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PRODUCING AND LIVING THE HIGH-RISE

New contexts, old questions?

Edited by
**Manoel Rodrigues Alves,
Manuel Appert,
Christian Montès**

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PART I
Producing high-rise living

Chapter 1

New residential high-rises and the perversion of public spaces: The case of São Paulo

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Abstract

This paper looks at how developers, through loopholes in legal planning regulations and urban design features, are succeeding in perverting the urban space, particularly public spaces, around new residential high-rises in São Paulo, Brazil. This city is a powerful case study of such processes since it embraced vertical urbanism for more than half a century, counting in 2019 more than 16,000 residential high-rises for about 12.30 million inhabitants in 2020. The evolving morphology of public spaces follows the changes in the way planning is conducted, from the first residential enclaves, which created private and secluded islands in the city, to the contemporary focus on public spaces and inclusiveness; however, and this is the point of the paper, looking closer at how “inclusion” is worked by developers clearly shows it is largely dealt with design tricks to win planning permissions from local authorities, resulting in private developers taking control of an urban landscape characterized by private and controlled urban spaces of public domain.

Keywords: Residential high-rises, perversion, public spaces, São Paulo

Introduction: Perverting the law(n)¹

Residential high-rise buildings are part of the financialization processes experienced in global cities (Halbert and Attuyer 2016). They are sold as a new lifestyle, mostly offered to (upper) middle classes (Costello 2005; Fincher 2007; Alas 2013; Dorignon 2019), often triggering and/or increasing social and spatial fragmentation. Looking at the case of São Paulo, Brazil, offers an opportunity to adopt a “dewesternized” gaze (Robinson 2006): Even if they are produced under converging globalization processes and modes of governance, residential high-rise processes reveal different types of local-global negotiations in the making of the neo-liberal city (Alves and Daitx 2021).

First, São Paulo underwent an early residential verticalization process when other metropolises verticalized their economic power through the erection of office skyscrapers. For over half a century, residential verticalization, although uneven through time, never ceased and created niches of vertical landscapes. The city counted in 2020 more than 16,000 residential high-rises² in its 12.30 million inhabitants (c. 23 million in the metropolitan area). This process created one of the most “ordinary” vertical landscapes (Harris 2015) in the world, almost devoid of any “autistic icons” of the London type (Kaika 2011). Secondly, the way residential verticalization has been created and is enhanced reinforces the social and spatial inequalities of Brazilian society, the government of verticality being based on a regulatory framework that sustains inequality in housing (not necessarily in the theory of urban plans and instruments, but in practice through loopholes in legal planning adopted by developers).

Our approach is not based on a tenure form (such as the condominium (Lehrer 2016; Rosen and Walks 2015), but on the way new modes of production

¹ The authors thank heartfully Casper Laing Ebbensgaard and Michal Murawski for their invaluable comments and propositions for a previous version of this chapter.

² From January 2010 to October 2022, more 250.000,00 new apartments were built in São Paulo. Besides, according to recent market studies, 46,000 new apartments will be built in 2023 and, by the end of 2025, São Paulo will have 2,000 new high-rise vertical condominiums (most of them with more than one building). In the ‘High-rise’ Project, a French Brazilian binational research project financed by FAPESP (Fundação de Amparo à Pesquisa do Estado de São Paulo) and ANR (Agence Nationale de la Recherche), coordinated by Manoel Rodrigues Alves and Christian Montès, the working definition in our project for a high-rise is a residential building, which can be of mixed use, with ten or more floors or a height equal to or over 30 meters.

of capital in urban space are creating 'new' residential high-rises landscapes, privatizing and transforming the urban public space in spaces of public domain. The latter are forms of contemporary physical 'public spaces' that might not be public *de jure*. We are using case studies to show examples of the types of urban transformations promoted by recent residential high-rises – in many cases characterized by pulverized enclaves with no interaction between public and private spaces or by private and controlled urban spaces of public domain³ (Alves 2020).

Contemporary cities, of which São Paulo is one expression, are representative of new paradigms related to the production of urban (public) space. On one hand, contemporary urban territorialities open possibilities to urban morphology that are mainly culturally determined. On the other hand, in a global scenario tensioned by cultural, social, technological, and political transformations, contemporary culture and public life are related to consumption and capital circulation of an entrepreneurial nature. In São Paulo and many other cities alike, the socio-cultural landscape is representative of an ever-growing replacement process, once departing from the triad "city-work-politics" to "city-management-business." São Paulo shows its own mix of enclosure, greenwashing, developer-oriented policies of an entrepreneurial nature – many times helped by *ad hoc* regulatory framework, as in Adiron's Formula⁴ – where residential high-rises exemplify Castro Orellana's statement: "The seduction of the surroundings and instantaneity reinforce the regime of enforced liberties in which we occupy the city" (Castro Orellana 2011, 56).

Our methodology differs from Nethercote, where "the conceptual framework derives from existing theory" and "empirical examples ... are illustrative not the basis of the argument" (Nethercote 2018, 3). We intend to do the exact contrary, and, while adhering to her conceptual framework on the political economy of high-rise buildings, we intend to show that in São Paulo, developers, with the

³ Spaces of public domain are forms of contemporary physical 'public spaces' that might not be public *de jure*. For instance, private spaces that may perform as collective spaces, spaces of public domain that may perform (partially and controlled) as public spaces – such as the so-called 'POPS,' privately owned public spaces. Although the distinction between public spaces and spaces of public domain is not object of this chapter it is important to point out that otherness and diversity are essential constitutive elements to public spaces (Alves 2020).

⁴ Adiron's Formula was introduced in the Zoning Law of 1972. It created an inverse proportion between lot's 'Performance Coefficient' and 'Occupancy Rate,' defining that urban coefficients could be increased. It allowed for an urban development characterized by a verticalization of thin isolated buildings in the lot, far away from the sidewalks and the streets.

help of loopholes in legal planning regulations and design tricks, are succeeding in perverting public spaces around new residential high-rises, thus controlling the urban landscape and practices at once at the vertical level and at the horizontal one, a fact often overlooked (Alves and Daitx 2021; Appert and Montes 2015).

We do not understand perversion as an attempt to regain ownership of the vertical city by owners, tenants, and other urban citizens or as a vain attempt by architects to negate buildings' decay and death, as in Cairns and Jacobs's essay (2014). Perversion is here understood as a process remaining under the control of the political power, even if it was not intended *per se* in the planning legal framework: "The Russian conceptual writer Vladimir Sorokin has shown in his writings how the drive for perversion manifests itself in the behavior of an authoritarian and sovereign power" (Chukhrov 2018). And perversion is based on ambiguity. In Istanbul, for instance, ambiguity in the planning process allowed to abusively "rework" informal settlements (Kuyucu 2014).

