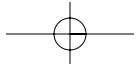
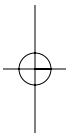
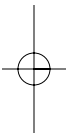


Healthy Cities



Healthy Cities

*The Intersection of Urban Planning,
Law and Health*

James A. Kushner

CAROLINA ACADEMIC PRESS
Durham, North Carolina

Copyright © 2007
James A. Kushner
All Rights Reserved

Library of Congress Cataloging-in-Publication Data

Kushner, James A.

Healthy cities : the intersection of urban planning, law, and health / by James A. Kushner.

p. cm.

Includes bibliographical references and index.

ISBN-13: 978-1-59460-335-8 (alk. paper)

ISBN-10: 1-59460-335-9 (alk. paper)

1. City planning and redevelopment law--United States. 2. Zoning law--United States.
3. Transportation--Health aspects--United States. 4. Housing and health--United States. 5. City planning--Health aspects--United States. I. Title.

KF5692.K88 2007

346.7304'5--dc22

2006039225

Carolina Academic Press
700 Kent Street
Durham, NC 27701
Telephone (919) 489-7486
Fax (919) 493-5668
www.cap-press.com

Printed in the United States of America

CONTENTS

Preface	vii
Acknowledgments	ix
Photo Credits	xi
I. Introduction	1
Chapter 1 Automobiles	3
Chapter 2 The Environment	5
Chapter 3 Health Demands	7
Chapter 4 Housing Policy	11
II. The American Planning Law System— Comprehensive Planning, Zoning & Project Review	13
Chapter 5 Zoning	15
Chapter 6 The Comprehensive Plan	19
Chapter 7 The Inadequacies of Comprehensive Planning	23
Chapter 8 Zoning Problems	27
Chapter 9 The Inadequacy of Transportation Planning	31
Chapter 10 The Project Development Review System	33
Chapter 11 Recreation Planning	37
III. A Critique of American Planning Law	41
Chapter 12 Home Rule	43
Chapter 13 Automobiles vs. Pedestrians	45
Chapter 14 Fiscal Zoning	47
Chapter 15 Segregation	51
Chapter 16 Health Planning and Sprawl	55
Chapter 17 Sprawl vs. The Compact City	57
Chapter 18 Smart New Urbanism	61
Chapter 19 Decongestion and Densification Solutions	67
Chapter 20 Subsidies and the 1-2-3-4-5 Program for Health	75

vi CONTENTS

IV. Transportation and Health	77
Chapter 21 Commuting	81
Chapter 22 Collisions	85
Chapter 23 Civility and Congestion	93
Chapter 24 Air Pollution	97
Chapter 25 Land Use and Transportation	101
Chapter 26 Sprawl and Transport	103
Chapter 27 Parking	107
Chapter 28 Traffic Reform	109
V. Housing and Health	117
Chapter 29 Housing Markets, Housing Policy, and Urban Sprawl	119
Chapter 30 Housing Solutions: Physical and Economic Health	123
Chapter 31 Housing and Neighborhood Security	127
Chapter 32 Homelessness, New Tenures, and Special Populations	131
Chapter 33 Housing Design	135
VI. American Urban Design and Health	139
Chapter 34 The Health Costs of Sprawl	141
Chapter 35 Urban Planning and Health	155
VII. Recreation and Health	159
Chapter 36 The Post-Sedentary City	161
Chapter 37 Healthier Solutions	171
VIII. Conclusion—Towards Healthy Smart Growth	177
Table of Authorities	179
Index	223

PREFACE

As I was writing and researching *The Post-Automobile City* (Carolina Academic Press 2004), the adverse effects of the automobile became more manifest with each planning, environmental, or economic analysis I read. As I continued collecting and reading studies, it was clear that I underestimated those impacts. Simultaneously, I regularly read of an international crisis in health care costs. American producers were at a distinct competitive disadvantage due to the escalating costs of employee health benefits. Americans were increasingly uninsured, and the government health care costs were staggering and unlimited.

I began to associate our urban planning policies, particularly urban sprawl and transportation, with health care costs and began reviewing the medical literature on health care costs and epidemiology, morbidity, and mortality. The medical literature was shocking compared to the planning and geography literature. Health care costs were sky-rocketing because of lifestyles that were obviously generated by urban sprawl and the automobile. America was become sedentary, obese, and sick. Those well enough to continue driving were crashing into each other at an alarming and costly rate.

It was clear that my next exploration was the connection between health and urban planning. In his work *Politics*, Aristotle stated that “[i]n respect of the place [of the city] our wish would be that its situation should be fortunate in four things. The first, health—this is a necessity.... [s]pecial care should be taken of the health of the inhabitants.... Aristotle, *Politics*, Book VII, ch. 11, ¶35, in 8 GREAT BOOKS OF THE WESTERN WORLD 535 (MORTIMER J. ADLER ED. 1952).

The medical costs of car collisions are the largest single component of the health care costs in the United States and the costs of a sedentary lifestyle and unhealthy eating habits are generating most of the diseases that make up the largest bulk of costs. Air pollution from the internal combustion engine is dramatically adding to those diseases and costs. The topic of this work is how we plan and design cities and how we can modify that design so as to make cities safer and healthier. How can cities be designed to be sustainable through reducing the exhaustion of resources so that our progeny can inherit a more

viii

healthful environment? The goal of this work is to identify the components of urban health care planning, discuss alternative mechanisms to integrate health care planning into the urban planning system and to discuss how the costs of health care can be reduced through prevention and improved urban planning and be equitably imposed on the community.

Healthy Cities is a call to arms to combat the increasingly high cost of transportation and the unacceptable costs of a deteriorating environment and declining health. Not only can healthy cities lead to environmental improvement and lowered health costs, they can allow our workers and producers to be competitive with those that have de minimus transportation and health care expenses, and can lead to a healthful environment and a more fulfilling and enjoyable lifestyle.

James A. Kushner
Vancouver, British Columbia

ACKNOWLEDGMENTS

This book builds on a paper presented at the 2006 European Network of Housing Researchers on July 3, 2006, in Ljubjiana, Slovenia. The author greatly appreciates the helpful comments of Austen Parrish and Ken Wing. The author is grateful for financial support provided by Southwestern University School of Law and The University of Seattle School of Law, where I visited during the Spring of 2006. Research assistance was provided by Adrienne McKay. I greatly appreciate the services and assistance of the librarians of the University of British Columbia Medical School, The Seattle University School of Law library, Lemieux Library at Seattle University, The Seattle Public Library, the libraries of the University of Washington, and the library at Swedish Medical Center in Seattle, Washington.

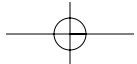
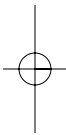
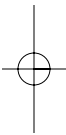


PHOTO CREDITS

The author gratefully acknowledges permission to publish the following photos:

Photo # 7	New York Zoning Map	City of New York
Photo # 8	Washington, D.C., plan	City of Washington, D.C.
Photo #36	Sydney, Australia	Aisha van der Staal
Photo #46	Los Angeles traffic	Richard Risemberg
Photo #47	Los Angeles parking	Richard Risemberg
Photo #49	Hydrogen bus	carfree.com
Photo #55	Gated community protester	Heavy Trash
Photo #56	Homeless sleeper	Kevin Barbieux

Other images were photographed by the author.