

TOOLS FOR URBAN SUSTAINABILITY: Social Cartography for an Observatory on the City

FERRAMENTAS DE SUSTENTABILIDADE URBANA: cartografia social para um observatório na cidade

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ABSTRACT

The study case intends to reconstruct the rules of the actual urban legislation on the Special Areas of Social Interest of a tropical Brazilian city, Maceió, capital of Alagoas State.

Objective: to propose a new tool to support future urban plans, the Social Cartography, which takes into account the needs of the “forgotten” contemporary city, the city “in the shade”: the “self-built” settlements. The more significant of these, have historical origins, they are located in areas for the fishermen in the periphery of the city, areas that have existed since colonial times. Others are located in areas of new contemporary occupation / “invasion”.

Method: the study wants to investigate how the community is facing the new challenges of the contemporary world.

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Results and Contributions: the outcomes of the research will be a propose to present in meetings with governing bodies and inhabitants, in order to identify practical and concrete solutions to existing problems of the trend in the construction of new modern buildings in total dis-harmony with the historical and contemporary landscape and in opposition of the traditional self-building areas. Also, it can produce a new interest in the material and immaterial culture of the traditional areas: fishermen villages, contemporary poor districts and the historical core of the city.

Keywords: sustainable models and techniques; City Law; decision support system; Special Areas of Social Interest.

RESUMO

O estudo de caso pretende reconstruir as normas da atual legislação urbana sobre as Áreas Especiais de Interesse Social de uma cidade tropical brasileira, Maceió, capital do Estado de Alagoas,

Objetivo: para propor uma nova ferramenta de apoio a futuros planos urbanísticos, a Cartografia Social, que leva em conta as necessidades da cidade contemporânea “esquecida”, a cidade “na sombra”: os assentamentos “autoconstruídos”. As mais significativas delas, de origem histórica, encontram-se em áreas de pescadores nas periferias da cidade, áreas que existiam desde a época colonial. Outros estão em áreas de nova ocupação / "invasão" contemporânea.

Método: investigar como a comunidade está enfrentando os novos desafios do mundo contemporâneo.

Resultados e Contribuições: resultados da investigação serão propostos para apresentação em reuniões com órgãos governamentais e moradores, de forma a identificar soluções práticas e concretas para os problemas existentes da tendência na construção de novos edifícios modernos em total desarmonia com o contexto paisagístico histórico e contemporâneo e em contraste com as áreas tradicionais de construção própria. Além disso, pode ser o de produzir um novo interesse na cultura tangível e intangível de áreas tradicionais: vilas de pescadores, bairros pobres contemporâneos e o núcleo histórico da cidade.

Palavras-chave: modelos sustentáveis e técnicas sustentáveis; Direito da Cidade; sistema de apoio à decisão; Áreas especiais de interesse social.

1. INTRODUCTION

The construction of Brazilian cities was marked by an increase in socioeconomic spatial segregation, with the flow of the poorest populations from the central areas and more comfortable to the periphery (Galindo et al., 2013). These phenomena are caused by several mechanisms linked to the labor market, which induce families located at the base of the social structure to live in precarious conditions, and others, linked to the dynamics of the real estate sector, which induce the valorisation or devaluation of certain areas (Torres, 2003). In Brazil, we live in a city model in which the growth dynamics cause the permanent scarcity of urban soil. This fact is the result of the appropriation of various forms of urban income and the permanent reproduction of irregularity, illegality and precariousness of the popular habitat (Ribeiro, 2015).

These aspects promote the segregation of the poorest through competition for land use or institutional mechanisms of privileges that exclude a significant part of the population from the benefits of urbanization. Examples of this are legislation on civil construction, the use or taxation of land, public investments, the removal of *favelas* (not slums, but defined as very popular poor neighborhoods) and the effective practices of discrimination resulting from public investments in certain areas (Torres, 2003). This line of favoring the real estate, public works and service concession sectors to different segments of the population implies a perverse social policy, by which the State tolerates all forms of land appropriation, with the purpose of integrating in a subordinate and regulated manner the popular strata in urban society (Ribeiro, 2015). An important social consequence of the merger between inequality and segregation is the cumulative effect of social and environmental risks at some critical points. These, called peripheries, have the worst socioeconomic indicators, with an intensely polluted environment and inefficient social services (Torres, 1997).

However, starting with 1988 Constitution (Constitution of the Federative Republic of Brazil was promulgated on October 5, 1988, the country's fundamental and supreme law), housing became a social right of Brazilian citizens and, with the approval of the *Estatuto da Cidade*, Statute of the City (Law 10.257, of 10/07/2001) that regulates the chapter "Urban Policy" of the Constitution, a series of public policies emerged committed to the ideals of social justice, democracy and sustainability (BRASIL, 2009). The implementation of this new legislation constitutes a paradigm shift with regard to the treatment given to precarious settlements, inaugurating a new urban legal framework that made it possible to implement the principle of the social function of property.

In this new urban order of the *Estatuto da Cidade*, the *Zonas Especiais de Interesse Social* (ZEIS), Special Zones of Social Interest, have consolidated themselves as a special type of zoning, which seeks

to include low-income populations in the city and the areas served by equipment and infrastructure. This inclusion / insertion can occur in two ways: one through the delimitation of areas previously occupied by precarious settlements – proposing improvements in their infrastructure – another through the demarcation of urban voids and underutilized properties, destining them to the production of new popular housing (BRASIL, 2009).