In São Paulo, perversion allows to extend the grip of developers on public land. Developers are "offering" pseudo-public spaces along the residential high-rise they are building to get more square footage, perverting the meaning of municipal legislation. São Paulo is far from alone to witness such processes – see, for instance, the study of Public Private Partnerships in Great-Britain (Shapely 2012) or the use of compulsory purchase orders in UK municipalities to privatize land based on a perverse definition of the "public good" (Rendell 2017). However, instead of using the legislation to demolish buildings to pave the way for more profitable developments, the legislation is used by developers mostly to further the domination of residential high-rises as living places for the middle and upper-middle classes in the city. In São Paulo, alongside the Structuring Axes of Urban Transformation (SAUT)⁵ defined in the Strategic

⁵ Structuring Axes of Urban Transformation (SAUT) – according to the municipal law 'Structuring Axes of Urban Transformation Zones (Zona de Eixo da Estruturação da Transformação Urbana), an urban mechanism implemented in the Strategic Master Plan of 2014, are linear areas alongside public transportation corridors – 150m wide on each side – and close to metro stations and bus terminals – maximum distance of 600,00m –, the objective of which is to promote a better urban environment to low income people in different areas of the city, representative of a more equitable city, by means of developing mixed areas (commerce, services and housing). Therefore, joining employment and housing and reducing the use of cars. However, only 5.6% of the new housing units were built in neighborhoods of low-income residents. Finding loopholes in the law, developers have built residential high-rises in neighborhoods where land is the most expensive and usually in huge plots not smaller than 5.000,00 sq.m. – recent studies estimate up to more than 45,00% of the new apartments since 2014. In 2023 the SAUT legislation was reviewed

Master Plan (Plano Diretor) of 2014, most of the recent residential high-rises are guided to middle- and high-income people (even if the apartment is a studio of 20, 25 sq. m). Likewise, instead of negating the public character of housing estates as in London, perversion lies here in the false affirmation that developers are to create public places for the common good when they mostly provide embellished sidewalks (see Figure 1.4). Such trends are nothing new and still active in South America, as in Colombia, where, for two centuries, landed elites confiscated much of the redistribution of land officially intended to alleviate rural poverty (Faguet et al. 2020).

Perversion is, therefore, dual, present in the process of planning the vertical plane surrounding high-rise residential enclaves (perverting the law) and in the way such spaces are produced (perverting the lawn).

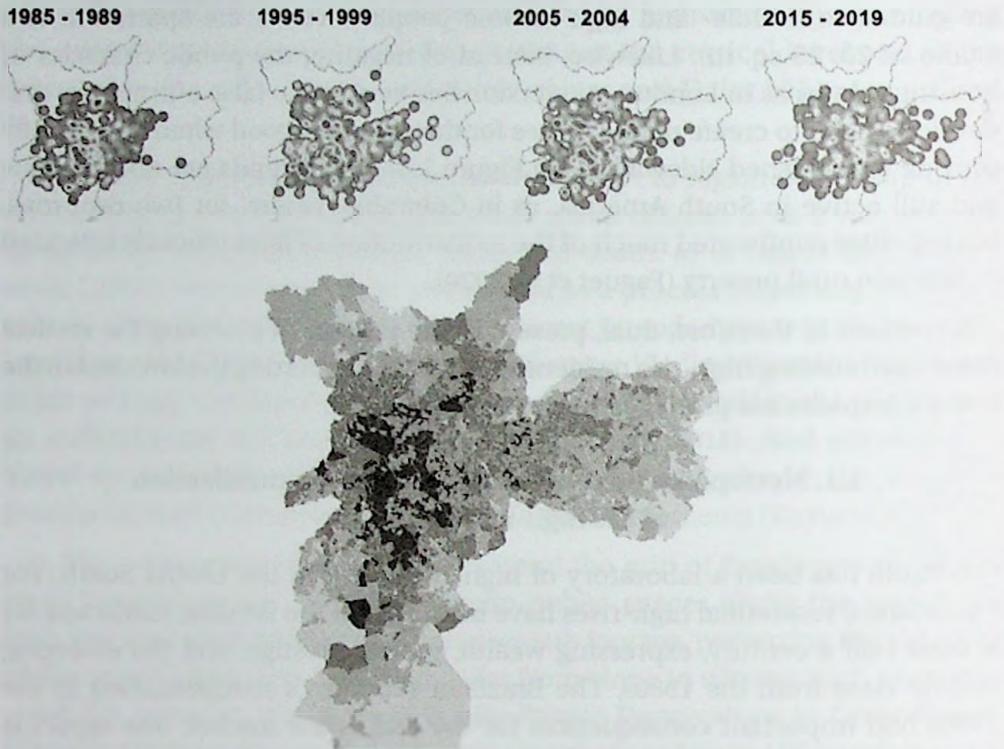
1.1. Metropolization processes and the decentralization of the high-rise geography

São Paulo has been a laboratory of high-rise living in the Global South. For Paulistanos, residential high-rises have been part of the familiar landscape for at least half a century, expressing wealth, power, prestige, and the emerging middle class from the 1980s. The Brazilian economy's reorganization in the 1980s had important consequences for the real estate market: one aspect is related to the institutional and economic crisis of the national housing policy and its financial system created by the military dictatorship; another one refers not only to new processes of economic internationalization in real estate market corporations and the transformation of the planning framework to accommodate it but also to the spatial conditions for (re)development of urban spaces. Figure 1.1 shows five-year periods between 1985 and 2020 and illustrates the tremendous growth of residential high-rise constructions since the mid-1980s, mostly concentrated in the wealthiest parts of the city.⁶

favoring densification and verticalization alongside the corridors, but also internal to neighborhoods (see Footnote 12 and Daitx chapter for more about this).

⁶ Between 1985 and 2018, more than 9400 residential high-rise buildings were built in São Paulo: 1985-1989: 1184; 1990-1994: 881; 1995-1999: 1593; 2000-2004: 1510; 2005-2009: 1704; 2010-2014: 1471; 2015-2020: 1077. Source: Embraesp Database, Highrise Project Collection.

Figure 1.1 Kernel Heat Maps. Residential high-rise buildings in São Paulo, 1985 - 2020.



The dark areas present a more intense residential verticalization. In the second map, 2019, we observe the distribution of the residential high-rises according to four ranges of the HDI (Human Development Index), the darker the hue the higher the HDI. Source: Embraesp Database, Highrise Project Collection.

