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From the Selected Works of Michael E Lewyn

2014

2014 Planetizen blog posts

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Is Mismanagement the Cause of Legacy Cities' Decline?

One common argument against attempts to control sprawl near declining cities is that the problem is the fault of mismanaged city government.

Michael Lewyn | December 29, 2014, 11am PST

When I was arguing with someone about sprawl in declining "legacy cities," I ran into the following argument (loosely paraphrased): "The reason places like Detroit are declining isn't because of sprawl but because of municipal corruption and mismanagement. Fix that instead of worrying about suburbia."

At first glance, this argument seems appealing: after all, one former mayor of Detroit is [in prison](#), and Detroit's [low level](#) of public services is certainly highly suspicious.

Nevertheless, I am not sure the argument is provable, because there is no easy way to quantify mismanagement; thus, there is no objective way to verify that Detroit is any more mismanaged than more prosperous cities.

There appears to be little evidence that Detroit is unusually corrupt: more affluent cities and suburbs have had equally scandalous governments. For example, Atlanta has gained population for two decades in a row, despite having a mayor who served [prison time](#) for tax evasion and a major scandal in its public schools (involving [over 100](#) teachers and principals who rewrote students' incorrect answers on standardized tests).

Fast-growing suburbs have also had questionable leadership: Orange County, California declared bankruptcy in 1994 because of some foolish investment decisions and has a former sheriff who in 2009 collected [over \\$200,000](#) in pension payments despite a felony conviction.

Detroit's decline also should not be blamed on fiscal liberalism: although Detroit's spending level in 2011 (\$5437 per capita in direct expenditures) exceeded the national urban average, it spent about the same amount as Atlanta (\$5408) and less than Nashville (just over \$6200) or San Francisco (which spent over \$11,000 per resident) (NOTE: more details are available in [this](#) database).

It seems to me more likely that Detroit's inadequate public services and fiscal problems are a result rather than a cause of its decline. When a community has an extremely poor population, it will, other things being equal, spend more money on poverty-related social services and have a weaker tax base. So, other things being equal, a resident of a low-income city such as Detroit will pay more and get less from government than a resident of a more middle-income city or a rich suburb. Similarly, a poor city should,

other things being equal, have worse political leadership than a richer one, for the simple reason that when most of a city's middle class has fled to suburbia, its electoral talent pool should be smaller.

Some commentators have made the decline of Detroit a partisan issue, blaming Detroit's problems on 50 years of Democratic mayors. But this argument might confuse cause and effect: a city that loses its middle class will usually lose most of its Republicans, thus creating one-party rule. In fact, Detroit is an excellent example of this political shift: Detroit had [Republican mayors from 1950 to 1962](#), who (like many Democratic mayors) bulldozed much of the city to build expressways to suburbia, thus facilitating Republican migration into the suburbs and destroying their own political base.

BLOG POST

The Economist and Suburbia: A Fistful of Myths

A recent set of articles in the Economist argued that the continued spread of suburbia was inevitable and perhaps desirable. But the article's arguments are not always applicable to North America.

[Michael Lewyn](#) | December 16, 2014, 11am PST

The Economist magazine recently ran a series of [articles](#) trying to defend suburbia, along the same lines that were common in the 1990s; rather than trying to deny the harmful social and environmental impacts of suburban sprawl, the articles argued that sprawl is popular and inevitable. Much of the article is about developing nations such as China and India; I lack the expertise to discuss suburbanization in these places. However, it seems to me that many of the articles' statements are irrelevant to the United States and Canada. To name a few:

1. “[A]lmost every city is becoming less dense.” This is the old “everyone does it” theory of suburban sprawl: it’s just a worldwide trend, nothing we can do about it. Of course, this sort of argument completely overlooks distinctions of degree. Does anyone really think there’s no difference between Vancouver and Phoenix, or between Amsterdam and Detroit?
2. “The simple truth is that as people become richer they consume more space.” So, logically, as American wages have stagnated over the past several decades, suburbia should have stopped in its tracks long ago. (Somehow this failed to occur, at least until the last decade or so). Moreover, if this were true, our nation’s declining industrial

regions, like Buffalo and Detroit, would have become hubs of urbanization, while [rich](#) regions, like San Francisco and New York, would have turned into huge versions of Phoenix. In fact, the richest regions have growing central cities—and were it not for restrictive zoning, these central cities would probably be growing more far more rapidly. By contrast, cities in stagnant regions, such as Detroit and Buffalo, generally continue to lose population decade after decade (though even these regions are starting to experience downtown growth).

To be fair, there may be some truth in this argument in the developing-world context: perhaps people use more wealth to buy more space up to some minimal level of affluence. But the sprawl/wealth correlation does not seem so strong in the United States.

3. “American city centres sometimes seem to revive, as Chicago did in the 1990s, only to fall back again; meanwhile, their suburbs continue to expand.” First of all, out of [131 incorporated places](#) with over 175,000 people, only 14 fit this generalization (expanding in the 1990s, losing people in the 2000s). Most of these 14 were suburbs or small cities: only one other city with over 500,000 (Memphis) was one of them.

Even as applied to Chicago, this argument depends on the meaning of “city” and “suburb”: does “city” mean areas really near a region’s urban core (i.e. downtown), or does it mean anyplace that happens to be within the same municipality as that core? If you use the former definition, not only is [Chicago](#) reviving, but even cities like [Cleveland](#) that are continuing to lose people citywide. The parts of cities that are “falling back again” are usually more suburb-like areas further from downtown.

4. “Suburbia, at its heart, is the embodiment of compromise.” I think the article was trying to say here that suburbanites balance commuting distance and affordability. But wait a minute—if people live in the suburbs because they can’t afford the city, then how is it the case that suburbia is a result of wealth (see claim 2 above)?

5. “An often-overlooked aspect of suburbia is variety.” Maybe in London (and in a few American regions with lots of commuter-train suburbs) this claim passes the straight-face test. But in most of the United States, sameness has become one of suburbia’s weaknesses: in too many metropolitan areas, almost every suburb shares the same huge, unwalkable streets, the same strip malls and big boxes behind yards of parking, the same cul-de-sac subdivisions. In most metropolitan areas, if you want to avoid automobile-oriented sprawl you have to live in your region’s central city.

As the article points out, suburbia is changing, and new urbanist and pseudo-new urbanist developments are becoming more common in suburbia. But these developments are still quite rare.

Over the past few years, I’ve read my share of articles and blog posts alleging the inevitable downfall of suburbia—and given the limits (both political and physical) on urban infill, I think these claims are a bit overstated. On the other hand, *The Economist* articles may have bent a bit too far in the opposite direction.

Secrets of Congestion-Busting Cities

Only nine regions experienced reduced traffic congestion between 1991 and 2011. What do they have in common?

Michael Lewyn | December 11, 2014, 5am PST

Recently, I read an email newsletter arguing that cities [really can build their way out of congestion](#), because the regions that have actually reduced congestion have built so many roads that the increased road mileage actually exceeded the increase in vehicle miles traveled.

I have no doubt that this proposition is true for the past few years, but only because over the past decade or so, congestion decreased in most cities, regardless of their policies. According to the Texas Transportation Institute (TTI), the number of hours per driver lost per congestion in the 101 largest urbanized areas decreased from 52 in 2005 (its all-time high) to 43 in 2011—the same level as in 1996. (All TTI data discussed here are available at an Excel spreadsheet available at [this](#) link.)

But to me, the more interesting question is the long-term trend, starting from 1982 (the first year of TTI's statistical database). Because congestion increased almost everywhere during the 1980s and 1990s, only three regions are less congested (as measured by hours lost per driver) than 30 years ago: Anchorage, Alaska, Indio-Palm Springs, California, and Lancaster, California.

In Anchorage, the number of freeway lane miles did not keep up with vehicle miles traveled (VMT): VMT increased by just over 70 percent (from 800,000 to 1.38 million) and lane-miles increased by just over 50 percent (from 125 to 190). However, arterial lane-miles did grow more rapidly, increasing by 28 percent (from 300 to 386) while arterial VMT increased by less than 20 percent.

In Indio, freeway miles increased by 144 percent (from 45 miles to 110) while VMT again increased somewhat more rapidly, by 171 percent (from 390,000 to 1.058 million). Arterial streets increased by 136 percent (from 345 miles to 817), while arterial street VMT increased by 179 percent (from 1.6 million to 4.473 million). So even for arterial streets, VMT actually increased more rapidly than road mileage.

In Lancaster, freeway miles barely budged (from 70 to 80) while freeway VMT more than tripled. On the other hand, arterial lane-mileage did grow quite rapidly, from 270 to 806, while arterial VMT did not even double.

In other words, in all three metro areas the number of freeway lane miles increased more slowly than freeway VMT. However, in two of the three regions arterial lane-miles grew more rapidly than VMT. So to the extent that road-building correlates with reduced congestion, that correlation is much stronger for arterials than for freeways.

To get a broader sample size (and a sample that includes big cities), I looked at a larger group of urbanized areas: those with less congestion in 2011 than twenty years earlier (but still more than in 1982). This group includes Boulder, Los Angeles, Pittsburgh, Sacramento, San Francisco, and San Jose.

In every single one of these places, freeway miles grew more slowly than freeway VMT. So it is not (over this long period) right to say that any region reduced congestion by adding freeway miles at a rate that exceeded VMT growth. On the other hand, arterial lane-miles grew more rapidly than arterial VMT for all of the regions but San Jose. Thus, nonfreeway street growth may correlate with reduced congestion. In other words, no region built their way out of congestion with freeways, but a stronger case may exist for creating more arterial streets.

Both smart growth supporters and road lobby supporters might have reason to feel validated by this result: both groups tend to favor grid systems with lots of commercial streets, as opposed to street systems that concentrate almost all traffic on a few interstate highways and huge arterials.

On the other hand, these cities did not add huge amounts of lane-mileage. Between 1991 and 2011, the average arterial lane-mileage in the 101 largest urbanized areas increased by 35 percent (from 2127 to 2876). In all but two of the nine regions discussed above (Indio and Lancaster) arterial lane-mileage grew more slowly than the national average (and in a third, Sacramento, it grew at almost as fast a pace).

In other words, most of our congestion-busting regions did not succeed by building lots of streets; instead, they built streets more slowly than most other regions, but VMT increased even more slowly. This suggests that in the long run, the most effective way to reduce congestion is to drive less.

BLOG POST

Critiquing the 'Twenty Percent' Argument Against Transit Funding

This post critiques a common argument against federal support for public transit: that transit gets 20 percent of transportation spending yet has a much lower market share.

[Michael Lewyn](#) | December 1, 2014, 9am PST

I just received a email newsletter raising the decades-old argument that public transit gets too much federal support because transit gets 20 percent of federal funding for surface transportation, but its share of trips and transportation mileage is far lower.

One obvious retort to this argument is environmental: highway spending, by encouraging automobile travel to car-dependent places, increases vehicle miles traveled (VMT), thus increasing pollution—not just greenhouse gas pollution, but also more heavily regulated types of pollution such as carbon monoxide and particulate matter. To the extent that highway spending increases such social harms, one dollar of spending may be one dollar too much, let alone the tens of billions of dollars currently devoted to roads.

In addition, highway spending can create other negative side effects: for example, where jobs track new highways but public transit does not, a "spatial mismatch" exists between the pre-highway population and jobs; population was located in more urban areas, but the highway has shifted jobs into outer suburbs and exurbs. To the extent people react to this spatial mismatch by buying cars and driving more, they have suffered additional costs caused by government action. To the extent people too poor to buy cars cannot reach work, they have suffered an even more severe cost: the loss of job opportunities.

Furthermore, the "20 percent" argument overlooks both the impact of past spending and the existence of current non-transportation policies that effectively subsidize highways and sprawl.

In the first half of the 20th century, government at all levels spent liberally on highway, but streetcars (the leading mode of public transit in most of the United States) were a private industry, which meant that government's job was to tax and regulate it. So in many places, roads got not only the money devoted to roads, but also the implicit subsidy that government created by taxing and regulating the competition. And over the course of the 20th century, transit received far less than 20 percent of government transportation spending.

What about the past 50 years? Even if one pretends that history began with the urban transit legislation of the 1960s, government effectively subsidizes highways and sprawl in at least two major respects: zoning and education.

As a rule, zoning effectively makes sprawl easy and infill development difficult. If a developer builds a subdivision in the middle of nowhere, it will usually be able to get government permission because there will be no neighbors around to object, and municipal legislators will thus decide that the project is noncontroversial.

By contrast, if someone wants to densify an existing neighborhood, [there will be plenty of neighbors](#) around to object. As a result, community opposition will often lead cities to reject new development, since neighbors of a project vote and the project's potential residents and customers do not. Even where infill development is allowed, cities limit density through minimum lot size, [parking](#) and setback requirements, all of which limit the number of residences, shops or offices that can be built per acre of land.

Because transit systems tend to be centered on downtown, limitations on infill development force new housing into areas that are automobile-dependent. Thus, zoning laws encourage driving and discourage transit use, thereby increasing VMT and

increasing gas tax revenue. Thus, the costs of zoning are an (admittedly nonquantifiable) subsidy for highways.

The public education system similarly subsidizes highways. American school attendance laws require children to attend public schools in the municipality of their residence. Municipalities which are near downtown (and thus likely to have the best transit service) tend to be [demographically diverse](#). Because the public education system tends to have difficulty educating children from disadvantaged backgrounds, such jurisdictions tend to have less prestigious public schools than car-oriented suburbs. Thus, American parents are more likely to favor car-oriented places than would be the case in a nation without government-run schools (or one where school attendance zones were drawn differently), which in turn means more driving and more gas tax revenue. This subsidy too is difficult to quantify, because not all government spending on education is on prestigious suburban schools.

In sum, government favors driving in a wide variety of ways beyond current spending on highways. As a result, the real amount of social spending and regulation favoring driving is far beyond the billions of dollars currently spent on highways, which in turn may mean that the real “spending gap” between highways and transit may exceed the 4-1 ratio between highway and transit spending.

BLOG POST

Why Accusations of 'Racism' Don't (Usually) Work

Conservatives and liberals tend to define "racism" very differently. As a result, accusations of racism tend to be unsuccessful outside ideologically homogenous environments.

[Michael Lewyn](#) | November 18, 2014, 12pm PST

A few months ago, racial divisions received intense media coverage when a white police officer shot an unarmed black youth in Ferguson, Missouri, leading to demonstrations, rioting, and a rather [aggressive](#) police response.

