

Sept. 21, 2022
Testimony re: ZC #22-RT1
Greater Greater Washington

To Chair Hood and members of the commission,

I am submitting testimony on behalf of Greater Greater Washington in support of [Zoning Commission case number 22-RT1](#), regarding the commission's initial racial equity analysis tool.

GGWash worked extensively on writing, organizing around, and advocating for amendments to the Comprehensive Plan that would increase density in the Future Land Use Map so as to enable more housing, more affordable housing¹, the prevention of physical displacement, and the fair distribution of new development across the District. We count among our successes the authorship, in partnership with Ward 1 Councilmember Brianna Nadeau's office, of amendments to the Framework element that elevated the production of affordable housing, one-to-one replacement, and right-to-return in PUDs; the increased density enabled by amendments to the FLUM, particularly on publicly owned land; and improved protocols for comprehensive planning as amendments to the Implementation element.

So, GGWash supports such a tool and we are, as a general matter, in agreement with the feedback prepared by the Housing Priorities Coalition, which I've attached to my testimony.

But, we hope to see a more considered final version of the racial equity tool that will indicate to the public what racial equity in zoning means, and how it is enacted. Our suggestions are as follows:

Define racial equity in zoning commission decisions

Critical to the development of any method of analysis, including a racial equity tool, is a firm grasp upon what, precisely, the tool is being applied to—and the limitations of that subject. Land use is foundational to where we live and what we do; racial segregation is inscribed on our landscape, and rectifying that will take more than a tool.

While I don't think that anyone is under the delusion that a tool alone *would* be sufficient, it would not surprise me to see the zoning commission's scope of "evaluation of the zoning action through a racial equity lens" creep considerably, out of what would of course be a well-intentioned effort to dismantle centuries of racism.

But, given that it is "charged with preparing, adopting, and subsequently amending the Zoning Regulations and Zoning Map in a means not inconsistent with the Comprehensive Plan for the

¹ GGWash considers "affordable housing" to mean housing that is subsidized, by either public or private dollars, and income-restricted (and, therefore, means-tested). This follows the Office of Planning's definition of affordable housing in the Housing Framework for Equity and Growth (p. 6).

National Capital area,” the commission should define, for the public, what, with regard to racial equity, it can do.

Recommendation: “May include the following themes [direct displacement, housing, physical, access to opportunity] and any others that also apply” is not sufficient. That language should make an attempt to define what “any others that also apply” might include, and should be prefaced with what it is and isn’t possible. For example, the Fair Housing Act would likely prevent the restriction of new housing units by race, even if new housing units were restricted to longtime Black residents of the District.

Define what the most critical issue with regard to racial equity in zoning is

The initial “themes” (direct displacement, housing, physical, access to opportunity) of the tool are fine enough, but too broad, and not prioritized according to any logic or severity of circumstance. The amendments to the Framework element referenced above intentionally elevated the production of affordable housing, one-to-one replacement, and right-to-return in PUDs. Though I could share it with you, one does not need to know the intent behind those provisions to quickly grasp that housing production, affordable housing production, and policies mitigating the physical displacement of existing residents are, according to the Framework, more important in a PUD than, say, green space, or retail and services, or streetscape improvements.

Recommendation: The zoning commission should pick one theme to elevate above all others. What is non-negotiable in advancing racial equity in zoning decisions? Of the commission’s current themes, GGWash would select “direct displacement” or “housing.” Fortunately, the production of new housing—market-rate, affordable, or “replacement”²—does not cause displacement³. Given that, the commission should provide a more sophisticated treatment of “Will the zoning action result in displacement of tenants or residents?” that draws clear bounds around what displacement is, and what is within the commission’s scope to prevent it.

Consider a development’s merits not in a vacuum but in relation to the District as a whole

GGWash fully supports Mayor Muriel Bowser’s target of 36,000 new units, 12,000 affordable, to be constructed by 2025. We also believe a new target should be established for 2025 and beyond. Key to that target is the production of affordable housing in planning areas where there is currently very little.

The tool, as it is currently written, implies that the greatest threat to racial equity in the District is, as far as I can tell, gentrification, without specifying that (see above, “define what the most

² The zoning commission should explain what it means by “replacement” housing. “Replacement” housing is, per our and OP’s definition of affordable housing, simply affordable housing. If the commission considers it to be something different, we hope to see that definition made public.