Until c. 2000, the residential real estate market was targeting the upper-middle-class income strata. In the following decade, a cycle of economic growth and better housing mortgage conditions widened the market for residential high-rises with more affordable developments – therefore mitigating Graham's (2016) argument about the luxification of the sky. That shift was linked to the economic situation and the capture by developers of funds for social housing, particularly in President Lula's most ambitious social program: 'Minha Casa, Minha Vida' (My House, My Life), launched in 2009. Outside the very few global cities that are experiencing "full" globalized financialization, São Paulo mostly experienced partial financialization, where the "local" is still very important. After having concentrated on corporate and commercial buildings, major developers only recently entered the stock exchange and the construction of residential high-rises for the middle class. In São Paulo, this historical process is related to the centralization of capital and is strongly pushed by productive restructuring and austerity policies. It (the process) had an important impact on urban production, allowing for real estate actors to perform based on solvent demand and creating new standards of residential apartments, much

of them addressed to the new employees of commercial, management, and financial services, which were reorganizing new economical centralities of the metropolis (see Carvalho and Simoni and Rufino chapters).

These processes reaffirmed the creation of diversified and multifaceted heterogeneous territories, some peripheries being added as solvent markets for developers in many Brazilian cities. From the point of view of urban structure and morphology, São Paulo has a complex and heterogeneous territory,⁷ disclosing areas of different forms of living (Marques 2015; Alves 2015; Alves, Camargo, and Cardozo 2020). This trend might seem close to the postmetropolis model (Soja 2000) due to its formal complexity: simultaneous deterritorialization and reterritorialization processes of urban fragmentation are at work, representative of the disassembly of pre-existing urban realities and the recolonization of the city with new ones – where different morphologies of urban spaces are intermingled, creating new spatialities where its limits have become blurred, where concepts such as 'city' and 'metropolitan area' are hard to separate. However, in the case of São Paulo, these territories are not really experiencing the weakening of the notions of place and territoriality defined by social communities as in Soja's model.

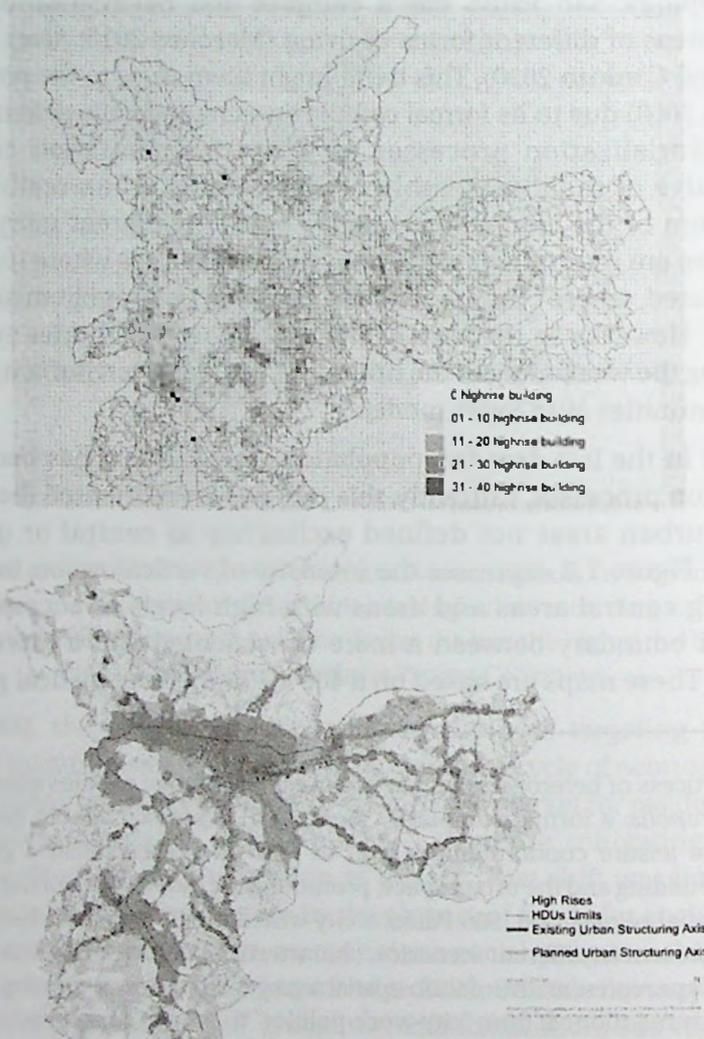
Especially in the last decades, population displacement has been linked to verticalization processes. Currently, this process has reoriented the productive activity in urban areas not defined exclusively as central or qualified as centralities. Figure 1.2 expresses the intensity of verticalization in São Paulo, highlighting central areas and areas with high levels of accessibility that constitute a boundary between a more consolidated and a more dispersed urban area. These maps are based on a 400 x 400-meter statistical grid,⁸ which

⁷ An urban process of heterogeneous territories representative of Soja's characterization of a *postmetropolis*: a formal complexity (Soja 2000) expressed also in heterogeneous territories like leisure condominiums that, in fact, do not establish a good relation between the building and the urban space, promoting the dissociation of the urban tissue and socio-spatial segregation. São Paulo, a city where urban territorial heterogeneity is increasingly present in different scenarios, characterizing different processes of a socio-cultural landscape representative of socio-spatial segregation of an ever-growing replacement process already mentioned: from "city-work-politics" to "city-management-business."

⁸ For more about this, see Alves, Camargo and Cardozo, 2020 and also Alves, Cardozo and Saraiva chapter. Working this grid in the QGIS software enabled: the georeferenced checking of the 'points' (high-rises) distributed in the overlay of the first territorial unit of analysis (municipal units of human development / HDU-M); in these 'squares', the analysis of equal areas (areas with the same territorial extension); and a better identification of areas of greater vertical density. Afterwards, using the same platform, the classification of the polygons in the 400x400 grid by the number of high-rises accounted allowed the elaboration of heat maps that spatially reveal the concentration of high-rises in wealthier areas of the city (Figure 1.1).

“highlights a set of approach scales that focus on citizens in his/her relations with the city seeking to shed light on process of territorial restructuring considering population density, compactness, mixed land use, accessibility, places of residence, land value, public services” (Alves, Camargo, and Cardozo 2020).

Figure 1.2 Verticalization intensity in São Paulo.



Top, high-rise buildings launched between 1985 and 2020 in São Paulo, excluding the southernmost region of the municipality. High-rises are georeferenced in the overlay of territorial units of analysis based on a 400x400m grid and socio-economic indicators – such as human development units/HDU-M, enabling a better identification of areas of greater verticalization. Bottom, high-rises distribution alongside the defined and proposed SAUTs. Source: Highrise Project Collection.