However, according to current legislation, the implementation of these instruments is still the responsibility of the municipalities. Such a situation ends up making its applicability vulnerable, as it would occur from municipal initiatives that are not neutral, since they represent a political project linked to the dominant social theory, disregarding conflicts that involve local management (Höfling, 2001).

In the case of the north coast of Maceió, an increasing urban expansion has been observed, characterized by a process of constant valorisation of urban soil. These factors, associated with the lack of an integrated vision for urban planning that includes a more democratic management for the city where society, nature and the market can interact in a more sustainable way have generated immense concern for the resistant populations in the area. These demand a more sustainable development for the region, compatible with a non-exclusive city model, among which the creation and implementation of ZEIS in areas historically occupied by low-income communities.

Thus, this research intends to characterize an area for the implementation of ZEIS on the north coast of Maceió in line with the legislation in force and with the concerns of the local population and, further, to discuss the implementation processes of these zones with the other *Zonas Especiais de Preservação* (ZEP), Special Preservation Zones, and *Zonas de Interesse Ambiental e Paisagístico* (ZIAP), Areas of Environmental and Landscape Interest, their potential and critical issues.

2. MATERIALS AND METHODS

The adopted Methodology has an exploratory and explanatory character. It followed the qualitative approach method, using the methodological procedure of the Case Study.

Initially, a literature review was carried out seeking a theoretical and conceptual basis on ZEP (and on the *Zonas Especiais de Preservação Cultural* – ZEPEC, Special Cultural Preservation Areas) and ZEIS, contextualizing their creation and identifying potentialities and current barriers in their implementation.

Documentary research on urban laws at federal, state, and municipal levels was undertaken in order to identify parameters for the implementation of ZEP and ZEIS and to adapt the research to the provisions defined in the municipal and regional development plans. The reports of residents' associations and social movements that work in the study areas were also analyzed so that the proposed proposals are in line with popular demands and with the parameters established by LEI No. 5,477 of December 6, 2005 of the municipality of Maceió that establishes the rules for the institution of ZEIS (MACEIÓ, 2005).

In the choice and delimitation of the area for the Case Study, the reports presented by social and popular movements, residents' associations and civil society were consulted, which were presented in the discussion forums for review of the new Master Plan for the city of Maceió and, still, the project *A Garça que Queremos*, by the social movement *Abrace a Garça*.

The documents produced by various local associations elaborate a series of claims to the Maceió Master Plan, among which are the creation of ZEP of the South Coast and ZEIS in areas of the North Coast historically occupied by low-income communities to recover the following subnormal agglomerations: "*Poeirão da Guaxuma*", "*Coreia*", "*Grota do Andraujo*", "*Alto do Cruzeiro*" (ABRACE A GARÇA, 2015).

It was from these documents and technical analyzes carried out through visits to the area that the settlements of "*Vila dos Pescadores*" (Fisherman's Village) in *Jaraguá* neighborhood and "*Coreia*" (Korea) in *Garça Torta* neighborhood were defined as objects of study. For the development of the Case Study, a survey of the buildings in the area was carried out through technical visits and images obtained by the Google Earth platform. Information on urban land use, population and occupation characteristics were collected through questionnaires. From this information, tables, thematic maps and graphs about the area were developed. Finally, the existing urban parameters in the areas were defined, priority guidelines for urbanization were determined, in addition to suggestions for improvements and interventions through the disaffection of public and private areas.

As regards the theoretical and legislative references, it should be noted that ZEP - *Zonas Especiais de Preservação* (Law No. 4,545 of 11/14/1996, CHAPTER I - GENERAL PROVISIONS, Articles 1, 2, 3), are established by the *Câmara Municipal De Maceió* who declares that these are composed of buildings in sets and / or isolated buildings, whose architectural or historical expressions constitute the Cultural Heritage of Maceió, in view of the following objectives: I - To ensure the protection and discipline of the preservation of the Built Cultural Heritage of the Municipality of Maceió; II - Allow the delimitation of special zones for the preservation of this Heritage; III - To institute a special regime for

the same areas in relation to the urban legislation specific to the Municipality of Maceió; IV - Create tax benefits to stimulate tourism and preservation activities. Moreover, the Head of the Municipal Executive, by decree, will establish each *Zona Especial de Preservação* approving its respective regulation and destination, detailing the building and use and occupation rules, of specific application for each of the instituted ZEP.

The *Zonas Especiais de Preservação* (ZEP), Special Preservation Zones, can be subdivided into *Setores de Preservação Rigorosa* (SPR), Strict Preservation Sectors, and *Setores de Preservação Ambiental* (SPA), Environmental Preservation Sectors. For the purposes of this Law, the Rigorous Preservation Sector is considered to be an urban space containing any building or set of buildings, established as a Cultural Heritage of Maceió, subject, therefore, to a strict control of building and urban interventions in order to prevent other interventions or non-interventions that cause them to perish or that interfere with their characteristics, changing their original feature. For the purposes of this Law, the Environmental Preservation Sector is considered to be the urban space surrounding the Strict Preservation Sectors, in order to mitigate the landscape interference of urbanization in these areas.

The protection of the Maceió Cultural Heritage, should be exercised by the Municipal Government with the collaboration of the community, through surveillance and execution of conservation, repair or restoration works. For the purposes of this Law, a Conservation Work is considered to be a preventive intervention, which consists of maintaining the Cultural Property to be preserved. For the purposes of this Law, Repair Work is considered to be a corrective intervention, which consists of the replacement, modification or elimination of foreign elements or incompatible with the architectural unit of the isolated set or building to be preserved. For the purposes of this Law, a Restoration Work is considered to be an intervention, also of a corrective nature, which consists of reconstituting the original characteristics of the property, by recovering the affected structure and the destroyed, damaged or uncharacterized elements or, still, the purge of elements foreign to the Cultural Property to be preserved.