But race is also an issue in land use politics; for example, zoning that excludes lower-income people from a neighborhood or city tends to disproportionately harm some racial minorities, as do transportation policies that favor (mostly white) drivers and train riders over (mostly black and Hispanic) bus riders. Opponents of such

policies occasionally [accuse](#) government of racism—but such charges rarely lead to policy changes. Why?

One reason might be the term "racism" no longer has a commonly accepted definition—so unless a government policy is "racist" by the narrowest possible definition of the term, it will rarely receive the sort of universal condemnation that is required for significant reform.

One common view, generally held by political conservatives, is based on *irrationality*: that racism is irrational discrimination, and that to be racist, a statement or policy must involve *explicit* discrimination or race hatred. Under this view, laws that completely ignore individual behavior, such as Jim Crow laws, are racist, while unfair yet arguably rational laws are not. So even most Tea Party types believe that a police officer who arrests every black person he sees is a racist, or that a restrictive covenant that forbade blacks from buying a house in a subdivision would also be racist. Because very few Americans support such explicit discrimination, even the most conservative states and Congressional districts are usually willing to vote for ideologically compatible politicians of any race. For example, black conservative Republicans now hold a Senate seat in South Carolina and a couple of House seats as well.

However, many people who voted for these politicians may support policies that tend to favor whites over other Americans, as long as those policies (a) help (or at least fail to harm) at least a few members of racial minorities and (b) are otherwise rational. For example, someone who views racism as irrationality is unlikely to view exclusionary zoning designed to keep out low-income people as racist, because a few blacks and Hispanics can afford a neighborhood with high property values.

A broader definition of racism, by contrast, is based on *unfairness*—the idea that a rule of policy that unfairly and disproportionately harms racial minorities is racist. A person defining racism this way might see exclusionary zoning as racist, if the people thereby excluded from a neighborhood are especially likely to be members of racial minorities.

It seems to me that the "racism as unfairness" view, generally held by political liberals, is partially based on the "Golden Rule" principle: if a statement or policy would make you uncomfortable if it hurt or criticized your own group, it should be treated as offensive. To use an example outside land use: during the Trayvon Martin affair and the Ferguson affair (in which whites shot unarmed black youths in the course of a scuffle of some sort, creating a considerable public outcry) I noticed that many of my more right-wing white friends tried to minimize the matter, either by emphasizing the white shooter's side of the story or by claiming that intraracial crimes receive much less publicity (especially if the perpetrator and victim are black). There was nothing racist about this under a "racism as irrationality" view, since in fact African-Americans are [disproportionately](#) likely to be arrested for (and to be victimized by) such crimes, and the facts of both situations were somewhat ambiguous. On the other hand, when I put on my "Golden Rule hat," I was a bit more troubled; it occurred to me that if, every time an attack upon Jews received national publicity, someone argued that the Jew had

provoked an attack, or tried to distract attention by pointing out that there are Jewish murderers here and there, such statements might seem a bit bigoted.

The "Golden Rule" principle can also be applied to transportation or land use policy: for instance, if blacks are more likely than whites to not have cars, and a city's transportation policy seems designed to limit the options of persons without cars, someone adhering to the "Golden Rule" principle might think: if there was a law that hurt my group more than other groups, I would think that's a racist law even if it is technically color-blind.

Which definition is right? It seems to me that the English language is a creation of people rather than a mandate from Heaven, so there is no objectively correct definition of racism. As a result, there is no end of argument about such matters. Perhaps a better question is: which definition is more likely to create the kind of nation we want to live in?

BLOG POST

When Nuisance Suits Are a Nuisance

In one Texas case, homeowners are suing a new apartment building for nuisance. If such suits become common, infill development will become less common, causing higher rents and more citywide vehicle traffic.

[Michael Lewyn](#) | November 4, 2014, 2pm PST

In the recent case of *Loughead v. Buckhead Investment Partners*, a group of Houston, Texas homeowners filed a common-law nuisance action to prevent a developer from building an apartment building in their neighborhood; the plaintiffs asserted (among other claims) that the apartments caused increased traffic—a claim that would be true of any new housing. Under the law of nuisance, a landowner may recover damages whenever another person uses their land in a manner that [causes substantial, unreasonable harm](#) to other landowners. A jury [awarded](#) the plaintiffs damages in December 2013, and the verdict will be appealed.

The landowners sued for nuisance because Houston has no zoning code and the city could therefore not legally exclude the apartments—but at common law, something permitted by zoning can still be an actionable nuisance. So if the Loughead action is upheld on appeal, landowners all over the country may become more willing to file nuisance actions to keep out multifamily housing (or for that matter, any other allegedly undesirable land use).

It seems to me that states should prohibit nuisance claims against new multifamily housing (either through state legislation or through judicial decisionmaking), for three reasons.

First, the public policy in favor of affordable rental housing dictates against such actions. Throughout the United States, there is a rental housing shortage. Between 2000 and 2013, median household income has increased by 25.4 percent, while rent has [increased](#) by 52.8 percent. The explosion in rental costs has not been limited to gentrifying, traditionally high-cost cities such as San Francisco and New York. For example, in Hattiesburg, Mississippi, rents increased from 20 percent of household income in 1979 to 35.2 percent in 2013. The explosion in rents is in large part the result of increased demand for rental property; tighter credit standards and stagnant wages have kept would-be homeowners from buying houses and forced them to rent instead. The supply of multifamily housing has increased, but not fast enough to keep up with increased demand: the national rental vacancy rate (8.3 percent) is at its [lowest point since 2000](#).

If (as in the *Loughead* action) homeowners are allowed to use nuisance law to keep multifamily housing out of their neighborhoods, the shortage of rental housing is likely to get worse, causing rents to continue rising. If would-be landlords can only build in places far from single-family homes, the possible supply of land available for multifamily housing will decrease, and the number of new units will decrease.

Second, the public interest in promoting infill should bar such nuisance suits. Because most land is zoned for single-family housing, most of urban America is near a single-family neighborhood. In Houston, for example, single-family housing [takes up](#) 67 percent of all land and 95 percent of land used for housing. Even in relatively dense Boston, single-family housing takes up 56 percent of all land and 88 percent of land used for housing. So if apartments near single-family homes were a nuisance, almost every new apartment building in the United States would be a nuisance. If apartments could be built at all, they could only be built in “greenfield” locations—that is, in exurban places far from existing development. But the public interest favors building multifamily housing in existing urban neighborhoods and inner suburbs, especially if those neighborhoods are near downtown and/or densely developed. Existing neighborhoods near downtown tend to be less dependent on automobiles than greenfields, for two reasons. First, transit networks have historically been centered near downtown business districts so neighborhoods near downtowns tend to have the most convenient transit service and the highest transit ridership. Second, compact neighborhoods tend to have higher transit ridership than thinly populated places; if only a few houses can be built on a block near public transit, only a few houses can access such transit. Neighborhoods near downtown tend to be more compact, and thus can support more transit service. It follows that if new housing is built in unpopulated greenfields, the residents of this new housing will be more likely to drive and less likely to use other modes of transportation, thus increasing citywide congestion and pollution. And since renters tend to be poorer than owners, they are less likely to be able to afford the added costs that come from living in automobile-dependent neighborhoods.

Third, in cities with zoning, the public interest in orderly planning should support strict limits on nuisance actions designed to stop new development. (Obviously, this argument does not apply to Houston, which lacks zoning.) One purpose of zoning is to allow cities to create an orderly plan of development for the entire city, as opposed to just one land owner or group of landowners. But if anyone who dislikes an apartment building (or any other controversial land use) can file for nuisance, the location of land uses can be determined by a small number of landowner plaintiffs and by juries, neither of whom are as likely to be as familiar with citywide interests as a city council or zoning board.

Admittedly, land use in cities with zoning is already heavily influenced by “Not In My Back Yard” (NIMBY) activists. So why is nuisance NIMBYism worse than zoning NIMBYism? Zoning decisions are usually made by elected officials, who are unlikely to limit development unless some critical mass of NIMBYs want to stop it. By contrast, just one landowner can file a nuisance action, even if the landowner’s own neighborhood does not oppose the new development. So if nuisance actions are used to create yet another form of “NIMBY veto,” citywide interests become even less important in the land use process.

The Loughhead plaintiffs argue that their suit is necessary to prevent their neighborhood from being deluged with traffic. I don’t find this argument persuasive even in Houston, because if new residents and their cars are kept out of one neighborhood, they will merely create traffic somewhere else, and will probably wind up driving their cars through the plaintiffs’ neighborhood. But even if this argument is sensible in Houston, it does not justify nuisance actions in cities with zoning. In those places, arguments about traffic, noise, etc., should be made before city councils and zoning boards, who can balance neighborhood concerns against broader citywide interests.

BLOG POST

How Often Do Cities Mandate Smart Growth?

A recent Mercatus Institute paper addresses the frequency of minimum density regulations, maximum parking requirements, and similar regulations.

Michael Lewyn | October 21, 2014, 2pm PDT

I recently coauthored a [paper](#) for the Mercatus Institute (a think tank operating out of George Mason University) about the prevalence of regulations designed to promote

smart growth and green building—in particular, maximum parking requirements, minimum density requirements, and rules related to LEED certification.

We focused primarily on ascertaining how many cities have actually enacted such regulations; our sample was 24 American cities with populations of between half a million and one million people. We chose this sample because it is large enough to reflect a reasonably diverse group of cities, yet small enough to be manageable. The sample includes transit-oriented cities like San Francisco and Washington, car-oriented cities like El Paso and Fort Worth, declining older cities like Detroit and Baltimore, and growing cities like Portland and San Jose.

Although critics of smart growth often claim that the smart growth movement seeks to "force" density on Americans, we found that minimum density requirements are in fact quite rare. Only two of our 24 cities (San Jose and Portland) generally require minimum densities for residential zones. Both cities, however, have a wide variety of zones, and have plenty of low-density zones. For example, San Jose has a minimum density in its low-density residential zone—but this minimum density is only one dwelling unit per acre. Because [conventional planning wisdom](#) seems to be that at least seven units per acre is necessary for decent bus service, San Jose is hardly mandating smart growth. Similarly, Portland has one zone where the *maximum* density is one dwelling unit for every two acres; thus, the city's density requirements constrain flexibility more than they mandate smart growth.

Maximum parking requirements are slightly less rare. Only three of the 24 cities (San Francisco, Louisville, and Fort Worth) have maximum parking requirements for every (or almost every use): interestingly, two of them (Louisville and Fort Worth) are car-oriented cities whose maximums are calculated as a percentage of their minimums. For example, Louisville requires 1.5 parking spaces per dwelling unit in most of its residential zones, and its parking cap is three spaces per unit—a lot of parking. Limited parking caps are more common: seven cities have imposed parking maxima for some or all commercial uses, and five for specified parts of a city (usually near downtown or near transit stations).

In addition, we also discussed rules requiring "green" (that is, energy-conserving) building design. Only four cities (San Francisco, Austin, Boston, and San Jose) require developers to meet LEED or similar green building guidelines—and in all but San Francisco, these rules are limited to larger projects. However, many other cities provide a variety of incentives for green building.

What about the wisdom of these rules? Because these regulations are often either new or not particularly controversial, we did not find very much information about the real-world side effects of these rules. All of these regulations are likely to have some positive results: for example, a smaller amount of parking may lead to less driving and thus to less pollution, while more compact development might lead to higher transit ridership as more people located near bus and train stops.

On the other hand, any regulation could, in theory, burden building enough to deter development: for example, if builder X decides that there is not enough market demand

to justify building at minimum density Y, X might decide to build housing in more permissive suburbs. Similarly, if X cannot afford the short-term expense of green building features or thinks tenants will want more parking than a city allows, it may move to suburbia. But whether any of these negative effects has actually occurred may require additional research.

BLOG POST

Learning From Kansas City

Kansas City is losing families to suburbia because of its allegedly subpar schools. How can families be lured back to city schools?.

Michael Lewyn | September 29, 2014, 8am PDT

Kansas City, Missouri (where I am a visiting professor for the current academic year) is a medium-demand city: a city with more successful neighborhoods than Cleveland or Detroit, but one still dominated by its suburbs to a greater extent than more successful cities. One reason the city keeps losing people to its suburbs is the low reputation of the city's school district. In the city's affluent southwest side, [only 27 percent](#) of K-12 children attend public schools. Moreover, many people who would otherwise live in those neighborhoods have moved to Kansas so they can send their children to the overwhelmingly white public schools of Overland Park, Leawood, and other suburbs. Why are Kansas City's schools so unpopular?

I recently read *Complex Justice*, a book by political scientist Joshua Dunn about Kansas City's schools. While much of Dunn's work focuses on litigation strategy and judicial decision making, he also makes a few points relevant to the problems of urban school districts.

In particular, Dunn shows that some of the city's public schools became all-black almost as soon as desegregation took place. For example, Kansas City's Central High School was almost 90 percent white in 1955, and by 1965 had only 16 white students (out of over 2000). Similarly, Paseo High School was 6 percent African-American in 1959 and 97 percent African-American in 1969. So it appears that Kansas City's whites were ready to move out as soon as blacks moved in—a fact that suggests that whites decided that a school was “bad” as soon as a critical mass of African-Americans moved in.

Some commentators argue that if government spends as much money on urban schools as on suburban schools, everyone will achieve at suburban levels, and the middle-class lion will lie down with the low-income lamb. But Dunn shows that during

the 1990s, the federal courts tried this strategy in Kansas City. To desegregate the schools, a federal judge sought to entice white suburbanites into the school system by ordering the city to create numerous magnet schools, raise teacher salaries by 44 percent, and reduce class sizes. At the zenith of the desegregation program, Kansas City was spending twice as much per student as its suburban rivals. Yet the number of white students did not increase, nor did test scores. And during the 1990s, student enrollment in Kansas City schools decreased among both blacks and whites, as middle-class pupils of all races moved to private schools and to suburban school districts. It seems to me that another lesson of the Kansas City fiasco is that money didn't matter—or more precisely, that even if money matters, it doesn't matter *enough* to reduce suburbanites' collective cultural distaste for urban schools full of poor people.*

So what can be done? Numerous cities have selective schools that limit entrance to students who do well on an admissions test. For example, Buffalo's City Honors school is as prestigious as any suburban school; U.S. News [ranks](#) it no. 14 in the state, lagging primarily behind similar public schools in New York City. Today, these schools are not so numerous that affluent families can expect their children to get in, and as a result many families prefer suburbia as a lower-risk option.