In an urban context of low vacant land availability and increased land value, brownfields and *terrains vagues* have particularly become more attractive to specific high-rise developments. São Paulo does not fit into the “socially dead spaces” of residential high-rises in global cities (Atkinson 2018): They are lived in as high-rise gated communities, differing from the suburban –and more horizontal - model usually studied in South American cities (De La Mora and Riwillis 2012). There are several building and apartment typologies heightened by the creation of “niche markets,” such as “leisure condominiums.” Unlike other high-rise typologies, leisure condominiums or condominiums-clubs, usually big developments with more than one tower, create enclaves of private urban life in the city as well as increase private control of urban space, like Rosen and Walks “castles in the skies” (2015) (cf. also Graham 2016; Atkinson 2018; for the Shanghai example, see Xu 2014). For example, with the argument of making the neighborhood of these new condominiums a safer place, developers and private groups that sponsor public spaces take control of land use in public spaces by using security devices and services, like guards and cameras that monitor people’s activities. They are nevertheless not comparable to the Israeli case (Charney and Rosen 2014), nor are they “shaped by the targeting and surveillance tactics of state and security forces (e.g., through drones and police helicopters)” (Harris 2015, 603), as are the “domestic fortresses” of Atkinson and Blandy (2016) or Kern’s “scary city” (2010). Here too, what is at stake is “ordinary” (common daily, private) surveillance.

1.2. High-rise buildings and the changing planning environment in São Paulo

São Paulo’s City’s latest Strategic Master Plan (SMP – Plano Diretor Estratégico) was approved in 2014 (previous SMPs have been implemented in 1971, 1988, and 2002). It states that São Paulo is an unequal city and that the main economic activities, the greatest employment opportunities, and the best public transportation conditions are concentrated in the most central area of the city or in secondary centralities. In this context, the new Plan proposes the densification of these areas with improvements to urban quality – between 2012 and 2017, in central areas of the city, the number of new apartments increased by 105% –, thus reinforcing the nexi of political and economic powers as well as the urban morphology in which they sit (Bach and Murawski 2020, 1). This process of recentering is based on Transit Oriented Developments that many metropolises have embraced since the 2000s. The Plan is, therefore, supposed to reduce the distance between residential areas and job concentrations partly by mixing functions to reduce commuting times while improving the quality of walkable areas (Mollé, Appert and Mathian, 2019).

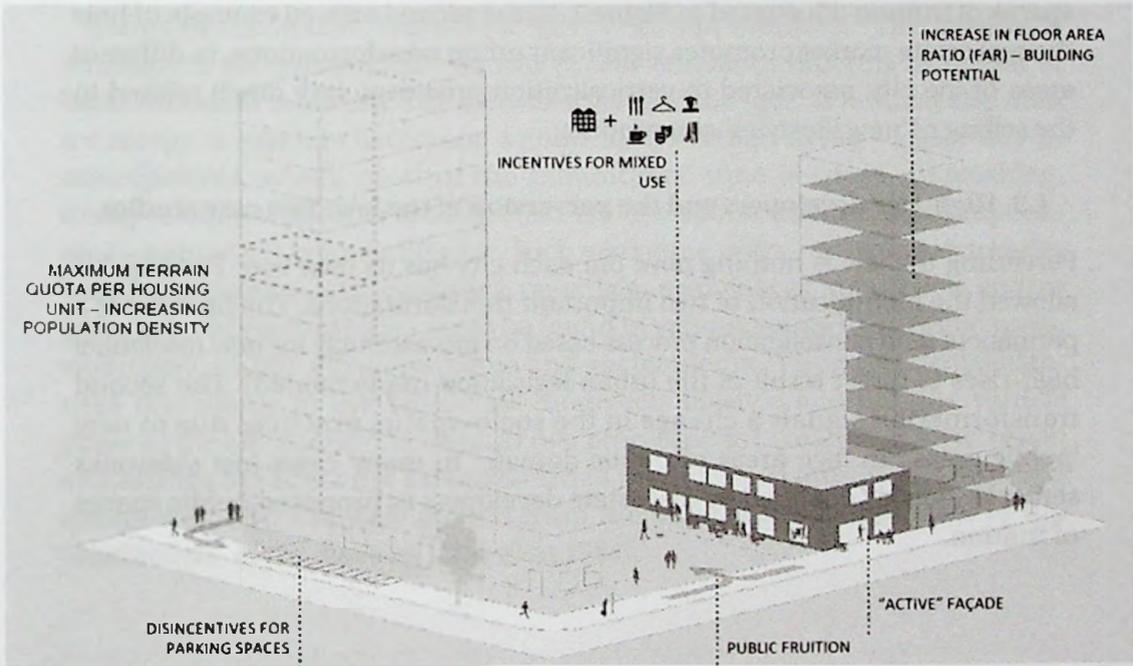
However, the decentering process common to most neoliberal cities came back through the revisions São Paulo's 2014 SMP submitted in 2016 and 2020, when municipal elections were held, and especially in 2023. They incorporate new perspectives on territorial planning, with subdivision of the metropolitan area into macro-areas of metropolitan structuring. These macro-areas include Structuring Axes of Urban Transformation (SAUT),⁹ urban corridors within well-supplied areas of public services and urban infrastructures that have undergone processes of urban transformation. Among the SMP's new proposals, "one of the most discussed regards the change in occupancy rates, land use, and coefficients and maximum number of floors of built areas, which comprise a long and conflictual theme between urban planners and private actors of the real estate market" (Alves and Daitx 2021, 105).

Along SAUTs, the built potential was allowed to the whole city as an alternative to concentrating verticalization in inner areas of neighborhoods. Therefore, attempting the transformation of the topology of a city marked by territorial fragmentation and segregation and directing the flow of real estate capital into areas of growth potential, real estate stakeholders were allowed to build more than was permitted (including floors above zoning limits). In lieu of paying fees, they had to provide built incentives to developments, which include mixed-use and pedestrian ground-level spaces of fruition, restricting parking spaces, encouraging pedestrian traffic, and using bicycles and public transportation.

⁹ According to the 2014 SMP, these spaces should be thought of as territorial ordering plans and urban interventions should follow the guidelines of the urban planning instruments gathered in the form of the Urban Intervention Project (Projeto de Intervenção Urbana- PIU). PIUs, as established in the Law 16.050 / 2014, are urban development instruments and incorporate other instruments such as Urban Concession, Urban Intervention Areas and Local Structuring Areas. However, important changes to SAUTs, favoring the real estate market, were approved in 2023, such as: the linear areas alongside public bus corridors is now 200m wide on each side (not anymore 150m); the radius from metro stations is now of 700 meters, but allowing the verticalization in all the block touched by the radius – this, in fact, in some situations may extend the radius to close to 1,000 meters allowing for an intense verticalization inside residential neighborhoods; garage spaces for car will be allowed even for micro apartments below 30 sq.m. Most likely the result will be an extreme verticalization, without limits alongside the SAUTs (where there is no height limit for buildings) and an intense densification and verticalization in residential neighborhoods. Preliminary calculation estimates that 9% of the urban area of São Paulo, equivalent to about 81 sq.km, will now be available for buildings without height limits (an expansion from 5.6% to 14.5% of the total urban area of the city).