The Master Plan of the Municipality of Maceió (Law No. 5,486 of December 30, 2005), in its chapter II - The Environment, Section II, Subsection II, establishes the *Zonas de Interesse Ambiental e Paisagístico* (ZIAP), Areas of Environmental and Landscape Interest, which are defined in article 31 as “areas of special environmental importance, in view of their relevant contributions to ecological balance”. Articles 20 and 32 of the Master Plan establish the reference elements for the natural heritage and the ZIAP of the city of Maceió. These reference elements are important components of the ecological base, the shape and the landscape of the city.

Quoting Bianor Monteiro Lima (Master's Dissertation, UFAL, 2009) "The ecological components such as the relief, hydrography and vegetation that still populate the caves and slopes of the city of Maceió give uniqueness to its landscape. Although the form and intensity of occupation of the city's spaces result in the degradation of this vegetation, especially in areas close to water bodies and on the slopes and caves adjacent to the most occupied areas; this vegetation cover, even legally declared *Áreas de Proteção Permanente* (APP), Permanent Protection Areas, thus classified by federal legislation (*Código Florestal*, Forest Code, Law No. 4,771 of 09/15/1965) and by the State Constitution and Environmental and Landscape Interest Areas (ZIAP), have been target of strong pressure in the face of the expansion of urban occupation". But already in 1985, with the *Código de Urbanismo*, Urbanism Code (Law No. 3,536 of December 23, 1985, in its chapter VII, section I and articles 156 and 157 Item I), Conservation areas are established in order to preserve the biological balance, protect water resources, guarantee the quality of the landscape, encourage the use of natural spaces by the inhabitants for recreational purposes and safeguard the historical, artistic and cultural heritage. These are classified as areas of historical, artistic-cultural and landscape interest.

The first quote to what is now known as the *Zona Especial de Interesse Social* - ZEIS appeared in the city of Recife (Pernambuco State) in 1983, with the Municipal Law for the use and occupation of land. It delimited urban areas for housing aimed at low-income population, establishing special urban norms for urban structuring and land regularization (Recife, City Hall. Municipal Law No. 14,511 of 1983. Article 14, II). These areas could be characterized by areas occupied by consolidated precarious settlements that arose spontaneously or empty and underutilized areas that could be used for housing purposes.

However, the ZEIS only had greater relevance in 1987, after the approval of the law of the regularization plans of ZEIS-PREZEIS, which had the initiative of the Justice and Peace Commission of the archdiocese of Olinda and Recife and the action of the neighborhood organizations, becoming reference for Brazil (Rolnik, 1998).

Another similar experience emerged in 1985 in Belo Horizonte (Minas Gerais State) when the special zoning of social interest was approved, by the Municipal Law of Parceling, Use and Occupation of Land, which aimed at the regularization of land tenure and improvements in the PROFAVELA urbanization program, against the policies for the removal of *favelas* and their families (Rolnik and Santoro, 2013).

In 2001, with the approval of Federal Law No. 10,257, the *Estatuto da Cidade* was created, which deals with urban policy, regulating land use and bringing ZEIS to the national level, which arose

from these initial experiences in Recife and Belo horizonte (CAVALCANTE, 2016). The objectives of establishing ZEIS in the *Estatuto da Cidade* are to reduce social and urban differences with the generation of jobs and income in addition to access to legalized land and provision of public services, infrastructure, community equipment and services to improve living conditions in precarious locations.

Other particularities of these zones are the establishment of patterns of land use and occupation with parameters that are in accordance with the characteristics of the already existing occupations, discouraging the so-called real estate speculation, the participation of the population in urban decisions, the preservation of the environment with actions environmental education and requalification of degraded areas, land tenure regularization and increased land supply to the low-income population (Nogueira, 2013). According to Rolnik and Santoro (2013), in zoning of social interest the basic infrastructure started to establish, at least, circulation routes, rainwater drainage, network for the supply of drinking water, sewage and electricity, no public lighting and sewage network are more required.

In Maceió, Law No. 5,477, of December 6, 2005, establishes the rules for the establishment of Special Areas of Social Interest (ZEIS), through the management procedures and structures necessary for urbanization and land tenure regularization in lands where spontaneously consolidated housing settlements have been established by low-income families and in areas destined to housing programs of social interest. This Law establishes two options for requesting the creation of these zones: one by public means, from the competent bodies; and another, of popular initiative, through associative entities representing collective interests, constituted in the legal form. However, it is the exclusive competence of the mayor, based on the opinion of the *Comissão Multisetorial de Estudos das ZEIS - CME/ZEIS*, Multisectoral Commission for the Study of the ZEIS to decide whether or not to implement it (MACEIÓ, 2005). For the institution of ZEIS, Article 2 of Law No. 5,477 considers the following locations to be suitable for its implementation: I - residential occupations in the areas of hillsides and caves; II - residential occupations on the banks of *Lagoa Mundaú*; III - residential occupations on the banks of water courses and canals; IV - precarious settlements in camps; V - irregular and / or clandestine subdivisions; VI - housing estates of social interest; VII - popular housing programs of social interest; VIII - areas intended primarily for the promotion of social housing, especially for the resettlement of the resident population in places at risk; IX - other forms of precarious settlements whose urbanization is considered to be of social interest, to improve housing conditions, security and infrastructure for its occupants (MACEIÓ, 2005).