But suppose that a school district established a multitude of such schools, so that any student who was in the top quarter or so of the district's students could be in a classroom filled with equally bright students. It seems to me that the existence of such schools would eliminate suburbia's competitive edge.

It could be argued that such schools are harmful to lower-achieving students, who will not benefit from having higher-achieving students in the same classroom. But today, the latter students' parents, unless they are very poor indeed, can always leave the school district. As the working poor have spread through suburbia, even parents who cannot afford the most exclusive suburban school districts can afford to live in a working-class suburb with less ill-reputed schools than those of the central city. For example, Kansas City's school district is surrounded not only by the rich school districts of the Kansas suburbs, but also by more diverse school districts to the city's east, north and south. So a parent who cannot afford Overland Park can always move to a not-so-upper-class suburb. So as long as suburban school districts are allowed to exist, and as long as those districts are not as poverty-packed as urban schools, few parents will be willing to send their children to a typical urban school.

Moreover, even the best "exam schools" are often far more diverse than most suburban schools; for example, City Honors is 34 percent minority, and Lehman College high in the Bronx (which the U.S. News ranks as number 1 in the state) is 46 percent minority.

Thus, it may be the case (leaving aside possible fiscal constraints) that an expanded system of selective schools may be an urban school district's best hope for retaining middle-class families.

*I note that Kansas City is not atypical. In numerous other regions, city schools [spend more](#) per pupil than suburban schools. On the other hand, it may be the case that students from impoverished backgrounds cost more to educate than students from

better-off backgrounds, and that if urban schools outspent suburban schools by some as-yet-unknowable amount (three times? four times?) spending might start to matter.

BLOG POST

Learning From My Condo

Even if new housing is expensive, it can reduce overall housing prices by causing existing units to become more affordable.

Michael Lewyn | September 17, 2014, 5am PDT

While reading the [Market Urbanism](#) blog a few weeks ago, I noticed the following comment: “In cities with high rents and exclusivity, developers don’t build low-income or affordable housing, they build to maximize their profits. That means simply a greater abundance of unaffordable housing.” In other words, housing prices are whatever developers want them to be: if a developer decides that it feels like charging a million dollars for a condominium, it can wave its Magic Wand of Luxury, and can forever find rich people who will gladly pay a million dollars.

But my own condo-buying experience suggests otherwise. In 2002, I bought a one-bedroom condominium in Atlanta for \$133,000. On one hand, Atlanta is not one of the nation’s more expensive cities; on the other hand, my condo is in one of the city’s most affluent areas, Buckhead. The average house or condo value in Buckhead’s zip code is about half a million dollars—lower than in Manhattan, but higher than that of many outer-borough neighborhoods. In short, this is a high-demand zip code.

My condominium was certainly a luxury building when it was built. In addition to the pools and clubhouses common in Atlanta buildings, this building has a 24-hour doorman, a fairly unusual feature in Atlanta. So I would imagine that when my building got its first occupants in 1988, the developer did not think it would be “affordable housing” in any sense of the word.

But then the recession happened. The last time I checked, Zillow.com said that the condo was worth only \$94,000, and that if someone bought it, he or she would pay \$516 for the mortgage and property taxes (plus condo fees). My condo is certainly far more affordable than I had envisioned, even by Atlanta standards.

What happened? Of course, the recession reduced demand for housing in Atlanta. But according to the National Association of Home Builders, regional housing prices are only about 10 percent below their 2006 peak—far below my unit’s 30 percent drop.

More importantly, there seems to be a lot of newer housing in Buckhead; Zillow lists 126 condos for sale in zip code 30305; almost half of them were built after mine (which was built in 1988), and 45 of them were built after 2000. (By contrast, on New York's 10023 zip code in the Upper West Side, only 30 of 291 units for sale were built after 1988.) Thus, it appears that Buckhead's surge of new housing may have held down the price of older units such as mine.

It could be argued that because Atlanta is a low-cost city, its experiences are therefore irrelevant to those of more expensive cities. But in Atlanta, as in New York, new units are luxury units. Of the 45 condos for sale in my zip code built after 2000, not one is as cheap as mine. Only two of the condo units are being offered for less than \$200,000 (though seven foreclosed units being put up for auction have lower "Zestimates," which are Zillow's guess of their value), and the median price is \$375,000. Pre-2000 units are cheaper; five were less expensive than my \$94,000 estimate, and ten foreclosures have lower Zestimates. The median price of pre-2000 units was slightly below \$200,000. So in both Atlanta and New York, it appears that newer units are more expensive than older units.

It therefore seems to me that the law of supply and demand applies to housing even where new housing is significantly more expensive than older housing. The presence of new units holds down the price of older units by increasing the overall supply of housing and by making the older units less desirable in comparison. It logically follows that if any city builds (or allows the private sector to build) enough new housing, the desirability of new construction should make existing units more affordable. The only difference between a high-demand city and a low-demand city is that the city has to work harder to produce the new housing.

BLOG POST

Let Our Children Walk

Many Americans believe children should not be free to walk alone, because of crime and traffic. But children constantly driven around by their parents or locked away at home are also subject to significant risks.

[Michael Lewyn](#) | September 3, 2014, 7am PDT

In 1969, American children walked to school [as often as not](#). But today, many parents frown on children doing anything outside while alone. In fact, some parents have been [arrested](#) for allowing their children to walk or play outside.

Why can't children be free to walk? Many Americans believed that the United States is chock full of perverts ready to grab the nearest unsuspecting child, behave in some indecent manner, and bury them in some deserted place.

In fact, such incidents are rare and possibly becoming even less common over time. According to the FBI, [less than 150](#) American children per year are abducted by strangers, and only 1 percent of abductions of children involve sexual offenders. Where children are victimized, they are usually victimized not by strangers on the street but by acquaintances and relatives in their homes; [only 4 percent](#) of all sexual assaults of persons under 12 involved strangers, and 84 percent of them occurred in the victim's home. Violence against children occurs less frequently than 20 years ago; murders of children under 14 from all causes have [declined](#) by about a third since 1993, from 2.2 per 100,000 to 1.5.

Of course, these statistics are unlikely to persuade Americans traumatized by intense television coverage of the most unusual, horrifying crimes. The average American might argue that even if one child is murdered by a stranger every hundred years, children should be kept safely locked away to prevent such horrors.

But this argument proves too much. Why? Because parents who do follow the conventional wisdom are also exposing their children to equally severe risks.

The most long-run risk of state-mandated helicopter parenting is physical harm from lack of exercise. As terrified adults have shoved children off their feet and bikes, childhood obesity has increased, [doubling](#) over the past thirty years. In turn, obesity is a risk factor for diabetes, heart disease, cancer and a wide variety of other fatal disease.

Admittedly, cancer and diabetes are long-term health effects; parents can always rationalize the status quo by deciding that children can always get thinner when they grow up, or avoid health problems by eating more nutritiously.

But being driven to school by one's parents also involves short-term risks: in 2011, about two children [per day](#) are killed (and over 300 injured) while they were passengers in cars, more than the number of children murdered by [anyone](#) (let alone child-stealing strangers).

In fact, even criminal violence may be as much of a threat to the child constantly with parents as it is to the child walking home from school. Imagine the following situation: criminal X breaks into Mom's house or decides that he wants to steal Mom's car, and decides that his life as a criminal would be a lot easier without Mom calling the police or otherwise making trouble. So he shoots Mom dead. If Junior is around, he might not have any scruples about shooting Junior as well. By contrast, X is probably not going to be interested in attacking Junior alone, because Junior has little worth stealing. Thus, being chauffeured around by Mom is not risk-free for Junior.

How often does this scenario happen? I don't know. According to [FBI statistics](#), 744 Americans were murdered in the course of robberies or burglaries, 30 times the number killed in the course of sex crimes. In addition, 4582 murders occurred in unknown

circumstances (presumably because the offenders were never caught)—some of which presumably involve such crimes. But I couldn't find a breakdown of these victims by age.

In sum, a child free to walk to school is subject to some risk of criminal violence (and at even more risk of being run over by fast-moving drivers). But a child who is constantly driven around by her parents is subject to the risks of ill health from inactivity, PLUS the risks of car crashes and criminal violence.

Which risks are greater? I don't have any idea, and don't know if there's any feasible way to calculate these risks. But it seems to me that given this uncertainty, parents should be given the discretion to decide when to err on the side of supervision and when to give their children a little independence.

BLOG POST

Highway to Serfdom

Classical liberal commentator F.A. Hayek argued that monomaniacal government planning would eventually lead to limits on individual freedom—and government hostility to pedestrians may be an example of this.

[Michael Lewyn](#) | August 15, 2014, 6am PDT

In "The Road to Serfdom," F.A. Hayek wrote, "Individual freedom cannot be reconciled with the supremacy of one single purpose to which the whole of society is permanently subordinated." Hayek was of course thinking about economic planning designed to govern society as a whole. However, his thoughts could just as easily be applied to transportation and land use policy; at all levels of government, 20th-century American land use and transportation planners sought to support "one single purpose to which the whole of society is permanently subordinated"—making cars go as fast as possible. For example, American planners bulldozed city neighborhoods to build highways so that cars could go from downtown to suburbs as rapidly as possible, widened existing roads so that cars could move as rapidly as possible, and limited density everywhere because of concerns about traffic congestion.

Much has been written about whether these policies have achieved their goals; however, it seems to me that even if car-oriented policies have reduced congestion, they may have also led to restrictions on the freedom of nondrivers.

Here's why: after a few decades of car-oriented policies, driving inevitably became the norm in most of the United States. This alone need not, in theory, restrict the freedom of nondrivers.* However, once driving became the norm, politicians, police officers and prosecutors inevitably began to see walking as abnormal or even dangerous, and as a result have begun to limit pedestrians' liberty in the name of security.

A very early manifestation of this mentality was anti-jaywalking statutes; in the 1920s, the automobile lobby and its allies [persuaded](#) state and local politicians to enact statutes outlawing something called "jaywalking"—that is, walking anywhere except at certain portions of the street (that is, intersections). Even at intersections, pedestrians can only cross streets for a few seconds at a time. Americans supported these statutes because they thought without these limits, pedestrians would not be safe from speeding cars.**

By contrast, drivers have the entire street at their disposal. In the most car-dominated places, police have gone beyond fining pedestrians for this offense; in some places, pedestrians have been [arrested](#) for jaywalking, and in others, they have been treated even more harshly. For example, if you are walking with a child at the wrong place or time and the child is hit by a car, you may be [prosecuted](#) for manslaughter, on the theory that your jaywalking caused the crash. If your jury is comprised of people who drive everywhere and view walking as abnormal and dangerous, your chances of acquittal are probably not very good.

On the other hand, police (many of whom spend lots of time in cars) and prosecutors tend to treat errant drivers leniently; as long as the state cannot prove a driver did not kill a pedestrian intentionally or after drinking copious amounts of alcohol, a driver who kills a pedestrian is [unlikely](#) to receive significant punishment in some jurisdictions. Less serious violations of traffic law are treated even less seriously by government and by the public; for example, I suspect that nearly every American who drives a car violates speed limits on a fairly regular basis.

Jaywalking statutes do at least allow walkers to cross some streets at some points. However, some government officials have gone even further in keeping minor pedestrians off the streets. If government officials view walking as dangerous, a logical step is to limit minors' access to this activity. And most states have created perfect tools for such limitations, by enacting vague laws prohibiting "neglect" or "endangerment" of children. In some places, if you let your child [walk](#) (or even play) outside and anyone sees the child present without you, you can be arrested (and possibly even [lose your child](#)) for this offense, if the nearest police officer believes that a child alone is in more danger than a child in her parents' vehicle.

In the United States, automobile dependence has become a slippery slope. Auto-philic planners may have originally believed that they were increasing Americans' freedom by enabling them to drive faster—but today, many Americans are serfs to their cars, because government limits their right to walk in a variety of ways.

*I note, however, that the growth of automobile-dependent sprawl also indirectly reduces individual freedom by (1) making it difficult and expensive for people to reach

jobs and other important destinations without purchasing a car and (2) designing streets that are so wide as to be hazardous for pedestrians. However, these impacts are less direct and coercive than the harms discussed above.

******As I wrote some months ago on this blog, it is [not clear to me](#) that this is always the case.

BLOG POST

Mission Accomplished? Not Yet

Even if today's renters and homebuyers are more likely to want urban life and walkable neighborhoods than their parents, plenty of political obstacles stand in their way.

[Michael Lewyn](#) | August 5, 2014, 6am PDT

Over the past few years, I've read a lot of articles and blog posts proclaiming that cities are back: that [millennials](#) want to drive less and live in cities, and that suburbs as we know them may even be [dying](#).

I agree that many consumers demand more walkable development, both in cities and in suburbs. But even in relatively prosperous, safe cities, the political obstacles to meeting this demand are enormous. To name a few:

*Zoning. The increased desirability of urban life means that in many central cities and walkable inner suburbs, there is simply not enough housing to go around. But zoning law is generally designed to limit density (i.e. neighborhood population), which means that if a landowner wants to build new housing, it will usually have to apply to the city for a rezoning. However, rezonings tend to be politically difficult, because people who live in a neighborhood tend to like it the way it is- otherwise they would be living somewhere else. So as long as zoning is designed to limit density and accommodate present residents at the expense of future residents, urban cores will never be able to accommodate consumer demand. (I note that this is equally true for already built-out suburbs- so in many regions, the only easy place to build new housing is at the fringe of suburbia).

*Transit. Many Americans may wish they could drive less- but if their residences and jobs aren't in places with good public transit, they may never get the chance. The highway lobby of road-builders and suburban developers has plenty of money to give to politicians, while there isn't really much of a transit lobby (beyond bureaucrats who can't give campaign contributions, and environmentalists who are more interested in other

issues). So whenever economic growth flattens, public transit is one of the first things to be cut back; after the 2008-10 financial crisis, nearly [every](#) American city reduced transit service. (To see a few examples, just google 'transit cutbacks.')

And even in relatively good times, transit is politically vulnerable because, unlike highways, transit often lacks a reliable source of funding. For example, Seattle plans to eliminate [28 bus routes](#) this fall to make up for weak sales tax revenues, and to eliminate even more routes in 2015.

*Street design. Many commercial streets are [designed for high-speed traffic](#)- for example, the eight-lane street near my former apartment in Jacksonville, Florida. Because a pedestrian is more likely to be killed by a car going 40 mph than by one going 20 mph, such streets are not particularly safe for pedestrians. In theory, these streets could be retrofitted. For example, a city could effectively slow traffic by widening sidewalks and medians, thus reducing the number of traffic lanes. However, these changes would cost money and be politically controversial.