Similar incentives exist in other cities, such as New York City, the Zoning code of which offers developers various possibilities to increase the square footage of their buildings, provided they buy air-rights, give money to public transit, or provide public plazas. However, the POPS (privately owned public spaces), one of the results of such dispositions, are mostly “of marginal value,” according to Kayden (2000), because of poor planning, design, accessibility, and maintenance. São Paulo’s case is also close to Mumbai’s, where developers are given air rights to build high-rises in the city’s most desirable places if they resettle the people already there; however, the desires of these people are not taken into account, and they are often resettled far away (Rao 2020, 194-195).

Figure 1.3 Diagram with instruments and tools for improving the urban environment to be applied in SAUTs, São Paulo’s 2014 SMP.



Source: Secretary of Urban Development of São Paulo.

Initially, these ideas seemed innovative to a city that has been under intense urban transformation as a result of strong verticalization processes in distinct areas. Some years later, however, even if planning tends to be dezoned at the metropolitan scale, a local reading tells a new and non-anticipated story. In fact, to a certain extent, we observe a specific customer-oriented market not only related to smaller apartments for families or microhousing for young singles keen on staying in the central part of the city. A market where dwellers, on one hand, should find most of their needs outside their homes and, on the other, would find private spaces where some shared “public life” takes place, in

and between spaces of public domain. Apartments are spaces for private activities, while common areas of the building serve as spaces for domestic work and leisure activities. Therefore, it is not a surprise that the real estate market values “urban spaces” and promotes ‘new spatialities,’ internal and external to apartments, since new apartment typologies do not include spaces for daily routine activities.

Case studies enable us to show examples of the types of urban transformations promoted by recent residential high-rises -- in many cases, characterized by pulverized enclaves with no interaction between public and private spaces or by private and controlled urban spaces of public domain. We will dwell upon two cases: the first one previous to 2014 São Paulo's SMP, but it is important to understand some changes in the urban legislation in relation to the notion of spaces of fruition (illustrated in Figure 1.4); the second one, an example of how the real estate market promotes significant urban transformations, in different areas of the city, associated to verticalization processes very much related to the selling of ‘new lifestyles’ as a product.

1.3. High-rise developers and the perversion of the law: Two case studies

Perverting the law is nothing new, but each city has its own way. Fieldwork¹⁰ allowed the identification of two important transformations. The first one is a permanent land consolidation process based on lots assembly for new residential high-rises (a direct result of the urban legislation implemented). The second transformation signals a change in the socio-spatial practices due to new ‘public areas,’ in fact, areas of public domain, in many cases just sidewalks setbacks, quickly qualified by real estate developers as proposed public spaces of fruition.

¹⁰ Fieldwork addresses the most local of the scales analyzed in the Highrise project allowing for the production of spatio-temporal narratives. As a way of adjusting methodological selection procedures, as well as questions more specifically related to the intra-urban scale, three stages of exploratory fieldwork were carried out: observations, field diaries, iconographic records, open interviews of stakeholders. This strategy allowed both the revision of procedures and instruments and the refinement of specific spatial information based on urban dynamics characterization related to the hypotheses investigated. For more information about the methodology see Alves, Camargo, and Cardozo, 2020 and Alves, Cardozo and Saraiva chapter.

Figure 1.4 Sidewalks and spaces of public fruition.

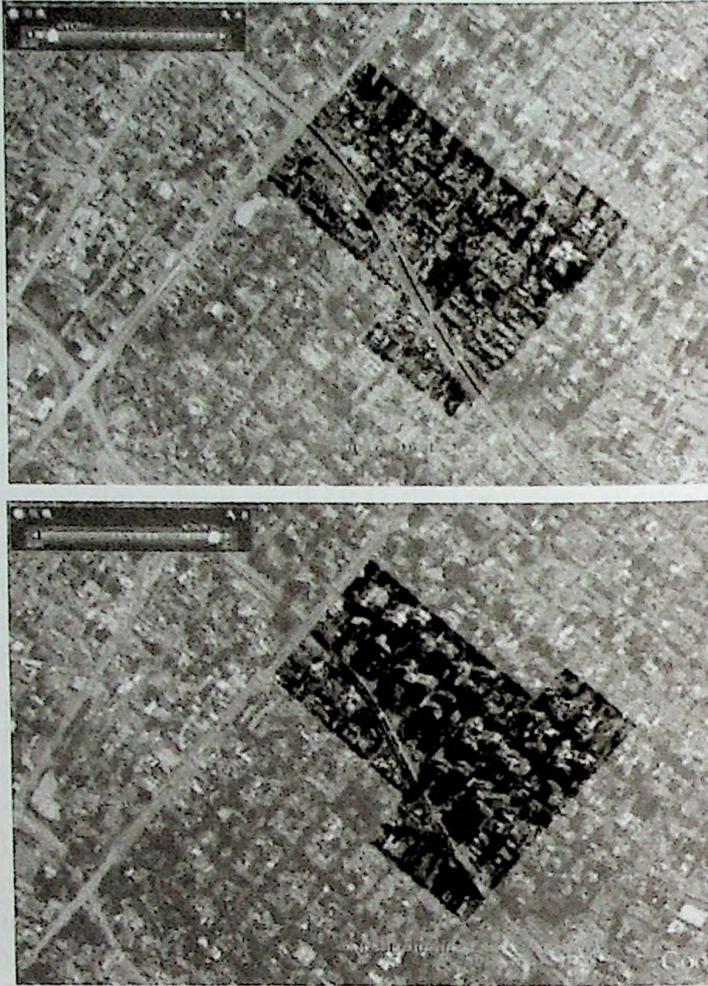


Left and Center, White 2880, mixed-use development alongside Rebouça's SAUT (promotional leaflet and author's photograph). Right, an example of a so-called 'space of fruition' in Brooklyn, Particolare residential high-rise. Source: White 2880 website and Highrise Project Collection'.

Although the leaflet boasts of a "gift" to urban dwellers: "The avenue is returned to the pedestrians," no real 'public' ambiance differing from that of basic sidewalks is offered. The increased value of the "gift" is nothing else than a strategy to attract customers, a condition of urban living – especially in metropolises, where most of the inhabitants' time is spent on working, transportation, and other activities (like studies, sports, cultural, consumption, etc.) – publicized as a new lifestyle. Such marketing tricks – or better, mockeries based on imagery and marketing materials, elements of subversion and/or perversion of everyday life - are to be found in various media like printed press, webpages, public advertisements and social media.¹¹ New residential high-rises first allude to the aristocratic/bourgeois lifestyle and link the vertical plane to the horizontal one through two processes: the creation of 'new' urban spatialities based on the privatization of public space around the building complexes; and the view offered from the highest floors that adds to the "distinction" of the dwellers (Bourdieu 1984).

