	YES	YES	2	NO	NO	NO	NO
	7	R	13	YES	YES	YES	1	YES	NO	NO	NO
	8	R	24	NO	NO	YES	3	NO	NO	NO	NO
	9	R	12	YES	NO	NO	0	YES	NO	NO	NO
	10	R	N.A.	NO	YES	NO	1	YES	NO	YES	NO
	11	R	25	YES	NO	NO	0	YES	YES	YES	NO
	12	M	15	YES	YES	NO	1	YES	YES	YES	YES
	13	M	N.A.	YES	NO	NO	N.A.	NO	NO	NO	YES
	14	N.A.	N.A.	NO	YES	YES	N.A.	NO	NO	YES	YES
	15	R	22	NO	NO	YES	2	NO	NO	NO	NO
	16	R	25	YES	YES	YES	1	YES	YES	YES	NO
	17	R	19	YES	YES	NO	1	YES	NO	YES	NO
	18	R	19	YES	YES	YES	1	YES	NO	YES	NO
	19	R	14	YES	YES	NO	1	YES	NO	YES	NO
FARIA LIMA SECTOR	1	M	24	YES	YES	YES	1	YES	YES	YES	YES
	2	M	25	YES	YES	NO	1	NO	NO	YES	YES
	3	R	13	YES	YES	YES	1	NO	NO	NO	NO
	4	M	18	NO	NO	YES	2	YES	NO	YES	YES
	5	R	22	NO	YES	YES	2	NO	NO	YES	NO
	6	R	N.A.	NO	YES	NO	1	YES	NO	NO	NO
	7	M	18	YES	YES	YES	2	YES	YES	YES	YES
	8	M	26	YES	YES	YES	1	YES	YES	YES	YES
	9	R	16	YES	YES	NO	1	YES	YES	YES	NO

S: Sector (Cerqueira Cesar or Faria Lima)
P.U.: Predominant use
R: Residential
NR: Not Residential
M: Mixed use
A.N.F.: Approximate number of floors



A.F.: Active facade
P.F.: Public fruition
S.D.: Sidewalk donation
E.U.: Encouraged use
N.A.: Information not available

Source: Prepared by the authors. July 2020.

Regarding residential typologies, the analysis of the survey observed the following attributes: 1. Projects with units of up to 50 m² only; 2. Projects with units of up to 100 m²; 3. Projects with units from 50 to 100 m² only; 4. Projects with units with more than 50 m² only, including those with more than 100 m²; 5. Developments with more than 100 m² only; 6. Developments with all the options of previous footage in the units. In general, the sampling of projects according to the mentioned attributes, follows a regular quantitative distribution when considering the axis as a whole. However, there is a clear predominance of developments that apply all residential types in the Faria Lima Sector (40%), accompanied by those that apply only units up to 50m² (22%), suggesting that in this sector there is greater acceptance or direction (by the real estate market) of this constructive segment. On the other hand, in the Cerqueira Cesar sector, the distribution is uniform, which leads us to observe that the projected segments follow a particular logic for each project.

In relation to Public Fruition, the survey indicated a low application, although in the Faria Lima sector it occurs in greater quantity. The conditions for the application of public fruition, considering that the no lots have an expressive area or that few of them are located on street corners, are hardly reached by the developments.

Incentive Use is valid for enterprises that provide for mixed use with an active facade, with 20% of non-residential use being considered non-computable. As discussed throughout the study, the Rebouças axis is historically endowed with this characteristic of diversified use. It should be noted, however, that the application of incentive use is not always of interest to the construction company or developer, which often only target the residential segment. Therefore, in view of the survey results, it is possible to understand that: 1. In the Cerqueira Cesar Sector, the almost null adoption of the encouraged use suggests that the enterprises located there seek to reach the purely residential segment, or identify that, in the area, there is no interest in this device as there is a greater concentration of similar uses in other areas - the Faria Lima Sector itself, Avenue Paulista, the Urban Operation Faria Lima area and other areas with this potential; 2. The greater application of the “encouraged non-residential use” in the Faria Lima Sector can be considered as a finding that this territory, as it is contiguous to the central use of services (and tertiary), comprised by Avenue Faria Lima (Operation Urban Faria Lima Lima), is more likely to receive mixed-use projects.

As seen in the text of the Zoning of 2016, the donation of a public walk is mandatory for enterprises in USZ. It is noted, from the survey, that a good part of the enterprises - especially in the Faria Lima Sector - adopt the device. Some possible hypotheses for non-adoption may be due to: 1. That the public walkway already had a width equal to or greater than five meters

before the approval of the project; 2. That the project did not demonstrate the extension due to the non-completion of the licensing - which allows the approval of the project prior to the issuance of the construction authorization; 3. That 50% of the tested on the block of the enterprise, was already occupied by buildings. In this case, the retreat from the front would be exempt as well as the donation of a public walk, according to article 69 of the law of 2016.

The active façade is, among all the qualifying instruments of Master Plan of 2014 and Zoning of 2016, the most applied in the Rebouças axis, considering the ventures researched here. The average is 64%. What is suggested, therefore, is precisely the characteristic of the axis not only as an area of residential interest, but above all for uses that combine commercial activities with residential use. The number of diversified non-residential activities along the structural routes on the axis is remarkable, a characteristic observed in periods prior to master plan of 2014 - as shown in the study. It is important to mention that the Active Facade device, regulated in the Zoning of 2016, provides that in USZ its application is mandatory only for lots with an area greater than 10,000m².