*Law enforcement and the criminalization of walking. Environmentalists and public health advocates may want people to walk- but some police and prosecutors in automobile-dependent places disagree. If you walk when a signal doesn't tell you to walk, you can be fined for the [automobile-lobby-created](#) offense of "jaywalking" or even arrested. In fact, if you walk with a child, you can even be arrested and prosecuted [if the child gets hit by a car](#). If you let your child walk anywhere, you can be arrested [and prosecuted](#), and Child Protective Services will try to take the child away from you on the grounds that you are endangering his or her welfare. (Because nothing says "keeping your child safe" like giving him or her a chance to become one of the 30,000-odd Americans killed in car crashes every year).

All of these problems are soluble in theory. Americans could pay for better public transit, design streets to be safer for pedestrians, deregulate density so that more people could have the chance to live in urban cores, and hire police and prosecutors who don't view walking as a crime waiting to happen. But all of these changes may be politically difficult.

Transit-Oriented Cities and Safety: Another Look

Transit-oriented cities are safer than car-dependent cities of comparable size, especially if one considers traffic fatalities in car-dependent cities.

Michael Lewyn | July 16, 2014, 6am PDT

Some months ago, a blog post by Todd Litman pointed out that transit-oriented cities tend to have [less](#) overall crime. This post inspired me to address the relationship between big-city violence and big-city sprawl, but in a slightly different way.

First, I decided to focus on the crime most likely to be actually reported to police (that is, homicide), as opposed to lesser crimes which might inspire less police interest. Among the 30 largest U.S. cities, there are only [six](#) where public transit ridership is truly substantial (over 20 percent of commuters): New York, Philadelphia, Boston, Washington, Chicago, and San Francisco. In 20 cities, fewer than 10 percent of commuters used transit. In an "in-between" group of four cities (Baltimore, Portland, Seattle, Los Angeles) between 10 and 20 percent of commuters used transit.

The high-transit group's murder rates ranged between 5.1 per 100,000 residents (New York) and 21.5 per 100,000 (Philadelphia), with a [median](#) of 11.4.(1)

The medium-transit group's murder rates varied more widely, mainly because of the presence of Baltimore (34.9 murders per 100,000) in this group. Although this outlier inflates the group's mean homicide rate, its median homicide rate was only 5.7, lower than the high-transit cities.(2) Or to describe the situation another way, if we group the ten cities with transit modal shares over 10 percent, their collective median is 8.7 homicides per 100,000.

What about the low-transit group? The median homicide rate for the low-transit cities was 8.7(3)—exactly the same as the median for the cities with transit mode shares over 10 percent, though slightly lower than the median for the six most transit-oriented cities. Thus, it appears that there is not a significant difference in violent crime between the most car-dominated cities and more transit-oriented cities (especially since many of the "car cities," such as Houston, have annexed hundreds of square miles of suburban territory). Given the wide range of factors affecting crime rates, this lack of difference certainly accords with my common sense.

Second, I decided to focus on danger from cars as well as on danger from crime. In many cities, a stranger with a car creates far more risk than a stranger (or even a non-stranger) with a gun. For example, Austin's auto-crash fatality rate (6.4 per 100,000) is more than 60 percent higher than its murder rate (3.7).

Residents of more transit-oriented cities, by contrast, are at less risk from speeding cars. In particular, the nine most transit-oriented cities have a mean crash-fatality rate of 4.1 per 100,000, and a median crash-fatality rate of 4.0 (including both pedestrian and driver deaths).

How do the low-transit cities compare? Their mean fatality rate is 7.2 per 100,000 residents—about 75 percent higher than that of the more transit-oriented cities. (4) Similarly, their median fatality rate is 8.3—more than *twice* that of the more transit-oriented cities. To put the matter another way: only one of the "low transit" cities, San Jose, had a car death rate as low as the median for the more transit-oriented cities. Since cities built around the automobile tend to have lots of high-speed arterials (thus making accidents more likely to be fatal), this result too accords with common sense.

If one aggregates the homicide rate and the car-crash rate, we find that the cities with transit mode shares over 10 percent have a median "violent death" rate of 12.7 per 100,000, while the cities with lower transit mode shares have a median "violent death" rate of 17 per 100,000. So on balance, it does seem that the risk of violent death in car-oriented cities is higher than in transit-oriented cities.(5)

(1) homicide rates for other cities: Chicago 18.5, Washington 13.9, Boston 9, San Francisco 8.4. In this even-numbered group, I calculated the median by averaging the third most dangerous city (Washington) and the fourth most dangerous (Boston).

(2) homicide rates for other cities: Portland 3.3, Seattle 3.7, Los Angeles 7.8.

(3) homicide rates by city: Austin 3.7, Charlotte 6.4, Columbus 11, Dallas 12.4, Denver 6.2, Detroit 54.6, El Paso 3.4, Fort Worth 5.7, Houston 10, Indianapolis 11.6, Jacksonville 11.1, Las Vegas 5.1, Louisville 9.1, Memphis 20.2, Milwaukee 15.2, Nashville 10, Phoenix 8.3, San Antonio 6.4, San Diego 3.5, San Jose 4.6.

(4) City-by-city traffic death rates, as of 2011, are as follows: New York 2.8, Philadelphia 5.6, Boston 2.0, Washington 5.3, Chicago 4.3, San Francisco 3.6, Baltimore 4.0, Seattle 3.1, Portland 5.6, Austin 6.4, Charlotte 7.6, Columbus 7.0, Denver 5.2, Detroit 11.1, El Paso 10.5, Fort Worth 8.3, Houston 9.1, Jacksonville 9.6, Las Vegas 4.2, Memphis 11.3, Milwaukee 6.1, Phoenix 8.3, San Antonio 8.7, San Jose 3.6, Dallas 8.6. My primary source, [City Data](#), did not have fatality rates for Los Angeles, as well as for three more car-oriented cities (Nashville, Louisville and Indianapolis).

(5) In addition, many homicides involve disputes between acquaintances, and thus involve little risk to the general public. If one assumes that half of homicides fall into this category, then the gap between the "high/medium transit" and "low transit" cities widens. But city-by-city data on the circumstances of homicides are pretty sparse, so I am not sure whether the data can support such assumptions.

Transit, Density, and Congestion

The most transit-oriented metro areas often have lower levels of traffic congestion than one might expect based on their size.

Michael Lewyn | July 8, 2014, 5am PDT

A few weeks ago, Wendell Cox wrote a blog post asserting that the [most dense](#) metros tend to have the highest levels of congestion. Assuming for the sake of argument that his methodology for measuring congestion makes sense, it does not necessarily follow that sprawl equals low congestion, or that transit-oriented development equals high congestion.

Cox focuses on metrowide density. But there are different kinds of density; some regions, such as Los Angeles, have high regionwide density but so-so transit systems, car-oriented street design, and a not-too-dense central city. Others, such as Boston, combine a very dense, transit-oriented core with not-so-dense suburbs. Regions in the first group tend to have low transit ridership, thus effectively combining density and sprawl. In addition, large regions are likely to have higher congestion than small regions, even leaving aside density.

So I thought I would take a look at Cox's data and ask a slightly different question: do transit-oriented places have more congestion than one might expect for their size, or less?

Exhibit A is New York City: the region with the highest transit ridership in the United States. Since New York is the [largest](#) region in the nation, one might expect it to have high levels of congestion. But according to Cox, New York is only fourth in congestion. Thus, it appears that a highly dense core, when combined with less-dense suburbs, will have levels of congestion lower than one might expect based on population.

[Five other](#) large regions (Philadelphia, Chicago, Boston, San Francisco, and Washington) have highly transit-oriented central cities: that is, cities where over 25 percent of residents use transit to get to work. All of these cities have fairly high central-core density; all but one (Washington) that is, over 10,000 people per square mile within the city limits, and Washington is pretty close to the 10,000/square mile mark.* In fact, five of these cities (all but Washington) are the five most dense principal cities (that is, largest city in their metropolitan area) in the United States.

Philadelphia has the fifth highest regional population, but only the thirteenth highest level of congestion. Thus, Philadelphia clearly outperforms its population in addressing traffic congestion—that is, it has less congestion than one might expect from its size.

Chicago has the third highest regional population, but only the 12th highest level of congestion. Thus, Chicago again outperforms expectations.

On the other hand, two other transit-oriented regions do not outperform. Boston has the tenth highest population but the eighth highest level of congestion, and San Francisco has the eleventh highest population but the third highest level of congestion. (Washington ranks no. 7 in both).

On balance, transit-oriented regions do not seem to have more traffic congestion, controlling for size, than the nation as a whole.

*Washington has 61 square miles and 602,000 people, according to the 2010 Census.

BLOG POST

Parks for Pedestrians: No Easy Matter

A heavily wooded park requires investments in maps and trails to be truly pedestrian-friendly.

[Michael Lewyn](#) | June 30, 2014, 12pm PDT

Last weekend, I visited Rock Creek Park in Washington, D.C. Rock Creek Park is quite different from the parks I am used to in New York City, both in good ways and in bad ways.

On the positive side, Rock Creek Park is more wooded and natural-looking than most parks. While a typical park is mostly grassland, Rock Creek Park is mostly forest. I saw three deer in the park over the course of an hour or two, which is three more than I would normally see in a park.

On the other hand, Rock Creek Park seems to me to be made for cars rather than for pedestrians. Although there are certainly some pedestrian entrances to the park, one of the main entrances, Military Road, is a high-speed road with no sidewalks in the blocks closest to the park.

As I walked along the park's eastern border on 16th Street N.W., I only saw one or two pedestrian trails per mile leading westward through the park. Because the park is so densely forested, the only feasible way to walk through the park is through those trails. And as I walked, I didn't really have a good idea where I was going; in the course of my two-mile walk from 16th Street to Military Road, I saw only one map—and even that one was more focused on the park's interior than on how to get out of the park.

Unfortunately, Rock Creek Park has the virtues of its defects. A typical grassland park is pretty easy for a pedestrian to navigate; to get from the east end of New York's Central

Park to the west end, all a pedestrian need do is walk across the grass and keep walking. A more heavily forested park such as Rock Creek Park can be quite impressive, but may need a bit more planning to be pedestrian-friendly. In particular, such a park may need more visible trails than other parks, and may need more maps to guide pedestrians.

BLOG POST

Does Low Congestion Mean Urban Failure?

The least congested cities tend to be small, declining, and dangerous.

[Michael Lewyn](#) | June 22, 2014, 1pm PDT

Wendell Cox just wrote an essay trying to [correlate](#) density and congestion*, asserting that density means congestion and congestion is really, really bad (or in his words, “less traffic congestion benefits a metropolitan area's competitiveness.”)

So logically, the high-congestion cities should be declining, and the low-congestion places should be attracting Americans at a rapid rate. Right? Wrong.

In fact, the lowest-congestion cities tend to be a very mixed bag, while the high-congestion cities are doing relatively well. Cox lists ten high-congestion regions: Los Angeles, Houston, Austin, San Francisco, New York, Seattle, San Jose, Washington, Boston, and Portland. In all ten, the central city of the relevant region gained population between 2000 and 2010. These cities tend to be larger, relatively wealthy, high-cost cities, cities where keeping housing affordable is a bigger problem than demolition of worthless vacant lots.

And in all but two of these ten regions (all excepting Boston and Washington) the central city is more populous than in 1970. In these regions, there's enough growth for city and suburb alike. Although some of these regions experienced regional population growth of 0-10 percent, not one of them shrunk, and two (Houston and Austin) grew by over 20 percent.

By contrast, Cox lists ten low-congestion regions: Indianapolis, Oklahoma City, Salt Lake City, St. Louis, Richmond, Kansas City, Memphis, Buffalo, Rochester, and Cleveland. A few of these (most notably Indianapolis, Oklahoma City and Salt Lake City) are doing reasonably well. But five of the central cities in Cox's "hero metros" lost population in the 2000s (Buffalo, Rochester, Cleveland, St. Louis, and Memphis) and

two more gained population in the 2000s but are still less populous than in 1970 (Richmond and Kansas City). In fact, Buffalo and Cleveland even managed to lose population regionwide, and not one of Cox's high performers grew by more than 16.7% (metro Salt Lake City's growth rate).

In addition, these low-congestion cities tend to be far more dangerous than high-congestion cities. Their average murder rate in 2012 was 19.5 per 100,000 residents, while the high-congestion cities' murder rate was only 7 per 100,000—not surprising given the decline discussed above.** Only *one* of the low congestion cities (Salt Lake City) had a murder rate as low as the *average* for the ten high-congestion cities.

Residents of Cox's ten low-congestion cities have more reason to worry about dangerous drivers as well as dangerous criminals. I was able to find data for auto-related fatalities for sixteen of the twenty cities in Cox's two "top ten" lists; the high-congestion cities averaged 4.7 traffic deaths per 100,000 residents in 2011, while the low-congestion cities averaged 9.8. To put the matter another way, the most dangerous of the high-congestion cities (Houston) had 9.1 traffic deaths per 100,000 people, while five of nine low-congestion cities had more traffic deaths per capita than Houston. The second most dangerous high-congestion city (Austin, clocking in at 6.4 deaths per 100,000) had a lower fatality rate than *all but one* of the low-congestion cities.*** The least dangerous of the low-congestion cities, Rochester, New York had a higher traffic death rate than five of the seven high-congestion cities.

Does any of this show a causal relationship between urban decline and congestion? It might be that low congestion is simply a reflection of the small size and/or declining population of Cox's "hero cities," rather than an independent variable. Or it could be that policies designed to limit congestion (like widening roads to support high speeds, chopping up downtowns with highways and turning them into giant [parking craters](#)) have actually had some positive effect for congestion, but at a heavy cost.