¹¹ For instance *Tegra Incorporadora*, see www.tegravestesp.com.br or *Idea!Zarvos*, see www.idealzarvos.com.br.

Figure 1.5 Intensity of the verticalization in Brooklyn.



Source: Highrise Project Collection (over Google Earth image).

Our first example is Brooklyn, a typical middle-class neighborhood of São Paulo with single detached houses that underwent a tremendous verticalization after 2006. Its development predates the 2014 SMP, but it is important to understand changes in the urban legislation in relation to the notion of spaces of fruition [in Portuguese, *espaços de fruição*].

The area of the Brooklyn neighborhood, a fragment within the Urban Operation (OUCAE), is representative of significant urban transformations, mainly related to changes in land use and occupation, as well as to considerable densification and verticalization with a significant increase of the buildings' heights. Law 13.260 / 01 establishes that property owners in the OUCAE area who adhere to the guidelines contained in the urban operation law may benefit from some constructive incentives. In addition to incentives granted for lot reparation situations, this law also mentions the counterparts for projects that donate the

sidewalk extension for public use (provided they comply with the minimum widths stipulated in the law):

Article 17. In addition to the specific guidelines established in articles 5, items I to VII and 6, and the payment of the consideration counterpart, for the use of the benefits provided in this Law, the owners of properties contained in the perimeter of this Consortium Urban Operation shall donate to the Municipality, the strip intended for the widening of the sidewalk mentioned in items I, b, II, b, III, b, IV, a, V, a and VII, 'b', of article 5 of this Law, receiving as an incentive the addition of twice the area donated to the remaining area of the property, for the purpose of applying the indices and urban parameters, respecting the maximum coefficient of construction (built area exploitation) of the Sector acceptable in the lot. (Law 13.260 / 01)

In fact, the Brooklin sector had guidelines that were distinct from the other sectors in relation to the minimum lot (2,000 sq.m), minimum front (25.00 m), and the widening range of the qualified sidewalk as a public use. In fact, according to the parameters of the law, the public spaces of fruition, by increasing the built potential, made possible the densification, the verticalization, and the increase of the built area. According to the legislation, the main objective of a fruition space, in areas not smaller than 250 sqm and width not less than 4 m would be to potentialize and improve the provision of qualified areas for public use, to privilege the pedestrian and to promote the development of activities with social, cultural and economic value¹². However, reality has implemented another space, other than the one idealized as a counterpart of these incentives, in the so-called spaces of fruition.

The degree of transformation of the urban morphology of the area allowed the identification of two important transformations: the reparcelling of lots for new high-rise residential developments, a result of the urban legislation

¹² Law No. 13,260 of December 28, 2001, which implemented the OUCAE (OUC stands for Consortium Urban Operation [Operação Urbana Consorciada], defined urban parameters for OUCAE sectors with incentive rights for real estate projects. In 2014 Strategic Master Plan, the criteria for spaces of public fruition were reviewed and the planning regulation stated, "spaces of public fruition are open accessible areas to pedestrians on the ground floor, for the development of social, cultural and economic activities, aiming at the expansion of spaces for public use suitable for meeting". According to the law, spaces of public fruition, by increasing the built potential, made possible densification and verticalization. See: <https://gestaourbana.prefeitura.sp.gov.br/wp-content/uploads/2015/01/Plano-Diretor-Estrat%C3%A9gico-Lei-n%C3%BA-16.050-de-31-de-julho-de-2014-Estrat%C3%A9gias-ilustradas.pdf> (page 38).

implemented after 2006, and the change in the socio-spatial practices due to new 'public areas/sidewalks,' the so-called spaces of public fruition.

What is really observed (Figures 1.4 and 1.6) is landscaping that is restricted to the edges of the walls and sidewalks, forming a kind of "ornament" in the already delimited pedestrian path. There are no spaces for public use, but tropical vegetation strips surround the limits of the residential high-rises. In fact, the landscaping of these spaces ends up influencing access, making some areas not available for meeting and socializing or even being walkable, either because of gaps, water mirrors, or vegetation that ensures that the flow of people is restricted. In addition, associated with other mechanisms such as surveillance, landscaping is also one of the elements responsible for the control and security of the site, with all buildings having technological devices and security at their entrances.

Figure 1.6 Images from the so-called 'spaces of public fruition' in Brooklyn and Vila Anastacio neighborhoods, nothing else than sidewalk setbacks or interior open areas.



Source: Highrise Project Collection.

The second case study is Vila Anastácio, a neighborhood in a former industrial area close to the Tietê River. Vila Anastacio is an example of how the real estate market promotes significant urban transformations in different areas of the city, associated with verticalization processes related to the selling of 'new lifestyles' as a product or even as a brand. In the last decade, the area has experienced an intense verticalization process with upper-middle-class condominium clubs, most of them with multiple residential high-rise towers.

Originally a farm, the area was crossed since the sixteenth century by one of the *bandeirantes* roads, pathways that led to the inner part of the country. At the end of the nineteenth century, Lapa's Railway Station was built, and in 1919, the neighborhood of Vila Anastácio was created as part of Lapa district expansion. In the early 1920s, the area was populated by European immigrants. In the mid-1950s, it became an important industrial area, with sheds but also the headquarters of major companies such as Anderson Clayton/Claybom, one of the most important oil and margarine companies. Today, the area has easy access to two of the most important state highways (Bandeirantes and Anhanguera), the two most important development axes of the State of São Paulo. The area also has easy access to Marginal Tietê and Marginal Pinheiros, the most important arterial roads in the city. In the last decade, the area has experienced an intense verticalization process with upper-middle-class condominium clubs, most of them with multiple residential high-rise towers.

This is completely at odds with the 1972 Zoning Law that defined the area as a 'Zone of Predominant Industrial Use.' According to this Law, residential, commercial, and service buildings were restricted to the local level and should obey very strict building rules: for instance, occupation not higher than 70% of the available land, significant building recesses in relation to the street and plot limits and BCC of 1.5.¹³ The municipality wanted to encourage the installation of industrial, commercial, and service uses of large size. The same provisions were to be found in both the 2002 City Strategic Master Plan and the 2004 Zoning Law, which provided that ZM3a (Mixed Zone 3a) should have a basic BCC of 1 – even lower than the BCC from 1972 – and the ZM3b had a basic BCC of 2. In other words, according to the legislation, this area was not a good and profitable area for building high-standard residential high-rises, meaning that it would be more expensive to build in these areas than in the inner areas of the neighborhood. However, the area has recently undergone intense verticalization and significant urban transformation with the construction of high-rises and high-class condominium clubs.