However, for the implementation of ZEIS in these areas, basic requirements are necessary, such as: being liable to urbanization according to a technical feasibility study, observing the minimum

standards of health, safety and environmental sanitation; in occupied areas, predominantly residential use, low-income housing typology, no basic infrastructure services and average family income equal to or less than 3 (three) minimum wages; in unoccupied areas use unbuilding plots, unused or underutilized and appropriated to the parceling of land for urban purposes, in addition to land or plots subject to the right of preemption (*Direito de Preempção*, Right of Preemption - legal instrument, regulated in articles 25 to 27 of the EC with the purpose of guaranteeing the preference for the acquisition of urban property to the municipal government (MACEIÓ, 2005).

Regarding the possible potentialities, the following stand out: the demarcation of areas that will no longer be at the mercy of real estate speculation; the recognition of identity and strengthening of groups; the structuring of areas hitherto without the prospect of receiving improvements and reducing the housing deficit. Regarding the critical issues, the following is enumerated: the dispute between communities and public power, which is strongly linked to private interests; the commodity versus law dichotomy for urban land; deficiencies in the execution of (re) structuring projects; and the delay in legal procedures for transformation into ZEIS.

It is essential to understand the context in which the ZEIS arise in order to understand their objectives, potential and barriers. These zones are the result of the movement that culminates in the inclusion of an urban policy chapter in the *Constituição Federal* and the edition of the *Estatuto da Cidade*, in order to provide changes in the way of looking at cities and, consequently, in the way of planning and manage them. Thus, the recognition as ZEIS by the Master Plan or other Municipal Law, where the government must establish processes of urbanization and land regularization, must necessarily be reflected in the municipal budget planning process, with the consequent provision of resources for investment in urbanization and land tenure regularization in the annual budget of the municipality, referring to such areas (Romeiro, 2010).

The implementation of these areas has received positive evaluations of its role as an urban instrument that aims to contribute to the improvement of urban and land quality in the regions where it is located. Among the benefits observed since the establishment of the ZEIS, it includes: the increase in life improvement due to land tenure and the provision of infrastructure services; the opportunity for land regularization through innovative legal means without being subject to speculation and the integration into the network from an equally physical and social point of view (Soares, 2013).

Nevertheless, there are critical approaches to the applied experiences of ZEIS in Brazil. For Erminia Maricato (2011), ZEIS emerged as an original formulation that sought to adapt zoning legislation, inspired by the cities of central capitalism, to the specificities of the peripheral city. These

laws spoke only with the real estate market. In this perspective, these zones sought to combat segregation with the mandatory inclusion of social housing in urbanized regions, aiming to guarantee the right to the city for those who were excluded.

3. STUDY CASES

Considered one of the most beautiful coastal cities in the Northeast of Brazil, Maceió is in a period of great urbanization and has faced complex phenomena of varying aspects causing an increasing appreciation of land in peripheral areas close to the beach (Nascimento, 2007). The southern coast of the city is made up of 8 neighborhoods: *Pontal da Barra*, which is however a historic fishing town detached from the metropolitan city; *Trapiche da Barra e Prado*, predominantly mixed residential building districts; *Centro e Jaraguá*, which are the remains of the ancient historical core; *Pajuçara, Ponta Verde e Jatiúca*, residential areas of medium and high social class. The northern coast of the city is made up of 7 neighborhoods: *Cruz das Almas*, traditional building site for single-level villas mixed with large and multi-level commercial and industrial buildings; *Jacarecica e Guaxuma* (ancient toponyms of indigenous peoples), surrounded by the *Mata Atlântica*, Atlantic Forest, and characterized by the construction of traditional villas and modern villas; *Garça Torta, Riacho Doce e Pescaria*, historic fishing settlements; at last *Ipioca*, it too is a historic town located at a great distance from the metropolitan city.

The areas chosen for the analysis were those located along the Atlantic coast of the city of Maceió: along the south coast the *Jaraguá* district with its fishing village, “*Vila dos Pescadores*”, in front of the remains of the historic city center and, along the north coast, the *Garça Torta* district with its precarious settlement called “*Coreia*”.

3.1 *Jaraguá* and the “*Vila dos Pescadores*”

The *Jaraguá* neighborhood is currently an important repository of the memory of the city of Maceió. In this way, its preservation represents the strengthening of the identity of the inhabitants of Maceió and Alagoas State. However, due to its privileged location, the neighborhood is the target of interests from economic sectors that do not see the safeguarding of old buildings and the landscape itself as a priority. Therefore, there is a conflict of interest in relation to *Jaraguá* and this is reflected in the history of legislation related to the preservation of its material heritage. It is important to note that the neighborhood, with the old port of *Jaraguá*, was part of the city's initial formation.

The colonial port of *Jaraguà* was anciently the main landing point for trade between Europe and South America and is still today a large commercial port of international importance. *Jaraguá* represents the oldest part of Maceió and has a rich architectural heritage with buildings dating back to the origins of the city and its golden age. It is in the streets *Sá* and *Albuquerque* where there is the greatest concentration of historic buildings. Unfortunately, some of these – those that are not used for commercial or public administration use – are disused, abandoned and consequently in ruins and transform the place into an “amnesic space” (Carlos, op. Cit.), Being completely disconnected from urban public policies and tourist areas of the city.