**I note that in this blog post, I am not going to address whether Cox has correctly defined congestion or density; my guess is that issue is being heavily debated elsewhere.*

***Murder rates from city-data.com are as follows: Austin 3.7, Houston 10, Portland 3.3, New York 5.7, San Francisco 8.4, Boston 9, Los Angeles 7.8, Washington 13.9, Seattle 3.7, San Jose 4.6, Buffalo 18.3, Memphis 20.2, Kansas City 22.6, Oklahoma City 14.3, Salt Lake City 4.2, Cleveland 21.3, Richmond 20.2, St. Louis 35.5, Rochester 17, Indianapolis 11.6.*

****I calculated the death rates myself from data at city-data.com. The rates per 100,000 for 2011 (the latest year for which the website supplied data) were: Houston 9.1, Austin 6.4, Portland 5.6, San Francisco 3.6, Boston 2.0, Seattle 3.1, San Jose 3.6, Buffalo 6.5, Memphis 11.3, Kansas City 14.2, Oklahoma City 12, Salt Lake City 9.5, Cleveland 6.6, Richmond 8.5, St. Louis 14.1, Rochester 5.7. I could not find data for Indianapolis, New York, Washington or Los Angeles.*

A Parking Paradox

Minimum parking requirements affect developer behavior most where they are most controversial: in downtown neighborhoods. In suburbs where they may just mimic the market, the arguments for such rules are paradoxically even weaker.

Michael Lewyn | June 16, 2014, 9am PDT

One common argument against the abolition of minimum parking requirements is that abolition would be futile: developers generally build as much parking as the law requires and then some.

A recent article in [Access magazine](#) by Cornell planning professor Michael Manville suggests otherwise. Manville studies the impact of Los Angeles' "[Adaptive Reuse Ordinance](#)" (ARO), which provides that landowners who convert downtown commercial/industrial land to residential use need not build additional parking, even if city ordinances would otherwise require such parking.

Manville finds that the overwhelming majority of ARO landowners provided some parking: only 13 percent of ARO apartments, and 31 percent of condominium buildings, were completely parking-free. However, this statistic underestimates landowners' use of the flexibility provided by the ordinance, since some of the buildings may have had preexisting parking.

In addition, ARO buildings typically provided less parking (or at least less on-site parking) than Los Angeles law requires for other buildings. For condos, Los Angeles typically requires two parking spaces per unit; however, the minimum ARO unit provided 1.3 spaces. ARO apartment units typically complied with the city's one-space-per unit requirement; however, ARO apartment parking spaces, unlike most Los Angeles parking spaces, are often off-site. The typical ARO unit had only 0.6 parking spaces; thus, many landowners leased parking from nearby parking spaces, providing the developers with additional flexibility and reducing housing costs.

Manville points out that his findings are limited to downtowns, where parking may be more expensive and people are more willing to live car-free. By contrast, in low-density suburban areas where parking is cheap and driving is universal, developers may be more willing to build huge amounts of parking. Yet the latter areas are, it seems to me, the least willing to experiment with parking reform.

These conclusion, if true, suggests a paradox: minimum parking requirements are most popular precisely where they have the least impact. If suburban landowners will build more parking than the law requires, isn't the law kind of pointless?

The traditional argument for minimum parking requirements is that they prevent people wasting fuel and time cruising for scarce parking spaces. But if suburban landowners will always build parking, there is no scarcity and hence no cruising.

A second argument for minimum parking requirements is that they prevent "spillover parking": that is, people parking in residential areas, inconveniencing residents who crave on-street parking spots. But this argument does not apply to many suburban areas because if parking is nearly always abundant, such spillover parking will never occur. Moreover, suburbanites are less likely to use parking than city drivers, because they usually park in their own driveways and garages.

So in car-oriented suburbs, minimum parking requirements may not do much harm- but they don't do much good either.

BLOG POST

Gentrification and High Rents—Not Quite the Same Thing

Public concern about gentrification is based on fears that out-of-control rents are pricing out the middle and lower classes. But rent is rising even in places where gentrification is not happening.

Michael Lewyn | June 2, 2014, 8am PDT

For many years, cities were dumping grounds for regional poverty. But in the last decade or so, [some cities](#) have partially narrowed the economic gap with their suburbs. Even though cities still have [far more poverty](#) than suburbs, some commentators nevertheless complain that cities are being overrun by gentrification.

What's wrong with gentrification? Why must cities be stuck with a disproportionate share of regional poverty? Anti-gentrification commentators assert that high rents are pricing out the poor, despite the fact that even affluent cities like San Francisco have [higher poverty rates](#) than their suburbs.

If gentrification caused high rents, rents would rise only in gentrifying places. And to be fair, there is some evidence that rents are rising faster in such places. Data compiled by the New York City Comptroller's office [show](#) that rents have exploded in a few of the most rapidly changing neighborhoods.* The city's highest rent increase is in Williamsburg—a neighborhood where the number of households earning more than \$100,000 doubled between 2000 and 2012. In Williamsburg, real average rents

increased by 76 percent between 2000 and 2012. In 17 city neighborhoods where the number of over-\$100,000 households increased by over 20 percent, the average rent increase was 41 percent. Thus, it appears that some evidence supports the idea that upper-class immigration leads to increased demand, thus increasing rents.

But the overwhelming majority of city neighborhoods have experienced no such immigration. In 21 neighborhoods, the number of households earning over \$100,000 actually **decreased**. In these neighborhoods, the average rent increase was 21 percent. And in 17 "in-between" areas (where over-\$100,000 households increased by between zero and 20 percent) the average rent increase was 19 percent. It thus appears that 1) gentrification in New York is limited to roughly one-third of city neighborhoods and (2) even in the absence of gentrification, rent has increased.

The latter interpretation of the data is supported by data from other metro areas. Even in places with little housing demand, rent has increased in recent years, according to recent data compiled by [Zillow](#). For example, in 2000, rents in Hattiesburg, Ms. averaged 19 percent of income; today, rents average 35 percent of income. In 2000, rents averaged 15 percent of income in both Detroit and its suburbs. In Cleveland, rents rose from 20 percent of income in 2000 to 27 percent today. Today, mortgages average 9 percent of income, while rents have risen to 24 percent of income. Nationally, [half](#) of all renters pay 30 percent of their income in rent, up from 38 percent in 2000.

What's going on? According to Zillow, the U.S. has added six million renters since 2007, and only 208,000 homeowners. It might be the case that tighter lending standards have locked would-be buyers out of the housing market, or that economic insecurity has made Americans skittish about purchasing homes. Either way, demand for rental housing has grown, and supply has presumably not kept up with demand.

*See pages 16-17 of "[The Growing Gap: New York City's Housing Affordability Challenge](#)."

BLOG POST

The Theory Behind NIMBYism, Part 3

When should a city give neighborhood concerns weight, and when should a state or city create clear-cut rules that limit planners' discretion to consider neighborhood concerns?

[Michael Lewyn](#) | May 22, 2014, 10pm PDT

When I blogged about the theories behind NIMBYism [a few months ago](#) (and again [more recently](#)) some of the more thoughtful comments stated, in so many words:

yes, the current zoning system is sometimes abused, but certainly neighborhood concerns should be balanced against citywide interests.

From a purely libertarian perspective, of course, this argument is nonsense. A principled libertarian would suggest that Landowner A has the right to use its land as it chooses, and if nearby Landowner B doesn't like that choice, B should be willing to purchase the land itself or must tolerate the first owner's exercise of freedom.* If you follow this perspective, your use of your property is no more your neighbor's concern than is your religion or the color of your computer.

However, most people are not that libertarian, and instead prefer to rely on utilitarian considerations. From a utilitarian perspective, should cities give neighborhood preferences weight in deciding what gets built where? It depends.

For example, the current zoning system does seem to have given Americans an adequate amount of commercial space. Because businesses do not send children to school or use Medicaid, they arguably produce more tax revenue than they consume, and therefore tend to be popular with local governments. Thus, it is hard to argue that Americans suffer from a shortage of commercial space (though an urbanist or environmentalist might point out that such space is not as walkable as it should be).

It could even be argued that the current zoning system has given Americans an adequate amount of for-sale housing—in poorer cities like Detroit and Cleveland, *more* than the market seems to demand. Single-family homes are generally a less controversial land use than either shops or apartments, and as a result, such housing is fairly inexpensive in many metro areas. On the other hand, some of the most heavily regulated metropolitan areas still have sky-high housing costs.

But even outside New York and California, it seems to me that the current system has not produced an adequate supply of for-rent housing. The persistence of homelessness suggests that we have failed to produce enough rental housing for the destitute and the almost-destitute. And because of exploding demand and sluggish supply, rents are becoming more and more [unaffordable](#) even for the middle class; Housing Secretary Shawn Donovan states that the U.S. is in "the worst rental affordability crisis that this country has even known." For example, in Miami rents now average 43 percent of household income. Zoning clearly deters the creation of new rental housing; even in dense cities like Chicago and [Vancouver](#), any housing other than single-family homes is illegal in [most](#) of the city. And why is that? Because of the NIMBY (Not In My Back Yard) veto: homeowners fear rental using and use government as a tool to keep it out. Otherwise, neighborhoods would be rezoned to allow apartments, and supply would keep pace with demand.

To make matters worse, the negative effects of a rental housing shortage are far worse than the negative effects of a for-sale housing shortage. If you can't afford to buy a house, you can always rent. But if you can't afford to rent, you live on the streets or in a homeless shelter.** And those who can afford to rent live much more difficult lives than they would if rents were cheaper, as the necessity to avoid homelessness crowds out every other form of human need. Moreover, the diversion of most income to rents

starves the rest of the economy; every dollar spent on rent is a dollar that can't be used to enrich health insurance companies or colleges or grocery stores.

It accordingly seems to me that cities cannot be trusted to weigh the citywide interest in new housing against neighborhood concerns, for two reasons. First, the limited supply of rental housing suggests that politicians cannot resist the temptation to obey neighborhood NIMBYs. Second, the social harm from an artificially constricted rental market is greater than the social harm from an inadequate number of Targets and Wal-Marts. In other words, trusting NIMBY-influenced local governments to balance interests enough to allow an adequate supply of rental housing makes about as much sense as trusting a 10-year-old to vote or carry a gun: the chances of abuse are simply so high that a higher authority must step in.

Thus, the better rule (especially in places where housing costs are out of control) would be some kind of statewide legislation to protect local politicians from themselves, a kind of renter's Bill of Rights. I am not yet sure exactly what the right kind of law should look like. Presumably, there are some places where no housing should be allowed for environmental reasons—for example, flood plains or places contaminated with toxic waste. But as a starting point for discussion, I would suggest that (at least in high-cost central cities) apartments should generally be allowed in most places where single-family houses are allowed.

It could be argued (as a New York Times article [implied](#)) that the law of supply and demand simply doesn't apply to housing, because developers only want to build expensive units. But the supply of rich people is in fact finite, just as the supply of rich grocery shoppers or rich television purchasers is in fact finite. So even if a landowner wants to charge a premium price for housing, it cannot do so if the supply of apartments exceeds the number of rich people. This reality explains why rent in many places is less expensive than it is in New York or San Francisco; most American cities benefit from some mix of lower demand and greater supply.

*Except, presumably, in certain extreme situations, such as excessive odor.

**It could be argued that high housing costs are not related to homelessness, because destitute renters are somehow a separate market from renters as a whole. [Here](#) is a table showing homelessness rates by metro area; based on a quick look at the table, it seems to me that warm-weather cities tend to have the highest rates of homelessness (perhaps because they are more popular with transients). However, expensive cold-weather cities like New York tend to have higher rates of homelessness than cheap cold-weather cities like Buffalo and Detroit. This fact suggests that there is at least a correlation between the two, and perhaps a causal relationship.

Job Sprawl and Commuting Times

Suburbanization has not led to shorter commutes—except perhaps for residents of the most job-rich, affluent suburbs.

Michael Lewyn | May 9, 2014, 2pm PDT

In debates over sprawl, sometimes I hear something like the following conversation:

SMART GROWTH SUPPORTER: Sprawl means ever-lengthening commutes from suburbia, which is bad because no one likes long commutes.

SPRAWL SUPPORTER: Wrong! Sprawl actually means shorter commutes because the jobs move to suburbia where the people are!

If sprawl supporter was right, suburbs would consistently have shorter commutes than cities.* Do they? Sometimes, but not always. The equation of "suburbia" with "long commutes" or "short commutes" treats suburbia as a homogenous mass. But in fact, not all suburbs are created equal. Residents of the "[favored quarter](#)" (that is, the portion of the region with the most affluent, job-rich suburbs) have average commuting times comparable to those of urbanites, while poorer, more diverse inner suburbs and remote middle-middle class exurbs have the longest commutes of all.

For example, according to recent Census [data](#), Washington, D.C. has an average commute of 30 minutes—shorter than most of its suburbs, but longer than nearby Arlington and Alexandria (both mostly well-off, both full of federal jobs). Three affluent counties in the region's northwestern "favored quarter" (Loudoun, Montgomery, and Fairfax) clock in at 32-34 minutes, just slightly ahead of the District.

By contrast, more diverse suburban counties have longer commutes. Majority-black Prince George's County, east of Washington, has an average commute of 36 minutes, while two middle-class, racially diverse counties to the south of Washington (Prince William and Charles Counties) have the longest commutes in the region: Prince William County at 39 minutes, Charles County at 43. In 1990, all of these counties had shorter commutes, but the rank-order among counties was roughly the same: the three "favored quarter" northwestern suburbs had shorter commute times than the eastern and southern suburbs, while the central city had lower commute times than any Washington suburb other than Arlington and Alexandria.

In Jacksonville, Fla. the urban county (Duval) has the lowest commute times (23 minutes). But again there is a gap between "favored quarter" suburbs and others. The most affluent suburb (St. Johns County, where many of my faculty colleagues lived) had the second lowest commute time (25 minutes). By contrast, Clay County west of Jacksonville (which is also middle-class but slightly less affluent) has a 32-minute commute time, and the northern suburban counties (Baker and Nassau Counties) had

29-30 minute commute times. The 1990 data show a similar pattern: Duval and St. Johns Counties had shorter commutes than the western and northern suburbs.

In St. Louis, the city of St. Louis and the closest-in suburban county (St. Louis County) both average 23-24 minutes. But this apparent similarity conceals quite a bit of diversity, because St. Louis County includes both the central-western favored quarter and poorer suburbs to the north and south. A look at census tract commuting maps shows the correlation between affluence and commuting times: census tracts with less than a 20-minute average commute run in a band from downtown west to the outer suburb of Town and County, running through a variety of affluent places (though, somewhat to my surprise, job-rich Chesterfield averages commutes in the 20s). By contrast, the poorer, blacker census tracts to the north consistently have commutes over 20 minutes, and some even have 30-minute commutes. Jefferson County to the south averages 30-minute commutes.

So what can we learn from this? It seems to me that job sprawl is a zero-sum game for suburbanites: residents of the "favored quarter" (where the bosses live) are better off than they were if jobs were closer to downtown, but everyone else (including other suburbanites) may be worse off. To use a New York example: if I live in Westchester County (north of New York City) I'd rather work in the city than work in Long Island (east and south of Manhattan).