¹³ BCC stands for 'Building Construction Coefficient.' The coefficient defines how much can be built. For example, a BCC of 1.5 means that it is possible build one and half times the area of the plot – in a plot of 1,000 sq. m your buildable area is limited to 1,500 sqm.

Figure 1.7 New residential high-rises in Vila Anastacio: top, Fortunato Ferraz Street (formerly a local neighborhood street, now a dual carriageway through Caminhos da Lapa real estate development); bottom, Raimundo Pereira de Magalhães Avenue.



Source: Highrise Project Collection.

Figure 1.8 Aerial views of the Vila Anastácio, 2012 (top), 2020 (bottom). The white dotted polygon delimitates the area of this intense verticalization.



Source: Highrise Project Collection (over Google Earth Image).

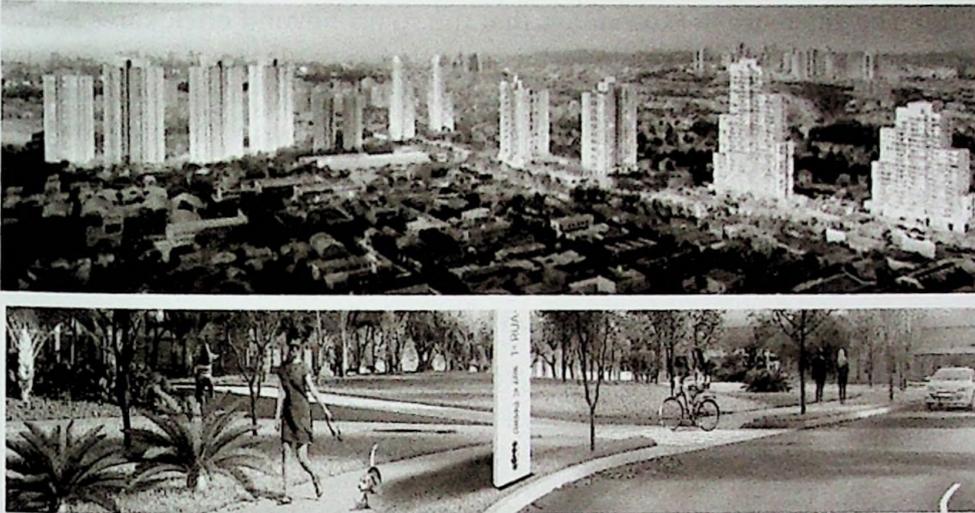
Two sets of reasons explain this intense verticalization process in this area. First, former industrial areas are more available for sale, while residential areas of the inner neighborhood were more difficult to negotiate; second, the urban zoning law of 2004 was based on a strategy to reduce the prices of these plots in comparison to the inner area of the neighborhood. An informal and unofficial agreement between the municipality and developers (stakeholder interviews) meant that, on the one hand, it would be more expensive to build

in the areas (a low basic BCC) and, on the other, developers could negotiate the price of the land for a lower value to have a better “value for money” balance.

The current urban zoning intends to enhance the quality of public life and encompasses: an urban intervention project (PIU); an urban structuring axis of metropolitan transformation, a high-density area; terminals of public transportation points (CPTM train station); a special interest zone for social housing (ZEIS); and a mixed-use area of low and medium density. The established BCC varies from 1 to 4 and has a maximum height of 48m – but with a possibility to buy building potential at a cost equivalent to the average price of the square meter in the area. So, quite clearly in opposition to the previous zoning law, favoring intense densification and verticalization.

Recent verticalization processes in different areas of the city are very much related to lifestyles as a product or even brands of genuine “creations.” Residential high-rises cannot indeed be separated from the study of their location and the relationships between dwellers and the city they live in – however, three aspects should nevertheless be pointed out in São Paulo, like Vila Anastácio (and other areas of the city): common amenities representative of ‘new’ buildings and lifestyles (leisure rooftops, gourmet balconies, smart communal rooms, pet spaces, environmental skylights, sports facilities...) that allude to the aristocratic/ bourgeois lifestyle when servants were aplenty; ‘new’ urban spatialities based on the privatization of public space; and the urban view, the view offered from the highest floors that, unveiling part of the whole of the city, is one more “distinction” as Pierre Bourdieu would have put it (Bourdieu 1984). This, in turn, alludes to the public policies enabling their construction and framing the way they integrate or not the spaces/places where they are built. Caminhos da Lapa, a real estate development occupying a considerable percentage of the neighborhood's area, is an example. It is being built in the area where Sadia's headquarters was established in 2008. The demolition of the industrial buildings started during 2012-2013, before the approval of 2014 São Paulo's City Strategic Master Plan.

Figure 1.9 Caminhos da Lapa, images. São Paulo real estate development that portrays itself as an open garden.



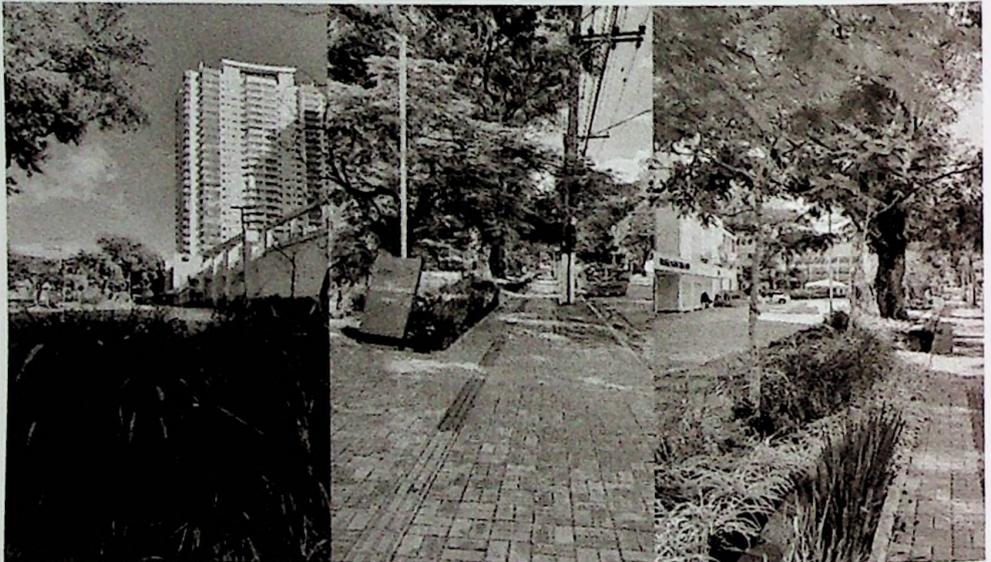
Source: Helbor webpage; right image, picture of Rua Fortunato Ferraz, Highrise Project Collection.