«A cidade acaba condicionada, presa a uma ou duas imagens que passam a valer pelo todo, mas por detrás desses “pontos luminosos” coexistem diversas cidades “invisíveis”, que narram outras histórias e são povoadas por “outros espíritos”. Não são mundos separados, mas interconectados, que, em alguns momentos, se interpenetram, e em outros, se mantêm como realidades estanques. “Cidades-vodu”, na concepção de Harvey (1996), onde a fonte luminosa encobre realidades obscuras».

«The city ends up conditioned, stuck to one or two images that become valid for the whole, but behind these “luminous points” several “invisible” cities coexist, which tell other stories and are populated by “other spirits”. They are not separate worlds, but interconnected, which, in some moments, interpenetrate, and in others, remain as watertight realities. “Voodoo cities”, according to Harvey (1996), where the light source covers obscure realities».

This stretch of Maceió, *Jaraguà*, has gradually been transformed into an “invisible space”, both for public power (which has not presented / implemented revitalization projects for the coast) and for capital (which creates strategies in so that the tourist “does not see the place”). Occurred after the economic enhancement of the nearby beaches of *Pajuçara* and *Ponta Verde* as real estate occupation areas for social classes with greater purchasing power, supported by the installation of tourist equipment (hotels, restaurants, bars, craft centers, etc.), allied the expansion, along the same areas, of tourism towards the southern coast (*Francês*, *Gunga* and *Peba* beaches) and after the increasing pollution of the “*Praia da Avenida*” beach - caused, among other things, by the degradation of the “*Salgadinho*” torrent and by the Braskem industry.

As Carlos points out (2007a, p.37):

«A cidade produzida liga-se a forma de propriedade que reproduz a hierarquia espacial enquanto consequência da hierarquia social passível de ser percebida na paisagem urbana através da segregação espacial cuja dinâmica conduz, de um lado a redistribuição do uso das áreas já ocupadas levando a um deslocamento de atividades e dos habitantes e, de outro, a incorporação de novas áreas que criam novas formas de valorização do espaço urbano».

«The city produced is linked to the form of property that reproduces the spatial hierarchy as a consequence of the social hierarchy that can be perceived in the urban landscape through the spatial segregation whose dynamics leads, on the one hand, to the redistribution of the use of already occupied areas leading displacement of activities and inhabitants and, on the other hand, the incorporation of new areas that create new forms of valorisation of urban space».

In recent decades there have been discontinuities and / or changes in the use of real estate located in the ancient part of *Jaraguá* in Maceió, such that many of these properties, due to disuse or speculation, have become real ruins.

Urban policies designed with the aim of restructuring, upgrading and revitalizing central urban areas and historic cities must face some of the problems that have become structural in overcoming the scenarios of degradation and underutilization of parts of cities (*Ministério das Cidades*, 2011, p.10). It is to be understood, therefore, that the identification of the agents that produce the space (Corrêa, 1989) in Jaraguá is an important step in the process of redeveloping the place, mainly because, when identifying the owners of closed and / or underutilized buildings , some of the guidelines provided by the *Estatuto da Cidade*, the Statute of the City, can be used, avoiding real estate speculation and promoting the social function of the city and property.

«Conjuntos de imóveis vazios e abandonados que não cumprem sua função social, constituem um estoque especulativo que está retido, aguardando valorização futura, ou o espólio [...], poderiam ser objeto de políticas públicas voltadas ao atendimento da população que mora precariamente em cortiços e favelas nas áreas centrais». (Ministério das Cidades, op. cit., p. 11).
«Sets of empty and abandoned properties that do not fulfill their social function, constitute a speculative stock that is retained, awaiting future appreciation, or the estate [...], could be the object of public policies aimed at serving the population that lives precariously in slums and *favelas* in the central areas».

Therefore, some of the possible uses of *Jaraguá* would be: the assignment of "inactive properties" for housing purposes and for the establishment of spaces for cultural or recreational coexistence, an action that would promote greater dynamics of the place and give greater visibility to the neighborhood, both for its "internal" and "external" image. That is, it would help to present a better image of the place both for the native population and for the various visitors who move through the city of Maceió every year.

But, in order for this to happen, it is necessary to face the serious socio-spatial and environmental problems, latent, especially on the edge of the *Praia da Avenida* and to counter the environmental degradation process of the river *Rio Salgadinho*, once one of the main symbols of the

city. The city of Maceió, in fact, since its foundation has maintained a direct connection with the waters (maritime, lagoon and river) and the river *Rio Maceió*, which today is called “*Salgadinho*” due to the entry of the salty waters of the ocean in the sweet water of the river.

The *Rio Maceió* has undergone several interventions over the time, the most significant was the change in its course and the re-addressing of its mouth on the beach. Together with these actions, over time, as the city expanded, the process of occupying the banks of the river gained ground and, due to the absence of socio-environmental urban policies, transformed the flow of water into a sewer that flows today in the *Praia de Avenida* (first on the sand and then in the ocean!) without any treatment / purification, the waste / discharges carried by its waters are now visible along its entire path.