*For an analysis more focused on urban commuting times, you may wish to read [this](#) post.

BLOG POST

The Theory of NIMBYism, Part 2

Homeowners' desire for more expensive land does not justify the "NIMBY veto" over new development.

[Michael Lewyn](#) | May 5, 2014, 8am PDT

When I posted [about the logic \(and illogic\)](#) of NIMBYism in March, I got a bucketful of responses on this blog—some friendly, some hostile.

One of the most interesting critiques of my article asserted that zoning "protects property values and assures a measure of continuity. If you want people to invest their hard-earned dollars in buying and improving properties in your city, you are going to

have to accept the fact that those property owners are going to want a voice when future developments that will impact them, their property and their neighborhood are considered." In other words, if homeowners get a veto over new development, they (1) are more likely to invest in land because if so they (2) will benefit from increased property values.

The first argument seems persuasive on the surface; in the 1920s real estate developers often favored zoning because it would "protect" their investments from allegedly incompatible uses. Nevertheless, landowners are in fact perfectly willing to invest in places without zoning. American cities were able to develop and expand without much difficulty before zoning—and in Houston (which lacks a formal zoning code)* housing development is actually more common than in some highly restrictive cities. Between 2006 and 2010, the number of residential building permits in [Houston](#) ranged between 12 and 38 per 1000 people—lower than the statewide average, but higher than in many other urban centers, including highly restrictive [San Francisco](#) and similar-but-zoned cities such as [Dallas](#).

The second argument has a stronger element of truth; it does seem to me that highly restrictive zoning allows homeowners to essentially form a cartel, restricting the supply of homes and apartments and raising rent and housing prices (or to use a more widely accepted euphemism "property values"). To draw an analogy: if government allowed Target and Wal-Mart to veto all new stores within a mile of any Target or Wal-Mart, the prices of all goods sold by Target and Wal-Mart would certainly rise.

But do you really want to live in a society where zoning-as-cartel succeeds? In places like San Francisco and New York, a complex and restrictive zoning process contributes to sky-high housing prices, which in turn means that many middle-class people feel forced to move out of the city, and lower-class people who cannot afford high rents sleep in homeless shelters or on the streets. And because multifamily housing is nearly always more controversial than single-family housing, zoning affects rents even more than it affects home prices. Why, as a moral matter, should government price the poor and middle class out of the market so that existing homeowners can sell their houses for more? Or to go back to the Wal-Mart analogy: if Wal-Mart and Target persuaded zoning boards to prohibit competition from grocery stores and then raised food prices so high that poor and middle-class families were malnourished, would we consider this a morally acceptable result?

Moreover, zoning hasn't always succeeded in its aim of raising property values. In the 1920s, most Americans protected by zoning lived in what we would today call urban and inner suburban neighborhoods. Some of those neighborhoods have always had stable property values—but others witnessed a catastrophic drop in property values in the second half of the 20th century, as "white flight" (and later "black middle-class flight") reduced demand for housing. And in the 2000s, the collapse of a housing bubble has led to drops in housing prices over the last five or ten years. Even in supposedly gentrifying Brooklyn, housing prices [in some places](#) are lower than in 2004. Thus, zoning occasionally fails even by its own criteria.

In sum, zoning doesn't always increase property values—and when it does, it sometimes is too successful.

*One common counterargument is that Houston's low housing prices are the result of highway-induced sprawl, and that it may be impossible to have lower housing prices without high transportation costs. I note that other cities with zoning have equally car-dependent urban form.

BLOG POST

The Sunlight Myth

Tall buildings and sunlight can amicably coexist- sometimes.

[Michael Lewyn](#) | April 29, 2014, 5pm PDT

One common argument against tall buildings is that they block out sunlight. One recent headline suggests that tall buildings condemn American cities to a "[permanent dusk](#)." But such extreme assertions are pants-on-fire false. How do I know this? I live in midtown Manhattan, which is full of tall buildings. And yet there is plenty of sunlight- not on every street at every minute, but certainly on plenty of streets.



Above is a recent picture of the street where I live- Ninth Avenue in midtown Manhattan (in the high 30s). The buildings on this street are admittedly not 100-story skyscrapers, but the building where I live has fifteen or so stories, and most buildings are at least a few stories. As you can see, there is plenty of sunlight.

Similarly, if you go to Google Street View and look for the Empire State Building (350 5th Avenue), you will see that the street has plenty of sunlight; any shadows cast by this skyscraper affect only the sidewalk right below it- and not even all of the sidewalk.

How come? Probably because Manhattan's avenues are wide enough that any shadows created by buildings are simply overwhelmed by the amount of sun-reflecting pavement. The wider the street, the more sun.

Manhattan's east-west streets are a little narrower than its north-south avenues. However, a look at Google Street View shows that even the streets can be pretty sunny. For example, 19 West 42nd Street seems to have plenty of sunlight, even though that street (unlike Ninth Avenue) has honest-to-goodness skyscrapers. In fact, the major source of shade seems to be not buildings, but the trees in nearby Bryant Park.

Sunlight is at a premium only on the island's narrowest streets. For example, a look at 19 West 44th Street shows far less sunlight, because even a very small shadow can overshadow the street. In other words, height alone doesn't really reduce sunlight as much as height + narrowness: a narrow street full of tall buildings may indeed be very shady, and even a narrow street full of small buildings is not as sun-blasted as Fifth Avenue near the Empire State Building.

One advantage of Manhattan's uneven street grid is that you can go from sunlight to shade and back relatively quickly: if you want sunlight you can walk on a wide avenue, while if you want shade you can walk on a narrow east-west street. On the other hand, there is something of a trade-off between sunlight and pedestrian-friendliness: the sunniest streets tend to be the widest (and thus the most dangerous and dull for pedestrians, in the absence of unusual measures such as medians).

Indeed, the streets of Jacksonville, Florida (where I lived before I moved to New York) were dominated by sun and sky, because of the combination of eight-lane speedways and one-story buildings. (For example, see 9900 San Jose Boulevard in Jacksonville). Nevertheless, any benefit a pedestrian might gain from sunlight in such an environment is arguably outweighed by the ever-present danger of speeding cars and the great blight of dullness.

Should Students Be Zoned Out?

Although suburbs with college campuses are often eager to zone out students, this sort of exclusionary zoning has its own negative side effects.

Michael Lewyn | April 26, 2014, 10pm PDT

In Long Island where I teach, colleges and universities are engaged in a dorm-building [boom](#)—partially to attract out-of-town students, but partially because zoning rules often prevent student-oriented off-campus housing such as apartments and group houses.

The Supreme Court has upheld such zoning ordinances; in a 1974 decision [upholding](#) one Long Island suburb's right to exclude group houses, Justice Douglas wrote:

A quiet place where yards are wide, people few, and motor vehicles restricted are legitimate guidelines in a land-use project addressed to family needs...It is ample to lay out zones where family values, youth values, and the blessings of quiet seclusion and clean air make the area a sanctuary for people.

Justice Douglas's decision to use "youth values" as a reason to exclude college students seems a bit bizarre to me. Nevertheless, such restrictive zoning is understandable; I suspect that the middle-aged suburban homeowners believe that college-age students are far too likely to get drunk, drive recklessly, or have noisy parties (or worse still, do all three at the same time). Moreover, high car insurance premiums for college-age drivers suggest that this prejudice is rooted in empirical reality.

On the other hand, anti-student zoning creates its own problems. If students don't have any place to live near a college, they have to commute to the college. And in the automobile-dependent suburbs of Long Island, this usually means lots of driving. So ironically, a zoning strategy designed to create places where (in Justice Douglas's words) "motor vehicles [are] restricted" in fact may create traffic jams and pollution near universities.

As noted above, on-campus housing may well solve this problem, by allowing students to get to school without driving. This strategy may work well in the long run, especially if students do not bring cars to the dormitories with them. However, a municipality cannot always rely on a university's willingness to build dormitories, since dorm construction requires time and money.

More Thoughts On The Realtors' Survey

In addition to revealing public preferences for single-family homes and walkable communities, a recent survey conducted for the National Association of Realtors contains a variety of other small surprises.

Michael Lewyn | April 10, 2014, 10am PDT

A recent survey conducted for the National Association of Realtors contains a great deal of information on the housing preferences of Americans. The findings that have received the [most publicity](#) are respondents' strong preference for single-family homes and their preference that those homes be in walkable locations (that is, places within walking distance of shops and public transportation). However, a few other [findings](#) struck me as noteworthy:

*The issues that smart growth supporters and critics care about are quite low on the priority list. When given a list of issues and asked to identify them as "extremely high", "high", "middle", "low" or "extremely low" priorities, only 47 percent of all respondents picked reducing traffic congestion (a high priority of smart growth critics) as a "extremely high" or "high" priority- lower than all but three of fourteen items listed. On the other hand, smart growth priorities such as "revitalizing cities" and "providing convenient alternatives to driving" did no better, and even "preserving farms and open spaces from development" (the highest-ranking smart growth priority) was picked as a high priority by 54 percent of respondents- lower than improving job creation (the highest priority out of all fourteen) health care, reducing government spending, lowering crime rates, improving public education, environmental protection, or affordable housing.

*Most people were satisfied with the level of neighborhood amenities, though a healthy minority wanted more of everything. When asked whether their neighborhood had too much, the right amount, or too little of twelve amenities (ranging from sidewalks to safe bike routes to parks) a plurality picked "the right amount" for every amenity but three- thus indicating a high level of satisfaction with the status quo.

On the other hand, a plurality believed that there were too **few** "Safe routes for riding bikes to work and shopping" and "Housing for people of low incomes". Thus, it may be that NIMBY resistance to bike lanes or low-income housing does not represent the majority of most communities. Even where the "just right" respondents outnumbered the "too little" respondents, more people said there was "too little" of most amenities than thought there was "too much." for example, 17 percent of people thought there were too many new apartments and houses in their neighborhood, but they were outnumbered by the 26 percent who said there were too few. (The sole exception to this rule was high-income housing: 28 percent said there was too much such housing, 11 percent said there was too little).

*Even though people claim to prefer large houses and yards, they don't really care too much about house size. When asked whether house size or a neighborhood are more important, 78 percent chose "neighborhood."

*Walkability beats transit. The most widely publicized part of the Realtors' survey is the response to the "trade off" question: when people were asked to choose between a "sprawl neighborhood" where nothing is within walking distance of a house except more houses, and a mixed-use area where shopping and schools are only a few blocks away, the "smart growth" alternative was more popular.

I have seen less publicity given to a follow-up question: when respondents who chose the smart growth community were asked what the most appealing characteristic of that community was, 64 percent chose "Places such as shopping, restaurants, a library and a school are within a few blocks of your home." By contrast, only 19 percent cared more about a mix of housing types, and 11 percent cared more about public transit nearby.

This statistic explains why greenfield new urbanism is so popular: people may want transit within walking distance, but if a lot of other things are within walking distance, most will overlook that flaw. Even the sprawl supporters had similar priorities in this regard: when asked what the most appealing characteristic of the smart growth community was, 54 percent chose walking distance to amenities while 11 percent chose public transit.

*When given a broader list of factors, people value sidewalks, schools and privacy. When asked whether nineteen factors would be "very important, somewhat important, not very important, or not at all important", 46 percent chose "Privacy from neighbors" as "very important"- perhaps because this is such a broad concept. (For example, I live in a rather anonymous high-rise tower, and think that I probably have more privacy than many suburbanites). "High quality public schools" was second (45 percent) and "Sidewalks and places to take walks" were third (37 percent). By contrast, "Having a large house" was fifth from the bottom at 18 percent. Since only 1/3 of respondents actually had children, I was surprised by the high ranking of schools: my guess is that respondents were thinking about where they would live if they did have children.

*Fix it first. When asked to rate the importance of expanding highways, maintaining local roads, expanding buses, expanding sidewalks and bike lanes, and providing public transportation, street maintenance was a clear first priority. Respondents were asked to rank these policies on a scale between 1 (not important) and 5 (extremely important). 48 percent of the respondents rated street maintenance as a 5 ("extremely important"), while the other four options were in a statistical four-way tie: each of them were given a 5 by between 25 and 30 percent of respondents.

*Taxophobia may be weaker than I thought. When asked whether they would pay "a little more in taxes" for new roads, new sidewalks, expanded public transit, or better quality and service of existing transit, a

slight plurality (between 46 and 51 percent) answered yes for all four. Surprisingly, the poll failed to ask about street maintenance.

*Although most respondents treat car dependence as natural, a large minority hope to use transit more regularly. When asked if they would like a different means of getting to work, 49 percent said "yes." Some of those were transit users who wanted to drive, but 27 percent of that 49 percent (or 13%, about three times the current transit mode share) preferred to take transit, and 16 percent hoped to walk or bike.

BLOG POST

Transit Ridership—Debunking the Debunkers (Sort Of)

In response to the news that transit ridership reached an all-time high in 2013, commentators of all stripes sought to deny or minimize the news. But such arguments are themselves flawed.

Michael Lewyn | March 25, 2014, 9am PDT

After the American Public Transit Association [announced](#) that public transit ridership reached an all-time high of over 10 billion riders, a variety of commentators sought to minimize the importance of this news, using a wide variety of arguments. Transit critics seek to deny news of ridership increases to encourage politicians to reduce transit service, while transit supporters do the same to prevent their allies from becoming complacent. But all of these arguments share one thing in common: a claim that whatever transit agencies do right, it just isn't good enough. To name a few examples:

1. The "Only in New York" Strategy: Transit critic Randall O'Toole chose a strategy of total denial, claiming that all of the increase [happened](#) in New York City. However, a look at the APTA ridership page shows that bus ridership rose in 20 of the 37 largest bus systems, heavy rail ridership rose in 8 out of 15 systems, and light rail ridership rose in 17 out of 27 transit systems. On balance, ridership seems to have risen more often than not.
2. The "Not As Fast As Population" Strategy: A *Washington Post* op-ed by several professors points out that per capita ridership is [lower](#) than in 2008. However, transit ridership reached another [all-time](#) high in 2008 due to exploding gas prices, so comparing 2008 and 2013 shows only that per capita ridership is not at an all-time high. One might as well claim that the Democratic Party is in terminal decline because the current President did not carry 48 out of 50 states (as Franklin Roosevelt did in 1936).