In the survey prepared here, there was identification of lots with an area greater than 10,000 m², which may suggest that: 1. the projects applied the Active Facade as an “incentive”, allowing greater constructive use for the predominant use; 2. Builders / developers identified the region's potential to absorb non-residential use (mostly commercial); 3. The application of the active facade can be commercially interesting in relation to the real estate developer and the condominium.

Possibly, the application of the active facade comprises, in varying degrees of interest, the three hypotheses mentioned. In this sense, it is possible to affirm that the device manifests itself, not only as a parameter that qualifies urbanity, but also as a way of recognizing or ratifying a specific market and population demand.

5. CONCLUSION

The present study addressed, from the configuration of the Rebouças Axis through historical indications of the evolution of the urban network and aspects of the productive and housing relationship, the main regulatory frameworks of urban legislation and its control and induction devices for urban development. The finding, by several studies, that the urban evolution in São Paulo exposes an urban fabric stratified socially and economically, is also essential for the understanding of how the axis was established as it is today. In this sense, it was discussed about its strategic location in relation to the metropolitan scale as a structuring element of the transport guidelines, expansion of the infrastructure and orientation of the land use and occupation policies.

The considerations about the urban legislation prior to the main object of the study, were shown here as important factors in the structuring of the current urban policy. Since the PDDI (Law 7688 of 1971), passing through the verified and implemented function of “linear centrality” by the Zoning of 2004 (Law 13885 of 2004), the Rebouças Axis has been establishing

itself as a territory of diversified uses: commercial, services and housing . The revision of the Strategic Master Plan for 2014, in view of the occupation characteristics and the abundant public transport network, classified the territory in question as “Axis of Structuring Urban Transformation”, which provided the possibility of greater building density in addition to establishing occupation parameters conditioned to encouraging the use of public transport.

With the establishment of the São Paulo’s Master Plan of 2014 and its regulation by the Land Installment, Use and Occupation Law in 2016, the “Urban Structuring Zones” received devices for qualifying urban transformation, mandatory or encouraged, with the objective of improve urban dynamics at the local scale and in its strategic dimension, by directing the concentration of job offers. In this sense, the present study aimed precisely at the analysis of the application of these devices through a survey of the enterprises identified as “real estate launches” along the Rebouças Axis. The developed file, accompanied by sectorial mapping, indicated, based on the information available on the sites of the enterprises, which of them applied Active Facade, Public Fruition, Donation of Public Sidewalk and Incentive Residential Use. The sampling allowed a quantitative survey of the application of the qualifying instruments by enterprise and by sector, which subsequently provided the evaluation of this element of urban policy under qualitative aspects of urban dynamics.

In the Rebouças Axis, it was observed, therefore, that even with the incentive for urban legislation, certain qualifying instruments do not reach considerable application, because the urban dynamics at the local scale, sometimes, do not favor them. The real estate market, even in the face of specific demands from the population, can direct its investments in real estate segments that are more appropriate or prone to certain businesses. The Cerqueira César Sector, for example, does not represent a significant interest in the application of mixed use - even if encouraged - while the Faria Lima Sector, due to its proximity to a centrality already established for non-residential use, indicates a greater propensity for such application. On the other hand, it can be considered that urban legislation is capable of observing an existing dynamic, and whether or not it induces the qualification and transformation of private and public spaces. As an example, the donation of land area to widen the public sidewalk is an evident orientation for the qualification of public spaces, in addition to the Active Facade, whose adoption by the enterprises was extensive in the study sample, means a clear incentive to diversify the uses within the territory and gives the local urban dynamics an approach that is not only symbolic but above all practical, as the population passes and has, on the pedestrian scale, greater access to spaces for collective use, even in private areas, in addition to leaving experience - at least in parts of the area - large closed plans, characteristic of projects for purely residential use from the period prior to the São Paulo’s Master Plan of 2014. However, projects with advertisements for apartments of different types within the same building were identified, in which the units with an area below 30m² do not have a parking space, while offers in larger areas have two spaces. That is, the proposal of the current legislation that seeks to limit one parking space per unit in new ventures is diverted, since in the advertisements the smaller units are launched

aiming to attract investors or temporary rental platforms, and the other units, which attract possible fixed residents. , will continue to encourage more than one car, contrary to the incentive for everyone to use public transport.

Although there are distortions in the application of the legislation, as shown in the analysis of car parking spaces by housing units, in general, the enterprises mapped here have satisfactorily adhered to at least one of the instruments addressed. The Rebouças Axis, due to its history of diversified occupation, requires the adoption of measures, either by incentive or by legal determination, that qualify its urban dynamics. The intense flow of private vehicles, public transport and pedestrians in the region is also evidence that public spaces must be articulated in order to provide greater quality of life for residents and users. The Master Plan of 2014 urban policy and the way its regulations addressed the private spaces of Rebouças Axis, directing them towards the promotion of this urban quality, can be considered as successful, because they were the result of technical discussions with public participation, and for having - albeit to a certain extent, as shown here - conditions to provide for the appropriation by the real estate market of qualifying instruments whether or not they are encouraged.

It is important to note that during the development of this work, due to the pandemic period of COVID-19 in the global scenario since March/2020 and which still continues at the time of finalizing this article, we had limitations in the field visit, also respecting social distance and with the entire journey in a car.

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