

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Allison C. Prince
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DATE: July 5, 2022

SUBJECT: Z.C. Case 22-03 – 1207 H Street NE – Zoning Map Amendment – Racial Equity Analysis

In support of the foregoing Supplemental Submission, this memorandum details how the proposed map amendment (the “Map Amendment”) for 1207 H Street NE (Square 1004, Lot 342) (the “Property”), which is the subject of application 22-03 (the “Application”) furthers District goals around racial equity.

Background

The Comprehensive Plan (the “Plan”) calls for any action by the Zoning Commission to be analyzed “through a racial equity lens.” 10-A DCMR §2501.8. The Plan defines racial equity as “the moment when ‘race can no longer be used to predict life outcomes and outcomes for all groups are improved.’” §213.8. The call to evaluate decisions through a racial equity lens is achieved by addressing structural racism, “target[ing] support to communities of color” and “taking into account historical trauma and racism.” §213.9. The Plan gives specific examples of ways a project can work toward eliminating racial inequity, including “transportation, housing, employment, income, asset building, geographical change, and socioeconomic outcomes.” §213.10.

Further, the Commission has outlined the following specific questions regarding racial equity: (1) What are the expected goals of the zoning action? (2) What are the anticipated positive and negative impacts and/or outcomes of the zoning action? These may include the following themes: direct displacement, housing (market rate, affordable, replacement), physical environmental changes (public space improvements, infrastructure improvements, arts and culture, environmental changes, and streetscape improvements), and access to opportunity (job training/creation, healthcare, addition of retail/access to new services). *See* “Racial Equity Tool, DC Zoning Commission, released April 28, 2022 at <https://dcoz.dc.gov/release/zc-racial-equity-analysis-tool>.

The Map Amendment will further the Plan's and Commission's goals around racial equity. First and foremost, the Application does not create any residential displacement, as the Property currently does not provide any residential uses. In addition to not creating any residential displacement, the Map Amendment achieves many of the outcomes desired by the Plan and reviewed in the Commission's racial equity analysis. Specifically, the change in zoning will facilitate the creation of a new development that will bring (1) market-rate and affordable housing; (2) employment and business opportunities; and (3) sustainability features, all of which will serve the goal of creating healthy communities.

Housing

First, by rezoning the Property through this IZ+ Zoning Map Amendment, any redevelopment will create significant market rate and affordable housing, above what would be required as a matter-of-right. The Plan focuses on the importance of the creation of affordable and mixed-income housing (§504.9). The Property is part of the Capitol Hill Planning Area in the District. The Capitol Hill Planning Area has a higher White population than District average and a lower Black and Hispanic/Latin population than District average. Further, the Capitol Hill Planning Area has a higher average income than the District average, and the cost of housing in the Planning Area is higher than the District average.

The additional housing and affordable housing on a Property that currently does not provide any residential use will increase the housing and affordable housing supply. Additionally, the Mayor's Housing Equity Report from 2019 notes the importance of creating additional market rate and affordable housing throughout the District. In the Capitol Hill Area, where the Property is located, the report calls for additional affordable housing and market-rate housing.

Business and Job Opportunities

Second, because of the preferred use requirements along the H Street corridor, including arts and arts-related uses, there will be opportunities for businesses and employment. The Plan focuses on job training and employment opportunities, which can build income and asset building opportunities, as well as create more equitable socioeconomic outcomes. §715.7. In addition to employment opportunities, the Plan also focuses on "opportunities to participate by small and minority-owned businesses . . . to close the racial income and wealth gaps in the District." §703.21. The Map Amendment facilitates these kinds of opportunities, including the opportunity for construction jobs, jobs within the residential component of a future project, and jobs and potential retail tenancy spaces for small business, all within a mixed-use project at the Property.

Sustainability and Healthy Communities

Third, any development will trigger enhanced sustainability requirements and facilitate development of a healthier community. The Plan notes that a focus on racial equity includes

focusing on environment justice, which “refers to the fair treatment of people of all races” with respect to environmental laws and regulations. § 628.1. The Plan notes that “some District neighborhoods have been adversely impacted by pollution-generating uses and other forms of environmental degradation, particularly in Wards 5, 6, 7, and 8. . . . The legacy of these uses . . . disproportionately impact[s] often overlapping vulnerable populations, including . . . communities of color.” §628.2. The Plan also focuses on increasing equitable health access in communities, especially because “significant health disparities persist along dimensions of income, geography, race, gender, and age in the District.” §1105.1.

There are multiple ways to create healthy communities, including improving non-automotive transit opportunities. Many of these sustainability efforts and requirements were not in place when the AutoZone was developed. Additionally, any redevelopment will likely require the removal of some of the curb cuts and the large, parking lot at the Property. Finally, the rezoning will pave the way for redevelopment of the Property in a manner consistent with the H Street corridor zoning, which requires a pedestrian-oriented streetscape and walkable environment, contributing to healthy communities. All of these requirements, brought to the Property through the redevelopment facilitated by the rezoning, further the sustainable, healthy communities that are part of the Plan’s focus on racial equity.

Conclusion

In conclusion, the Map Amendment is not inconsistent with the Comprehensive Plan’s racial equity goals, and the Commission’s approval of the Application would further actions that would increase racial equity.