But if one uses other years as a starting point, one sees different results: since 2010, ridership has increased by 4.6 percent, while population has increased by less than 3 percent. And since 1995, ridership [increased](#) by 37 percent while population increased

by 20 percent. Admittedly, this may not seem like an earth-shaking gain to some: but after decades in which transit use declined in absolute terms, and after a few more decades in which transit growth lagged behind population growth, the current trend might seem newsworthy.

3. The "Most People Still Drive" Strategy: Another common strategy, often accompanied by adroit use of bar charts, is to point out that transit is minuscule percent X of the U.S. transportation market. This argument has the advantage of being consistently factually correct: no matter how much transit use rises, it will never be good enough until the far-off (if not nonexistent) day when public transit use reaches World War II levels. Transit use could quadruple, and pundits could still say "That's all very well and good, but only 15 or 20 percent of commuters use transit, so shut up."

So who's right? The transit pessimists are right, I suppose, in pointing out that most Americans still drive to work. But the transit boosters are right in pointing out that transit use is not only rising, but rising to a greater extent than in past decades.

BLOG POST

The Theory Behind NIMBYism

Why should people have veto power over anything built in their neighborhood?

Michael Lewyn | March 12, 2014, 9am PDT

A recent Planetizen [headline](#) said: "Denver Planning Board Steamrolls Opposition in Rezoning Controversy." I am guessing that the headline used the pejorative term "steamrolls" because neighborhood activists opposed the rezoning. The story summary was even more negative, using the term "top-down planning" to describe a city decision that actually **expanded** a landowner's right to build on its property by allowing it to build five stories instead of three.

Why would anyone think expanding personal freedom is "top-down planning"? Probably because the author of the headline and summary shared a widespread cultural assumption: that we have a property right to veto whatever happens within a few blocks of our homes, even if we did not pay for the property in question.

Where did this idea come from? Probably from the perfectly reasonable idea that people are affected by "externalities" arising from how others used nearby property. At one time, this idea might have limited to the most obvious externalities such as odor and pollution from a factory.

But in the 20th century, zoning enabling acts and zoning codes gave city councils virtually unlimited discretion to regulate land development. Since city councillors have to run for reelection, they began to heed the voice of NIMBY (Not In My Back Yard) activists in their districts.

And because NIMBY activists had so much power over development, they used that power to interpret the concept of externalities so broadly that nearly anything could be interpreted as an externality. If a project is more affordable than the rest of the neighborhood, that is now an externality, because it could lower property values or worse still, bring in poorer people (who would not only lower property values, but create all manner of mayhem). If the project is more expensive, that's equally bad: it could lead to something called "gentrification." Even if the project is neither more or less affordable than the rest of the neighborhood, neighbors can always find an aesthetic ground to object: if the project is not identical to the existing monoculture, it is "out of character" with the neighborhood.

Ultimately, the neighborhood veto creates its own externalities, thus defeating its own reason for existence. If NIMBYs can outlaw any new construction, society ultimately only has two alternatives. First, society can make new housing impossible, causing housing prices to explode. This strategy has been followed in San Francisco, where new housing construction is virtually forbidden. At the height of the housing boom in 2005, the city [granted 1.2 housing permits](#) per 10,000 people- less than one-twentieth the state average. (Even [Detroit](#) had more, despite the fact that Detroit lost 1/4 of its population during the 2000s). Not surprisingly, San Francisco is much more expensive than other mid-sized cities. Second, society can allow new housing where there is no one to object- that is, in farmland. This leads to lots of new housing in places without public transit, thus causing lots of greenhouse gas emissions and other forms of pollution, and increasing everyone's transportation costs.

It could be argued that neighbors have relied on the status quo. But this argument is a self-fulfilling prophecy: if the political process tells people that they can veto any nearby development, of course they will think this is a normal state of affairs. Moreover, the costs of the NIMBY veto itself destroys the reliance interests of others: those of us who settle in a region expecting not to be driven out by sky-high housing costs, or who expect to live without lung cancer and other negative results of regionwide and worldwide pollution.

It therefore seems to me that the NIMBY veto has outlived its usefulness, and that neighbors' "right" to veto nearby development has been so widely abused that it should be eliminated. The more difficult question (for me) is: what procedural mechanisms do we create to eliminate this veto?

And the Feel-Good Oscar Goes To...

Discussing some of the most pro-urban movies ever made.

Michael Lewyn | March 1, 2014, 7pm PST

In honor of tomorrow's Oscars, Christopher and Lisa Leinberger recently [posted](#) on NextCity about the "top 12 movies about urbanism." Some of the movies are about urban dystopias, while others are about suburban sprawl.

Rather than praising or criticizing their choices, I'd like to praise a few films that I liked for different reasons: not because of their intellectual complexity, but because they are feel-good, pro-urban movies (though I think a couple of the movies the Leinbergers mentioned fall into this category as well, most notably *You've Got Mail*, a valentine to New York's Upper West Side).

One of the most city-focused and pro-city films I have seen is the 1949 Gene Kelly/Frank Sinatra musical *On The Town*. In the movie's [opening sequence](#), shot on location in Manhattan, Sinatra, Kelly and Jules Munchin sing

"New York, New York, a wonderful town!

The Bronx is up and the Battery's down!

The people ride in a hole in the ground."

Then Gene Kelly falls in love with Miss Turnstiles, causing them to travel through New York and have all manner of adventures. When I was younger, sprawl and urban decay, like the Soviet Empire in the 1970s, seemed unstoppable. This film inspired me in my youth, telling me that cities had once been magical places.

A more recent, more subtle pro-urban film is the 2012 Oscar nominee *Silver Linings Playbook*. Most of the story was filmed in [Ridley Park](#), a commuter-train suburb of Philadelphia. The main characters get to know each other while jogging through the streets and sidewalks of a suburb where walking actually seems to be a normal activity. But they don't decide that they actually love each other until a dance competition in [downtown Philadelphia](#).

What about small-town urbanism? *The Music Man*, set in a small city in Iowa, portrays many of the town's citizens as a gossipy and unsophisticated. But when a town looks [this good](#), who cares?

Honorable mention goes to a couple of musicals that aren't quite as city-focused as these, but still have a stand-up-and-cheer song: the 1936 Gable/MacDonald vehicle [San Francisco](#) (because of the song "[San Francisco, Open Your Golden Gates](#)") and *Hairspray* (because of "[Good Morning Baltimore](#)").

Any other nominations out there?

BLOG POST

Urbanists Left and Right

Conservatives are becoming more visible within the smart growth movement; they differ in some ways both from liberal smart growth activists and from conventional conservatives.

Michael Lewyn | February 23, 2014, 6pm PST

There is finally a new blog, [Smart Growth for Conservatives](#), focusing on issues of interest to those of us who generally support smart growth and new urbanism, and yet are less politically liberal than most people who do so.

How are conservative smart growers (or CSGs) similar to their more liberal allies? Like environmentally minded critics of sprawl, CSGs oppose government subsidies for sprawl and sprawl-generating government regulations. In particular, quite a few of the new blog's posts focus on wasteful sprawl-generating road spending.

Having said that, CSGs do tend to differ from other smart growth supporters in a couple of ways. First, they tend to be fiscal conservatives, and thus skeptical of public amenities that are nice to have but perhaps not absolute necessities. As a result, they are less consistently supportive of public spending on public transit and pedestrian/bicycle facilities than liberals might be. Second, some issues that are generally part of today's liberal agenda are deemphasized by CSGs. In particular, CSGs are less likely to discuss climate change or social diversity than liberal new urbanists. I also suspect that CSGs are less likely to support smart growth regulations such as Oregon's growth boundaries; but since most Americans don't live in Oregon, CSGs aren't as obsessed with these regulations as are conventional pro-sprawl conservatives.

Of course, CSGs differ among themselves. Some CSGs are (as Mitt Romney might say) "severe" fiscal conservatives, and thus tend to be skeptical of all large-scale government expenditures. Personally, I am more of a Nixon Republican - which is to say, although I am less pro-regulation and egalitarian than many liberals, I am willing to support government spending not just as an "investment" (whatever that means) but as a public amenity akin to parks and schools.

BLOG POST

One Failure of Suburbia

Are suburbanites less fearful of crime than city-dwellers? Maybe not.

Michael Lewyn | February 13, 2014, 2pm PST

In some ways, suburbia has clearly given its residents the benefits they hoped for: newer housing with more space, cheaper housing than in the most fashionable city neighborhoods, and "better" (that is, more racially and economically segregated) schools. In addition, it could be argued that suburbs are safer than most city neighborhoods.*

But this is not to say that suburbs have lived up to their promise. I was recently skimming a book on suburbanization** and noticed the following statement by someone who moved from Buffalo to one of its suburbs: "I just want my kids to be safe ... [in the suburbs] I can send my kids to the store and be confident they won't be approached by anyone." But can you really "send your kids to the store" in suburbia?

Not until they can drive. Even if your children (unlike most suburbanites) live within walking or biking distance of a store, there seems to be a norm in suburbs and small towns against children (or even teenagers) being on their own. In suburban Atlanta, I rarely saw anyone too young to drive outdoors (unless they are in a parking lot on the way to or from their parents' car).

In fact, this norm is actually supported by public officials who consider children on foot to be evidence of child endangerment by their parents. I subscribe to the [Free Range Kids](#) blog, which contains numerous stories of parents and children being harassed for allowing their children to walk. For example, one six-year-old who was allowed to walk to the post office was herself detained by the police, and Child Protective Services sought to remove the child from her parents. Even older children or those who visit indoor attractions are not safe from official paranoia. In Montana, a parent who dropped two twelve-year olds off at a local mall was [arrested](#) for child endangerment, and pled guilty in order to avoid further difficulties.

Are cities any better? To be fair, I don't see a lot of children in midtown Manhattan where I live. But when I visit child-heavy city neighborhoods such as Williamsburg and Kew Garden Hills, I see children walking around, seemingly on their own. Similarly, in Toronto, children ride city buses to and from school.

What went wrong? Why did suburbia fail to live up to its promise of free-range children? One major factor is television news. American suburbanites (as well as their counterparts in other English speaking countries) have been exposed to television's obsession with "stranger danger"—the fear that one's children may be molested by a stranger. Dramatic crimes get high television ratings, so television gives such crimes lots of coverage, thus causing parents to overestimate their frequency. So parents

influenced by television may be more likely to shut away their children- despite the fact that children are 2.5 times more likely to drown in a swimming pool, and 26 times more likely to die in a car crash, than to be abducted by a stranger.***

But I think there is another difference that goes to the heart of the suburban experiment. Where most adults don't walk, it is unusual to see a child walking. And where it is unusual to see a child walking, the whole idea becomes suspect. By contrast, where adults walk themselves, they are more willing to give children leeway to do the same.

None of this means, however, that suburbs cannot become child-friendly places. It seems to me that new urbanism is in part an attempt to restore walkability to suburbs- and if adults walk themselves, they will be less surprised (and horrified) to see children walk.

*Certainly, the average suburban neighborhood has less crime than the average city neighborhood. However, this benefit may be partially outweighed by increased risk of car crashes and obesity.

***Places of their Own*, by Andrew Wiese (pp. 266-67)

*** See [this article](#) at footnote 89.

BLOG POST

Legalize Jaywalking

Anti-jaywalking laws are based upon questionable assumptions.

Michael Lewyn | February 7, 2014, 1pm PST

The conventional wisdom among many urban planners is that walkable places are going to continue to become more popular and prosperous. But a new obstacle to pedestrian life has emerged in some cities—the police.

In both New York and Los Angeles, city police have been aggressively ticketing so-called “jaywalkers”—that is, pedestrians who cross when the light facing them says “Don’t Walk,” or cross in the middle of a block. Once in a while, the police go beyond issuing tickets: a couple of weeks ago, the police [beat](#) an 84-year-old, non-English speaking pedestrian bloody after he allegedly jaywalked and then failed to understand an officer’s directions.

The basic assumption behind these policies is that pedestrians are safe if they don't jaywalk, and unsafe if they do. But this claim is not necessarily correct.

Why not? Because traffic lights are not very accurate guides to safety. Suppose you are at an intersection, and the light across the street from you says "Walk." That usually means that there is a red light above you, and that the traffic heading towards you cannot move. For example, if I am crossing a north-south street (such as Manhattan's Ninth Avenue where I live) and the light across from me says "Walk", I probably will not be hit head on by someone driving on an east-west street.

But that fact alone does **not** make me safe from cars, because a motorist turning left or right into Ninth Avenue might be governed by a green light which allows him or her to turn. So if I cross when the light says "Walk", I can easily be crushed by a driver making a turn. In fact, turning motorists may be even more risky for pedestrians than a head-on attack, since they are harder to notice.

Another form of so-called jaywalking is crossing a street mid-block. Where traffic is fast and heavy, crossing mid-block can indeed be dangerous. On the other hand, crossing midblock may actually be safer when traffic is light, because a pedestrian need only look in two directions (or only one, where each side of the street is separated by a [median](#)) at a time to be sure that there are no cars coming. By contrast, at a four-way intersection, the pedestrian must look in several directions to avoid being attacked by a car.

It logically follows that anti-jaywalking laws are unlikely to make pedestrians safer. In fact, such laws may actually reduce safety by discouraging walking. If people have to worry about police harassment every time they walk, they are less likely to walk and more likely to either drive themselves or (in a less car-oriented city such as New York) patronize taxis.

And the more drivers there are on the streets, the more potential risk they create to both pedestrians and other drivers. This is the case for two reasons. First, where there are more cars on the streets, there is a higher chance that one of those cars could be driven carelessly. Second, where pedestrians are rare, drivers are less likely to expect them and thus more likely to drive rapidly, creating additional risk not only for pedestrians but even for other drivers as well. Thus, the most car-dependent places have the most car crashes. For example, in the United Kingdom (where jaywalking is [legal](#)) road fatalities are [one-fourth](#) the American level. Pedestrian fatalities are also lower- the UK had [420 pedestrian fatalities](#) in 2012, or roughly 7 per 1 million people, while the US had [4743](#), or about 15 per 1 million people.

Thus, it seems clear to me that anti-jaywalking laws discourage walking, while it is anything but clear that they increase safety. Thus, cities should terminate their jaywalking ordinances, so that American pedestrians will not have to worry about police harassment every time they leave home.

More broadly, our politicians and police officers have to face the reality that cars are big enough and fast enough to kill someone, while pedestrians are significantly less lethal. So to make the streets safer, regulate cars not pedestrians.