In 2018, a new urban decree associated with the Tiete's Arch PIU (Urban Intervention Plan) that increased the BCC from 2 to 4 and removed the height limit was approved. Helbor, the private developer responsible for Caminhos da Lapa, states in its advertising material that Caminhos da Lapa is a planned neighborhood of 150,000 sq. m with independent condominiums between open streets and squares. In fact, Caminhos da Lapa is not a planned neighborhood but a series of independent condominiums that clearly promote the privatization of public spaces. Seven condominiums are planned for a total of 17 high-rise residential towers, 2,214 housing units, and more than 235,000 sqm of built area. Helbor, the private developer, proposed a change in the urban parameters (asking to build more than what is defined in the urban law in exchange for developing areas of public domain), and Rua Fortunato Ferraz, a public street, will become the 'first garden street of the city.' Most likely, the area will become a controlled urban space of the public domain with new green areas and pedestrian ways. Therefore, a perversion of the urban public space by means of privatization.

In this scenario, a particular marketing logic is possible because of public policies and urban instruments, leading us to question to which degree real estate companies are extending their political and economic participation in the production (and maintenance of) urban space – for example, when territorializing their brand in public areas that were not part of their real estate domain. Processes of privatization by stealth are commonplace in neoliberal policies, well beyond urbanism (the education and health sectors, for instance). In Great Britain, they are compared to a resurgence of the eighteenth-century

enclosure processes, which saw the dispossession of farmers to allow the constitution of huge estates for the aristocracy and landed gentry (Christophers 2018). The difference in São Paulo is that the space beyond enclosures is also taken care of in a rather paradoxical way, as shown in Vila Anastacio. Here, at the same time as developers produce enclosures targeted to customers afraid of public space interaction, landscaping is used as a means of creating the idea of a preserved and “clean” neighborhood through very localized greenwashed spaces (Scheltze and Chelleri 2016) and (half) hidden surveillance. Artificial nature is at once doubling and hiding behind a green wall of the controlled border -sometimes a protective brick and metal fence, sometimes an immaterial border- in a transparent attempt to soften urban fragmentation with vegetation.

Figure 1.10 Caminhos da Lapa, the ‘first garden street of the city’ that will integrate new green areas and pedestrian ways. In fact, a controlled space of public domain where sidewalks and pedestrian ways are elements of immaterial walls and borders of residential high-rises (mostly club condominiums).



Source: Highrise Project Collection.

Public spaces are generally seen by the municipality in terms of their maintenance costs and not as potential spaces of social interaction, urban diversity, cultural creation, and political struggles. In relation to São Paulo’s heterogeneity, segregation processes impact socio-spatial practices insofar as public spaces are characterized and/or altered, as they are incorporated not only in the logic of urban space production but also in residential high-rise buildings. In this context, the nature of high-rises should not be understood only according to the nature of their typology (since the diversity of housing units does not necessarily correspond to an equivalent profile diversity of their

residents), impacting the very ideal and naturalization of “new” ways of life and socio-spatial practices of the privatization of urban space.

Conclusion

The case of São Paulo might seem to be one more example of neoliberal urban planning and development. First, the legislation that enables private-public management, control, and maintenance of public spaces in the city opens up to new dominance arrangements from real estate developers and stakeholders – for instance, the Public Squares Adoption Program that, after its last review (Law 61770, 03/22/2022), counts already more than 1,050 squares adopted. The current public policies do not address or debate the actual problem of creating a more inclusive city, where urban equity policies may confront public-private partnership policies that operate at an economic and financial level instead of at an urban one. In these new arrangements, public spaces become essential elements to an aesthetic of control that, perverting the urban (public) space, replaces social interaction and does not encourage free-of-charge social activities.

Second, public spaces, more and more transformed into private spaces of public domain, are part of a standard and thematic landscape defined and redefined by the desires of the real estate market and its customers’ “taste,” molded and produced as an image of their ideologies, wishes, and practices. Since these tastes vary for each social and cultural group, the urban territory may be fragmented into many formats according to ‘new spatialities,’ practices, and appropriations. This power has been exerted vertically through the typology of enclosed residential high-rises but also horizontally through the control of the landscape at street level, which is meant to reduce the possible uses and put them under the surveillance systems of the housing complexes. Therefore, they are in relation to landscapes of vertical urbanism that foreground the legal perversion of the urban space, as well as representatives of Zukin’s argument for landscapes of power (Zukin 1991, 2020), but not expressing urban spaces of social diversity. In this regard, Figure 1.11 is a *collage* emblematic of São Paulo’s landscapes of segregation and territorial heterogeneity.

However, São Paulo stands out for two other reasons. The first is the temporalities of the phenomenon, from the enclosed high-rises being a common process of urban transformation for more than half a century to the stand-alone high-rises in clusters or in the last two decades inside condominium-clubs. The second is the mode of governance of the process. In countries like Brazil, where the Western European-style welfare State never really existed, being mostly replaced by cycles of authoritarian and populist policies, segregation and fragmentation are at the core of urban patterns and life. Enclosure has long been a lifestyle for the upper classes. Likewise, the private sector has been given

a large role in urban transformations, be it through corruption or lack of public resources. What has more recently changed is the adjunction of the middle class to the enclosure trend and the greater control given to developers beyond enclosures, for example, POPs, which are public in name only.

Figure 1.11 Paraisópolis, second biggest informal settlement in São Paulo, and its borders delimited by high middle-class residential high-rises.



Source: Highrise Project Collection, *Narratives of Urban Segregation and Socio-spatial Practices - Red Series*.

Finally, São Paulo shows its own mix/fix of the enclosure, greenwashing, developer-oriented policies helped by an ad hoc regulatory framework, which is extending the role residential high-rises are playing in the growing of an exclusionary socio-spatial segregation process, one of fragmentation and privatization of the city. By shedding light on such processes, we hope that this text may also help to “pervert the perverts,” i.e., raising awareness and action against legal loopholes to prevent or even revert their consequences (Wideman and Lombardo 2019). As our concluding remarks, we ask: how multiple, overlapping and conflicting verticalities may offer new perspectives for considering and theorizing the vertical within urban studies – for example, contributing to the reappraisal of vertical urbanism and urban geographies, morphologies and temporalities. Being aware that different cities present different social and cultural contexts that do not allow for generalizations, to what extent may we say that we may be facing a substitution of class / social divisions by lifestyle divisions? Do more recent verticalization processes, representatives of a neo-liberal urbanism, allow a more equitable city or promote new forms of built-in, built-high gentrification?

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