Another serious socio-spatial problem present on the *Praia da Avenida* refers to the situation of the “*Vila dos Pescadores*”. For many years, a significant number of low-income families – mainly composed of fishermen – occupied a small area of the city's waterfront, near the port of *Jaraguá*, the “*Comunidade Jaraguá*” (*Jaraguá* Community) of the fishing village or “*Favela Jaraguá*”, such as renamed by the municipality that did not want to recognize its specific identity. After many years of litigation and pressure from the Prefecture, in 2012 (and then, again in 2015) the community was removed from the place and some of the inhabitants were transferred to the *Conjunto Habitacional Vila dos Pescadores*, (Figure 1), a site built by the Municipality on the same avenue, further south, in the near the Braskem industry; according to the gentrification process of the poorest that is common in both the United States and Latin America.



Figure 1: *Vila dos Pescadores* or *Favela de Jaraguá*. Source: <http://www.jfal.jus.br/noticias/3637>

A study conducted by Albuquerque, Peixoto and Albuquerque (2012), showed that, despite all the resistance of the residents, who had the support of social organizations and also of the *Ministério Público* (so that the process of expropriation and transfer in another locality of the fishing community did not occur), the gentrification carried out by the public power produced the growing process of “*favelização*” (transformation into *favela*) of the area, a feature that was then used as a justification for the removal of most of the residents with sustained action from the use of violence against those who preferred to stay in the area. (Idem, 2012, np.). The settlement was located “symbolically” in front of the Statue of Liberty (copy on a smaller scale of the Statue of New York), , in an area of great historical and architectural interest currently undergoing recovery and renovation.

Initially, the prefecture of Maceió presented a proposal to build a Turistic Port in the place where the so-called “*Favela de Jaraguá*” was located. However, after popular pressure and the contrary position of the Ministério Público, a new proposal was made to use the area. After years, however, nothing has been built, thus following up on the Gestor Municipal's speech during the expropriation: “We do not want to take anyone out of their home just to improve the appearance of the city” (ibidem., N.p.); therefore, the conditions that could better satisfy the needs of the inhabitants, who belong to the poor and dignified class of workers with which Brazil is populated, have not been created.

The Municipality of Maceió in the 1990s, a period in which the *Jaraguá* district revitalization took place, defined legislation for its preservation. Law No. 4545 of November 14, 1996 institutes the *Zonas Especiais de Preservação*, Special Preservation Zones, for the city, pointing out general parameters for its effectiveness. It also creates the sectors of strict preservation and sectors of environmental preservation, with specific determinations for permissions and prohibitions.

Specifically for *Jaraguá*, Municipal Decree No. 5569 was sanctioned on November 22, 1996, which determines the entire neighborhood as being the first special preservation zone in Maceió. The decree divides the area into 2 sectors for strict preservation and 3 for environmental preservation. Indicates permitted uses and urban indexes for interventions so that the ZEP-1 is maintained as an area of historical and architectural interest, with its preservation aimed at the tourist, leisure and cultural vocation (Decree nº 5569/1996). The zone and its sectors are described and mapped to clarify each delimitation.

The Maceió Master Plan (Law No. 5486 of December 30, 2005) corroborates the existing legislation in the municipality and maintains the delimitation of ZEP-1. It associates zones with the

need for a management plan. Indicates that urban indexes and parameters will be included in urban legislation derived from the Master Plan. The Maceió urban planning code, Law No. 5593 of February 8, 2007, was created to comply with the provisions set forth in the Municipality's Master Plan and applicable federal, state and municipal legislation (Law No. 5593/2007). The zoning defined by the 2009 Maceió Master Plan, defines *Jaraguá* as a special area of historic preservation.

The law project of 11/21/2017, published in the Official Gazette of the Municipality of Maceió, is the incentive package to promote the occupation and appropriation of the neighborhood by citizens. *Jaraguá* was defined by the Code of Urbanism and Buildings of the Municipality of Maceió (Municipal Law nº 5.593 / 07), as a Special Cultural Preservation Zone and, therefore, there are specific criteria for any type of intervention in the region.

3.2 Garça Torta and its “Coreia”

“*Coreia*” is a precarious settlement located in the *Garça Torta* neighborhood, on the North Coast of Maceió, with a narrow and irregular layout, with paved streets from which there is access via a single entrance from the AL-101 Norte highway (Figure 2).



Figure 2: “*Coreia*” settlement. Source: Adaptation of GoogleEarth, 2017

From the analysis of the various socio-economic indicators it is possible to draw a profile on the community. Its occupation is old and almost 90% of its population has lived there for more than 10 years. About information on family income. It has been noted that most of the income is between 1 and 3 minimum wages, equal to 56%. The minimum wage in effect in Brazil in 2017, R \$ 938.00, was used as a reference. Unlike the average, 2% of households have an income above 5 minimum wages. In “Coreia” settlement, 65 irregular plots ranging from 11.45 m² to 1012 m² have been identified, which have been divided into 5 blocks in this work. The predominant use in this settlement is housing, however there were four occasions of mixed use, with 2 lots closer to AL. 101 Norte street, which are linked to the sale of products and the other 2 are related to services: lot 15E barber shop, lot 20D sewing workshop. There were also 4 vacant lots: 3A is for rent, 13B is under construction, 14B is empty and the 17E is vacant, due to the death of the former resident.

Most of the dwellings in this settlement are their own, although they do not have the deed to their properties, most of their residents inherited these lots from their relatives. There are several multifamily dwellings in “Coreia” settlement, where the building is divided into several rooms or floors and more than one family cohabits in the same lot. This dynamic is perceived, mainly, among the lots that were inherited. As for specific characteristics detected, it is possible to highlight: 1 - number of floors in buildings. Most are single-storey (58%), however there is a significant number of buildings with two floors (40%), this usually occurs in lots where more than one family lives, which are divided on these floors; 2 - number of bathrooms in “Coreia” homes, it is noted that most homes have only one bathroom, about 85%, typical of low-income houses with few rooms. However, there is a residence in the settlement where there are no bathrooms, this appears to be the most precarious house in the community; 3 - supply of energy in the houses, being possible to verify that most of the houses have regular supply of electric energy. However, it appears that 9% have an irregular supply, in addition to 2% without electricity supply at the option of the resident or lack of resources to meet the expenses.