³ Pennington, Kate, Does Building New Housing Cause Displacement?: The Supply and Demand Effects of Construction in San Francisco (June 15, 2021). Available at SSRN: <https://ssrn.com/abstract=3867764> or <http://dx.doi.org/10.2139/ssrn.3867764>

critical issue with regard to racial equity is”); it also appears to take the view that development is, and will be, something that happens in impoverished neighborhoods, and impoverished neighborhoods only.

GGWash is more greatly concerned with, primarily, poverty and, secondarily, the District’s overall exclusionary land-use practices, which we view as root causes that *create* gentrification and displacement. The fact that the Comp Plan *still* sanctions the redevelopment of poorer, Blacker neighborhoods at the expense of the preservation of the “character” of more affluent, whiter neighborhoods—and the fact that the zoning code allows for this ideology to be enacted via individual projects—suggests to me that the commission has much further to go in analyzing racial equity than simply looking at what a singular developments do, or do not do, based on their proposed proffered benefits. Singular developments are still occurring within a structure that endorses relatively large projects in neighborhoods with less conventional power, while leaving the Colonial Villages and Forest Hillses untouched by, even, new duplexes.

Recommendation: Determine whether a racial equity analysis will make a considerable difference if enacted on a project-by-project basis; propose zoning text amendments that are not inconsistent with the Comprehensive Plan that enable the construction of denser housing, which is more frequently easier to attain and more often the form taken by subsidized, income-restricted “affordable” housing,” in planning areas where apartments are currently illegal to build.

GGWash does not believe that a racial equity tool will be transformative to development patterns in the District, which are determined by the Comp Plan and enacted by the zoning code. But, we agree wholeheartedly that it is necessary to improve certain features of certain projects so that benefits do not always accrue to those that can afford them, and are glad to see the commission implementing the Comp Plan’s requirements.

We are happy to discuss our analysis and recommendations and look forward to the construction of more housing, and more affordable housing, in the District.

Thank you,
Alex

Alex Baca
D.C. Policy Director
Greater Greater Washington
abaca@ggwash.org

Attachment:
Housing Priorities Coalition recommended edits

Theme	Original	HPC Comments/additional details
Direct Displacement	Will the zoning action result in displacement of tenants or residents?	How does the action avoid displacement? Describe the demographics, race, income and other characteristics of affected residents. What is the relocation program? What best practices model(s) does it follow? How does a relocation program specifically address the needs of Black, Latinx or other people of color, or other specific needs of the residents? Is the right to return guaranteed? How are relocation costs covered? Is this temporary or permanent displacement?
Housing	Will action result in changes to: Market rate housing? Affordable housing? Replacement Housing?	<p>Describe the affordable housing component. How does it address housing needs for households at or below 30% MFI, 40% MFI, 50% MFI and 60% MFI? <i>[How does project address DC Black MFI Comp Plan cite]</i> What are the current and projected household size/age-related housing needs and proposed housing types in the project? Is the affordable housing rental and/or ownership? How does the new housing address housing needs in the local neighborhood and on a larger/citywide scale? For affordable rental housing: what is the management approach to have a higher quality of living as a part of this development? What are you evaluating social services for tenants might need additional supports? For affordable ownership: what are the supports to help homeowners be successful in accessing & maintaining their home?</p> <p>Low income residents and BIPOC residents are less likely to own their own vehicle and thus take advantage of parking-only transportation benefits and provisions. Does the project offer an equitable transportation subsidy or subsidize vehicle parking but not offer an equivalent subsidy for residents who do not own personal vehicles?</p>
Physical	Will the action result in changes to the physical environment such as: Public space improvements? Infrastructure Improvements? Art and culture? Environmental changes? Streetscape	How would public space, infrastructure, arts & culture, environmental, and streetscape changes address the needs and welcome , reflect / of new and existing residents, especially people of color, and vulnerable people such as older adults, young children.

	improvements?	
Access to Opportunity	Job training/creation? Healthcare? Additional retail/access to new services?	How will training, education, healthcare, retail and other services access be improved for people of color who are current or future residents?