COMPREHENSIVE PLAN PROVISIONS

FRAMEWORK ELEMENT:

The District must also commit to normalizing conversations about race and operationalizing strategies for advancing racial equity. Racial equity is defined as the moment when “race can no longer be used to predict life outcomes and outcomes for all groups are improved.” §213.8

As an outcome, the District achieves racial equity when race no longer determines one’s socioeconomic outcomes; when everyone has what they need to thrive, no matter where they live or their socioeconomic status; and when racial divides no longer exist between people of color and their white counterparts. As a process, we apply a racial equity lens when those most impacted by structural racism are meaningfully involved in the creation and implementation of the institutional policies and practices that impact their lives, particularly people of color. Applying this lens also reflects the targeted support to communities of color through policies and programs that are aimed at centering – focusing on their needs and barriers to participate and make informed decisions – and eliminating racial divides, all while taking into account historical trauma and racism. §213.9

The District’s policies and investments should reflect a commitment to eliminating racial inequities. Addressing issues of equity in transportation, housing, employment, income, asset building, geographical change, and socioeconomic outcomes through a racial equity lens will allow the District to address systemic and underlying drivers of racial inequities. §213.10

HOUSING ELEMENT:

Policy H-1.2.3: Affordable and Mixed-Income Housing Focus investment strategies and affordable housing programs to distribute mixed-income housing more equitably across the entire District by developing goals and tools for affordable housing and establishing a minimum percent affordable by Planning Area to create housing options in high-cost areas, avoid further concentrations of affordable housing, and meet fair housing requirements. § 504.9

ENVIRONMENTAL ELEMENT:

Environmental justice refers to the fair treatment of people of all races, cultures, national origins, and incomes, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. A just community is one in which all people experience protection from environmental and health hazards and have equal access to the decision-making process for having a healthy environment. § 628.1

These are particularly important principles to abide by when the goal of the Comprehensive Plan is to grow an inclusive city. Some District neighborhoods have been adversely impacted by

pollution-generating uses and other forms of environmental degradation, particularly in Wards 5, 6, 7, and 8. Power stations, public works facilities, rail and highway infrastructure, and a variety of industrial uses have all been concentrated in these areas. Many were historically located in communities of color and low-income neighborhoods that lacked the resources to fight these uses. The legacy of these uses includes the pollution of the Anacostia River, contaminated sites, and continuing noise, air pollution, and hazardous cargo on roads and rail that disproportionately impact often overlapping vulnerable populations, including the young, the old, those with existing health conditions, lower income residents and communities of color. It is critical to identify and remove or mitigate these existing environmental conditions. Low-income and minority communities must not face disproportionate environmental burdens and must enjoy clean and safe places to live, work, play, and learn. As Washington, DC grows and changes, it is important to continue to focus on environmental justice through an equity lens in order to mitigate and prevent harm to current and future residents. Furthermore, all residents must have a fair and meaningful opportunity to participate in environmental decisions. § 628.2

ECONOMIC DEVELOPMENT ELEMENT:

Action ED-1.1.A: Economic Development Strategic Plan Maintain an Economic Development Strategic Plan that lays out in greater detail the steps the District must pursue to maintain and grow its economy. This plan should cover all economic sectors, evaluate competitiveness, and include strategies for workforce development, as well as business attraction and retention. It shall be developed through broad input from stakeholders, including those representing resident, industry, communities of color, and education interests. The Plan should identify approaches that provide recruitment and opportunities to participate by small and minority-owned businesses, and approaches to close the racial income and wealth gaps in the District. § 703.21

Equitable development can be built with greater access to career pathways. This access can be achieved through skill development and education programs that are tailored to the needs of growth industries with career pathways. These pathways link advancement to experience and skill development, enabling employees to earn increased levels of compensation as they progress. Some career pathways require higher levels of educational attainment to access, while others feature opportunities for on-the-job training or progressive certifications. Over time, education programs, workforce development programs, and investments in equitable development are expected to increase labor force participation and career opportunities for residents. The data, programs, policies, and actions described here must be developed in the context of addressing the significant challenges facing the District's low-income residents and communities of color regarding education and employment outcomes. The District can accomplish this by using a racial equity lens to guide investments, set and measure racially equitable outcomes, and employ innovative and proven best practices. § 715.7

COMMUNITY SERVICES AND FACILITIES ELEMENT:

One of Washington, DC's most important resources is the health of its residents. While many of the District's residents and neighborhoods enjoy exceptional health, significant health disparities persist along dimensions of income, geography, race, gender, and age in the District. § 1105.1

IMPLEMENTATION ELEMENT:

Action: IM-1.B: Equity Tools for District Agencies, including the Zoning Commission Prepare and implement tools, including training, to assist District agencies in evaluating and implementing the Comprehensive Plan's policies and actions through an equity, particularly a racial equity lens. This includes tools to use as part of the development review process, preparation of plans, zoning code updates, and preparation of the capital improvement program, that consider how to apply an equity analysis in these processes, including any information needed. *This shall specifically include a process for the Zoning Commission to evaluate all actions through a racial equity lens as part of its Comprehensive Plan consistency analysis.* §2501.8 (emphasis added)

Throughout the Comprehensive Plan elements, the term "racial equity lens" is used for activities ranging from preparing small area plans to evaluating development decisions. The intent is for District agencies to develop processes and tools tailored to various programs, activities, and decisions, that center and account for the needs of residents of color, to achieve these outcomes:

- Identify and consider past and current systemic racial inequities;
- Identify who benefits or is burdened from a decision;
- Disaggregate data by race, and analyze data considering different impacts and outcomes by race; and
- Evaluate the program, activity or decisions to identify measures, such as policies, plans, or requirements, that reduce systemic racial inequities, eliminate race as a predictor of results, and promote equitable development outcomes. §2501.4