The data shows that, even in communities with relative precariousness, the supply of formal energy is almost always something that has occurred since the beginning of the occupation. This is due to the imminent need for energy for practically everything, in addition to the ease of implementation, since the cables are placed suspended, facilitating installation logistics, unlike the water and sewage network, for example.

In reference to water supply, it was observed that there is no distribution by the *Companhia de Saneamento de Alagoas* (CASAL), Alagoas Sanitation Company, and the houses are supplied by artesian wells. However, most houses do not have their own wells and, in these cases, water is supplied

by lot 4B, through the payment of a monthly fee, for 4 hours a day on alternate days. This situation is very harmful to the community, since access to water is a fundamental right and by relegating this function to an individual, the State ends up generating even more vulnerability in addition to a strong dependency relationship between neighbors. By exempting itself from water supply, CASAL favors social and economic interests of well owners in the locality, who charge and distribute water as they wish.

In this same sense, it was also observed that CASAL's inefficiency also generates many other sanitary and environmental problems, as throughout the settlement there is no basic sanitation, most houses have septic tanks to collect debris from bathrooms and grease boxes for kitchen, but everything else is poured into the rainwater gallery, recently opened by the company, or in the open. In times of accelerated globalization, access to the Internet is a reality almost everywhere. In the case of the "Coreia" community it is no different. Most houses have access to the world wide web, totaling 72%.

It is concluded that the most common housing typology in the "Coreia" settlement is low income. This location does not have minimum basic infrastructure services, such as adequate circulation routes, accessibility for pedestrians and wheelchair users, a drinking water supply network and sewerage. These deficiencies are recurrent among the precarious settlements in Maceió, however the lack of regular water supply is the most alarming factor in the community and constitutes the biggest focus of urbanization guidelines for the place.

The neighborhoods along the northern coast, bordering the street AL-101 Norte, are currently experiencing a process of great urban expansion caused by several political programs that influence the occupation of the region (Cavalcanti et al, 2015). These occupations were made possible by changes in the land use and occupation legislation that allowed the implementation of new projects on the site. Currently, the Master Plan (PD) of Maceió encourages the development of the north coast with: the incentive to tourism development; the implementation of its road system foreseen in technical studies, guaranteeing access to the beach and the urban-landscape quality of the region. (MACEIÓ, 2005). These public and private interventions in the city impact on urban conformation, its expansion or consolidation and are part of a set of public and private actions on the city space, influenced by a strong role in the real estate sector (Cavalcanti et al, 2015). However, a good part of the coast of the north coast was historically occupied by low-income population, precisely between the areas of *Cruz das Almas*, *Jacarecica*, *Guaxuma*, *Garça Torta*, *Riacho Doce* and *Ipioca* long before real estate speculation (Araújo, 2016).

Social movements are increasingly concerned about the dynamics that are presented in this area, as a result of the interest of real estate companies and tourism. These movements demand a more sustainable development for the region, compatible with a non-exclusive city model and that offer urbanization conditions based on integration, respect for culture, history and the environment (ABRACE A GARÇA, 2015). Among the guidelines proposed by these groups for the revision of the city's Master Plan are the inclusion of Special Areas of Social Interest in areas historically occupied by low-income communities (ABRACE A GARÇA, 2015).

4. RESULTS

There is currently no connection between *Zonas Especiais de Preservação Cultural* (ZEP or ZEPEC), *Zonas Especiais de Proteção Ambiental* (ZEPA) and *Zonas Especiais de Interesse Social* (ZEIS).

The *Zonas Especiais de Preservação Cultural* – ZEPEC, Special Cultural Preservation Zones, are portions of the territory intended for the preservation, enhancement and safeguarding of assets of historical, artistic, architectural, archaeological and landscape value, hereinafter defined as cultural heritage, which can be configured as built elements, buildings and their respective areas or lots; architectural sets, urban or rural sites; archaeological sites, indigenous areas, public spaces; religious temples, landscape elements; urban complexes, spaces and structures that support intangible heritage and / or uses of socially assigned value. The origin of ZEPEC lies in the listing of properties and urban complexes, with the possibility of having new perimeters created during the zoning law in effect as new settlements are instituted at the federal, state and municipal levels. ZEPEC depends on another area to enable the approval of reforms and installation licenses, since ZEPEC presents only occupation parameters and restrictions, with no parameters for use, discomfort and installation conditions for uses. ZEPEC is perhaps the area that most contributes to the preservation of neighborhoods, as the listing restricts the transformation (<https://gestaourbana.prefeitura.sp.gov.br/zona-especial-de-preservacao-cultural-zepec/>).

The *Zonas Especiais de Proteção Ambiental* – ZEPA, Special Environmental Protection Zones, are areas of environmental and landscape interest necessary for the preservation of the conditions to soften the environment and those destined to sports or recreational activities for public use, as well as areas that present exceptional characteristics of forests, mangroves and dams. Remaining areas of *Mata Atlântica*, Atlantic Forest, and other formations of native vegetation, afforestation of environmental relevance, significant vegetation, high permeability index and existence of springs, among others that provide relevant environmental services. The objective is to allocate these portions

of the municipality's territory to the preservation and protection of environmental heritage, whose main attributes are the conservation of biodiversity, control of erosion and flooding processes, water production and microclimate regulation.