BLOG POST

The Roots of Snowmageddon

Last week, many Atlantans were stuck in traffic overnight because of fewer than three inches of snow. What went wrong?

Michael Lewyn | February 2, 2014, 9pm PST

Two weeks ago, 2.6 inches of snow shut down metropolitan Atlanta. Because businesses and schools did not close until midday, most of the region's drivers entered its highways at the same time, causing lots of traffic to clog snowy roads. As those roads iced up, drivers were [stranded](#) on highways all night, while children were stranded at school or even on school buses. What went wrong?

One oft-discussed factor was the Atlanta region's [failure](#) to build more regional transit; its heavy rail system has only one east-west line and one north-south line (technically one and a half, since the line splits up into two at the city's edge). Rail riders are generally less vulnerable to snow and ice than drivers- but even in more transit-oriented cities, the overwhelming majority of commuters either drive or use buses to get to work. So it is not clear that a few more rail lines would have been adequate to prevent such a huge traffic jam.

Moreover, government at all levels failed to prepare adequately for snow. In Atlanta, unlike some cities, snow turns to ice very quickly- so the government cannot just trust drivers to make their way home in the snow. Instead, government must plow streets to prevent ice from forming, make the roads drivable through salting, or shut down schools and businesses before the snow starts.

Although Atlanta had suffered repeated ice storms during my lifetime, no level of government adequately implemented any of these options. At 3:38 AM on the day of the storm, meteorologists [announced](#) a winter storm warning- but even after the fact, Gov. Nathan Deal claimed the storm was "unexpected." On the morning of the storm, government did not close down schools or discourage people from going to work. Instead, school districts did not close until midday. The private sector was equally incompetent. Most businesses opened in the morning and then closed at the

same time the schools closed. It thus appears that the government and populace did not pay enough attention to the weather.

But one less often-discussed culprit is the street system. The Atlanta area's planners and politicians have built quite a few limited-access highways- especially north-south roads that transfer people from urban Atlanta to the region's (mostly) affluent northern suburbs. But limited-access highways are not particularly resilient when there is a traffic jam; if you are stuck on an interstate highway you have no place else to go.

But because Atlanta's major surface streets are largely disconnected from each other, Atlanta drivers have few alternatives. For example, Chamblee-Dunwoody Road and Roswell Road are two major north-south streets in Atlanta's inner northern suburbs- but over the four miles or so of Chamblee-Dunwoody, there are only two surface streets that go from Roswell Road to Chamblee-Dunwoody. Intown Atlanta suffers from the same problem: for example, Peachtree Street and Piedmont Road are two major north-south streets- yet a distance of two and a half miles separates 14th Street (which connects the two streets in Midtown) to the nearest east-west connector further north (Lindbergh). So if you want to go east-west instead of north-south you really don't have many alternatives to the interstates- which means that when a snowstorm (or anything else) causes a traffic jam, the interstates become parking lots.

Is there an alternative? In theory, yes. Many cities (even very car-dependent cities) have grid systems: that is, an interconnected web of arterial streets that allow people stuck in traffic on one street to move reasonably quickly to another similar street. For example, a look at the map of Phoenix shows that even in suburban areas where many residential streets are on cul-de-sacs, the nonresidential street system is fundamentally a grid: that is, a driver displeased with east-west street A can go north or south on another street at least once or twice a mile, and find another east-west street reasonably quickly (at least by Atlanta standards). In the city's more urban areas, intersections are of course even more common.

By contrast, Atlanta put almost all of its traffic eggs with the basket of interstate highways- a policy that does not work well when weather or some other disaster dumps large numbers of cars on the same roads at the same time. The better policy is to create a system full of redundancy: that is, not only to have an excellent public transit system, but to have a grid full of interconnected commercial* streets, so that cars are dispersed among a variety of streets. If this was the case, Atlantans could get home more quickly, and fewer motorists would have been stranded in Atlanta's ice storm.

Having said that, I am not sure how Atlanta can achieve either goal. A high-ridership rail system might be quite expensive given the region's low density; even the city of Atlanta has about 3000 people per square mile, one-seventh that of New York City and one-third to one-fifth that of other transit-friendly cities such as Washington and Chicago. Such low density means few people can live within walking distance of any given transit stop, which in turn means that even a subway system with 100 stops would not have the ridership of Washington or Chicago.

A grid system in urban Atlanta and its older suburbs would require the creation of new streets cutting through existing neighborhoods, and possibly the destruction of quite a few houses and yards. Such a change would require government to spend lots of money compensating landowners, and would not be very popular either.

So in the short run, Atlantans' only hope is to avoid the snow- that is, to stay home from work and school whenever there is the slightest chance of snow. (In the medium run, the region could also start to tax itself for more aggressive snow removal).

Even so, still-developing cities (and for that matter, the still-developing parts of Atlanta's suburbs) can learn from Atlanta's bad example. A city or county that allows its streets to meander aimlessly without a consistent grid of connecting streets will be ill-equipped to deal with adverse weather conditions. So urban and suburban areas should not build road systems which force drivers onto a very small number of streets.

*I leave for another day the discussion of to what extent residential streets should be on a grid. It seems to me, however, that a grid with major streets every half mile or so can coexist either with a complete grid of residential streets and with the sort of residential cul-de-sac streets common in some suburbs.

BLOG POST

Learning from Chicago's Schools

As the north side of Chicago has gentrified, many Chicago schools' test scores have improved- evidence that if a city neighborhood attracts enough affluent families, its schools will become more attractive as well.

Michael Lewyn | January 24, 2014, 1pm PST

In November, the [Urbanophile blog](#) featured an interesting [post](#) on Chicago's public schools. The post points out that as some of Chicago's northern neighborhoods have gentrified, the neighborhood schools in those areas have improved. In 2001, only three Chicago neighborhood schools had over 25 percent of their students get an "exceeding standards" score on a state-run standardized test. By contrast, in 2013 fifteen schools achieved that level of accomplishment- mostly in well-off areas. What does this reality tell us?

As the author of the Urbanophile post, Daniel Hertz, points out, it tells us that "economic background is the single best predictor of a child's academic success" - and because it is the best predictor of a child's success, it is the best predictor of a school's success,

whether that school be urban or suburban. It logically follows that some common beliefs about urban and schools are false. To name a few:

1. "City schools stink because they are run by liberal Democrats/incompetent teachers' unions/stifling bureaucracy." No, city schools have bad reputations because their students are from disadvantaged backgrounds. Chicago's example shows that even in an urban school system with a bad reputation, well-off students will do well no matter who runs the teacher's union or the school board. As one commenter on the Urbanophile blog wrote: "Test scores completely correlate to family income and stability. If you say a school is "good" based on the percentage of kids who pass a test, you are fooling yourself that teacher quality has anything to do with it."

2. "City schools stink because cities have a weak tax base." If this was true, all city schools within a district would be pretty similar- but again, the success of schools with middle-class students shows that a school's success depends on its pupils' socio-economic status, not on the municipal tax base. Moreover, when city schools full of poor people outspend suburban schools, they achieve the same mediocre results as underfunded school systems. For example, in the 1980s and 1990s federal courts sought to desegregate the Kansas City schools by ordering increased spending on city schools- so much so that Kansas City spent **30 percent more** than the most well-funded suburb. However, suburban whites did not return to the schools, nor did the city/suburban test score gap close.

3. "The middle class won't come back to cities until the schools are fixed." This isn't a complete falsehood, but it does confuse cause and effect. The middle class returning to the schools is precisely what will fix the schools, not vice versa. If gentrification causes an urban school to become dominated by pupils with well-off parents, the school will magically improve. If vouchers or magnet schools cause the creation of heavily high-income schools, those schools will also be perceived as "good" schools by many parents.

On the other hand, cities can try to block "school gentrification" by somehow ensuring that every urban school continues to have a large low-income population, in the name of "equity." This policy was tried (using race as a measure rather than income) in most urban American schools in the 1970s; as a result, white parents moved to the suburbs en masse. As long as suburbs are allowed to have heavily middle- and high-income schools, parents will prefer such schools, and such egalitarian policies will have the same dismal results as they did in the 1970s.

4. "If schools in gentrifying areas improve but other schools aren't, that would be terrible because public schools are an egalitarian institution." No, they aren't. Public schools reflect their students, and the alleged egalitarian promise of public education is, at least in the schools as currently constituted, about as real as the Easter Bunny.

It may be the case that with some never-tried policy, socio-economic gaps in educational achievement will be reduced so significantly that the high-income lion will lay with the low-income lamb. It may also be the case that cancer will be cured next week. I cannot say that either of these wondrous achievements will **never** happen; I can say only that I

have no idea how to achieve either one of them, and that as far as I know, no city has shown the nation how to achieve either one of them.

Hertz sees the success of Chicago's "better" schools as problematic; he worried about if a school becomes too affluent, low-income children won't benefit from the improved schools. This argument seems to me to be based on the assumption that low-income students in the "better" schools are in fact benefitting from the presence of their higher-income peers. But there is no reason (at least based on the data supplied by Hertz) to believe that this is the case. It might be the case that a high-performance school's test scores are the same, controlling for income, as they were in 2001: if this were true, neither the high-income nor the low-income students would be any better off than in 2001, but the school's overall score would have risen only because the first group has become more numerous. As one commenter to Hertz's post wrote: "You can move low-income kids into the "good" schools and they will still perform less well than their more affluent peers."*

*Of course, it could be argued that the low-income children will still perform somewhat better than they would in a homogenously low-income school. I express no opinion on this question here, and may address the implications of this possibility in a future blog post.

BLOG POST

Affordable Housing Is Two Separate Issues

The policies that create affordable housing for the middle class might not be those necessary to prevent homelessness for the destitute.

[Michael Lewyn](#) | January 18, 2014, 4pm PST

How many times have you read this argument?

Liberal: "We need more government spending to create affordable housing for the poor."

Conservative: "If we just had **less** government intervention, our city would be affordable, just like Houston or dozens of other cities- and then we wouldn't need government subsidies."

It seems to me that both sides are right—but that both sides are addressing entirely different problems.

Here in New York where I live, affordable housing is not just a problem for the very poor who are forced into homeless shelters—it is also a problem for middle (and even upper middle) class people who are forced into suburbia by skyrocketing rents. It seems to me that government subsidies are unlikely to solve the latter problem, because in an already highly-taxed city or state, the public would probably not tolerate the level of taxation required to make housing affordable for the majority of the city's population.

A better remedy is to allow more private sector housing construction. If the city's overall housing supply sufficiently increased, rents would eventually go down or at least stop rising, and the city would be more affordable for the middle class, just like our nation's relatively inexpensive inland cities.

But even if New York's rents declined to the level of Houston or Kansas City, there would still be homeless people. In fact: even Houston has [thousands](#) of homeless people, for the simple reason that even cheaper-than-average rents may be too expensive for people who are utterly destitute and/or incapable of taking care of themselves. These people will need public housing or significant government subsidies to be housed.

In sum, the issue of "affordable housing" is two separate and very different problems—housing for the middle class and housing for the poor. It seems to me that the remedies for one problem will not work for the other.

BLOG POST

An Urbanist Tu'b'Shevat Seder

How to bring an urbanist slant to the Jewish holiday of Tu'b'Shevat next week

[Michael Lewyn](#) | January 9, 2014, 9pm PST

Next Wednesday night and Thursday, Jews celebrate [Tu'b'Shevat](#), a day that thousands of years ago was the new year for trees- a concept then primarily of relevance to taxes paid on produce. Several centuries ago, Jewish mystics revitalized this day with a special meal (known as a "seder" - Hebrew for "order") at which participants discussed the relationship between Jewish theology and various foods.

Because the seder (unlike the more well known Passover seder) is merely an optional custom rather than an obligation of religious law, Jews have a lot of flexibility to mold these seders in their own ideological image. As a result, this holiday has been discovered by Jewish environmentalists, who have created environmentally minded seders. (For an example of an environmentalist seder go [here](#); for a more traditional mystical seder go [here](#)).

This year, I am experimenting with an urbanist seder. It seems to me that a holiday related to trees is just as relevant to cities as it is to raw nature; most cities have quite a few trees, and one distinction between various types of city neighborhoods is the extent of foliage.

In particular, I am structuring the seder around two traditions common to Tu'b'Shevat seders: the use of four cups of wine and the use of four different types of fruit. (In addition to what I discuss below, I add more theological content that is probably not of much interest to a general audience).

Tu'b'Shevat seders often contain four cups of wine (or grape juice for non-wine-drinkers). The first cup is all white, the second mostly white, the third mostly red, the fourth all red. This ritual is sometimes used to honor the four seasons- the first cup symbolizes winter, the second spring, and so forth. But it seems to me that the four cups could easily be used to symbolize the evolution of the city. Just as trees seem lifeless during winter, the rural pre-city may seem lifeless as well, especially during winter: the trees are dead, and humans are few and far between. But just as winter turns into spring, the rural pre-city turns into a village, which turns into a small town, which sometimes turn into a major metropolitan area. The red last cup of wine, sometimes used to symbolize the heat and fire of summer, symbolizes the metropolis. If well managed it can be a colorful, warm place- but if poorly managed a large city can be a place, if not of actual bloodshed, at least of smog and traffic-choked misery. Collectively, we can use our free will to turn the city into the ideal Jerusalem of the Temple or to a less savory environment.

Similarly, the types of fruit are analogous to the types of urban and suburban neighborhoods. The first type of fruit often consists of hard fruits such as nuts, which can symbolize the protection that the earth gives us. These fruits, to me, are analogous to the perceived hardness of the concrete-dominated urban core (such as midtown Manhattan where I live). But just as the hardness of the earth has its value, so does the urban core. A strong urban core creates a place for large-scale employers to concentrate, and makes public transit more effective. The second type of fruit is soft, with a pit at its center- for example, peaches and apricots. It seems to me that these fruits are somewhat analogous to non-core urban neighborhoods like Greenwich Village or Washington's [Capitol Hill](#), where the "softness" of tree-lined residential streets balances out the perceived hardness of the city. The third type of fruit is soft and completely edible; I use these to symbolize the "softness" of streetcar suburbs that are less intensely developed but still somewhat urban, like Boston's [Brookline](#). The fourth type of fruit has a tough skin but is soft inside- for example, avocados and bananas. These neighborhoods are analogous to suburbs- if mismanaged, they can be

pretty tough places, with car-choked main streets that are as much of a concrete jungle as any downtown or urban slum. On the other hand, a well-planned suburb can be a slightly newer version of traditional streetcar suburbs, with all the benefits of such places.

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