The *Zonas Especiais de Interesse Social – ZEIS*, Special Zones of Social Interest, are an instrument of urban policy that addresses complex issues involving conflicts of interest and social clashes that are difficult to deal with, such as integrated action in irregular areas, for example. Reaching the universe of regularity means for the inhabitants of precarious spaces to have access to urban and environmental improvements, public records and the inclusion of the property in the municipal registers. It is necessary to understand the context of the attributions of the local power, its objectives and purposes in meeting the demands for social equality, in order to guarantee an emancipatory character of these policies. Thus, reinforcing the action planning initiatives at the local level in a participatory manner, considering notions of belonging and recognition that would legitimize these interventions before the community.

In the case of Maceió, Special Zones of Social Interest have been defined since the formulation of the 2005 Master Plan, however the barriers to their implementation did not allow them to leave the paper. In the opportunity to reformulate the city's Master Plan and in line with the population's desires, this work confirms the need to implement these areas in areas historically occupied by low-income populations, allowing the insertion of marginalized strata into the city and mitigating real estate speculation. in urban expansion areas, such as the north coast. In this sense, the “*Coreia*” settlement proved to be amenable to implementing ZEIS, both for its spatial and population characteristics. Among the minimum urbanization requirements in the area, this work lists investments in basic infrastructure, especially water supply and opens up opportunities for other works that may collaborate with area studies for the implementation of a health post in the *Garça Torta* neighborhood.

The proposal that derives from the study of the two different urban and social realities analyzed is to establish “sets” of these areas, through the cartographic mapping of the specific characteristics found in the same neighborhood and the relative construction of an “Social Cartography” environmental and historical-cultural, that imposes itself as a key tool for urban sustainability: Social Cartography for an Observatory on the city. The Social cartography allows people to draw, with the help of professionals, maps of the territories they occupy. In Brazil, the first initiatives were developed in territories of the “Legal Amazon” (the largest socio-geographic division in Brazil, containing all nine states in the Amazon basin), and later extended to other Brazilian regions, especially in the rural area. However, there are already experiences involving urban communities. Instead of technical information, social maps are constructed in a participatory way and present the daily life of

a community. In them, places, rivers, lakes, houses, social facilities such as hospitals, schools, and other elements that the populations involved consider important are placed.

Quoting professors Adryane Gorayeb and Jeovah Meireles, from the Geoprocessing Laboratory (Labocart), from the Federal University of Ceará (UFC), “Social Cartography is constituted as a branch of cartographic science that works, in a critical and participative way, with demarcation and spatial characterization of disputed territories, of great socio-environmental, economic and cultural interest, with ancestral and symbolic ties”. Its use is very important in the spatial characterization of territories, especially those in dispute, or of great socio-environmental, economic and cultural interest; and its importance in defending the rights of vulnerable populations.

5. FINAL CONSIDERATIONS

It is not an exaggeration to say that the historical and social formation of Alagoas State can be told through the history of urban and architectural formation in the *Jaraguá* neighborhood. The neighborhood has an architectural, urbanistic and aesthetic richness that were the stage of the periods of both the “Golden Age” of sugar, cotton and manufacturing production as well as its decadence. In *Jaraguá* we observe the preservation of countless historic buildings of unique aesthetic beauty, such as: the *Commercial Association*, the *Bank of London*, the *Trapiches* (Industrial plants for the production of sugar) and many others that make up one of the most beautiful landscapes in Maceió. Those who passing for a few moments by the steps of the *Associação Comercial* (Commercial Association Palace), the *Praça Dois Leões* crowned by the *Museu da Imagem e do Som* – MISA (Museum of Image and Sound), and by so many other examples of historical architecture present in the streets *Sá* and *Albuquerque*, do not lose themselves admiring its beauty and grandeur. But the absence of city movement causes a feeling of emptiness and the lack of use of urban space. It is necessary to rescue everyday life in the neighborhood, because only then can the urban space become more welcoming. Starting with the enhancement and redevelopment of the “*Vila dos Pescadores*” settlement, which is reforming year by year in the same place where it was removed and which, today, is the only place that is activating a process of revitalization of the historic district.

In conversations and approaches carried out during the research in the “*Coreia*” settlement, the need for various interventions by the government in the locality was perceived. The most common claim of the residents is due to the lack of the *Posto de saúde*, Emergency first aid, in the *Garça Torta* neighborhood, they informed that they need to go to *Riacho Doce* (the nearby neighborhood) to get care. However, as this deficiency does not concern only the settlement, but the whole neighborhood,

an area for implementing a emergency first aid will not be suggested in this work, considering however that the Municipality should deal with the problem.

Another frequent complaint among residents concerns the layout of the place that disfavors leisure sports and games among children. The settlement's streets are quite narrow and are even tighter when vehicles are parked there. Thus, it was thought to implement a public living space for adults and children that would allow recreation and interaction between neighbors. It was decided to propose the dismantling of lot 17E, which is currently unoccupied. This plot has a good area and is located at the back of the settlement, with no access to the street, close to a green area and a slope. Its location is strategic to shelter a space for children's recreation, as it allows total control of children, a proposal for the urbanization of the area that should have a sports court and urban equipment such as benches and children's toys.

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