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DC Zoning Commission Case No. 22-RT1

My name is Jennifer Ho, and I have lived in DC for almost 10 years (have been a resident of SW DC for the last 3 years). I am submitting comments for the DC Zoning Commission Case number 22-RT1, regarding the Zoning Commission's racial equity analysis tool that it released in April 2021.

The Zoning Commission's racial equity analysis tool is wholly inadequate for evaluating proposed actions through a racial equity lens as part of the Zoning Commission's Comprehensive Plan consistency analysis. The tool does not meet the Comp Plan's racial equity requirements because they will not lead to the identification of past and current systemic racial inequities; identification of who benefits or is burdened from a Zoning Commission decision; disaggregation of data by race and analysis of that data to determine different impacts and outcomes by race; nor the identification of measures that reduce systemic racial inequities, eliminate race as a predictor of results, and promote equitable development outcomes.

Racial equity tools are supposed to integrate explicit consideration of racial equity in decisions. However, none of the current tool's four questions asks for qualitative and quantitative data or an analysis or forecast of impacts and outcomes by race and ethnicity, which makes integrating a racial equity lens into Zoning Commission decisions impossible. There is also no question about who was "at the table" during the proposed action's conception, how the applicant engaged with stakeholders the proposed action is most likely to affect to shape the proposal, and how the applicant will engage with affected stakeholders going forward. When designing for equity, the voices of those who have lived experience of the inequity need to be centered. In addition, the tool does not provide any information on how the Zoning Commission will determine if a proposed action exacerbates racial inequity and is therefore inconsistent with the Comp Plan or if it advances racial equity and is therefore not inconsistent with the Comp Plan. Including the Zoning Commission's rubric allows for transparency and accountability of its decisions. Last, the tool does not clearly define applicants' requirements in the process to evaluate proposed actions through a racial equity lens.

I have three overarching recommendations.

1. The Zoning Commission must revise the tool so that it meets the Comp Plan's requirements to:

- 1) identify and consider past and current systemic racial inequities;**
- 2) identify who benefits or is burdened from a Zoning Commission decision;**
- 3) disaggregate data by race, and analyze data considering different impacts and outcomes by race; and**
- 4) evaluate the decision 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.**

To do so, the tool should ask at minimum:

- What are the negative impacts or unintended burdens, such as displacement, the proposed action could cause? Which racial or ethnic groups could it negatively impact, directly and indirectly?
- What are the unintended benefits the proposed action could cause, and which racial or ethnic groups might disproportionately benefit?
- List all relevant past and ongoing policies and decisions that have led to and sustained racial inequities in the area. How has the proposed action taken the effect of these past and ongoing policies and decisions into consideration?
- How will the costs, including risk of displacement, and benefits of the proposed action be distributed across racial and ethnic groups? This must require a comparison of the new cost of living the proposed action would result in to current median household income for each racial and ethnic group. (Note: the median household income for Black households in Washington, D.C. is \$53,629; median household income for White households in Washington, D.C. is \$160,914. [Source](#)).
- How will the proposed action affect current residential segregation patterns?
- How were stakeholders that the proposed action is most likely to affect engaged in the action's development, and how were those stakeholders identified and reached out to? How will relevant stakeholders be engaged in decision-making and follow-up on the proposed action?
- Conclude by explaining how the proposed action will affect racial inequity.

(See the DC Office on Racial Equity's [sample tool](#) for a more comprehensive list of questions to include in the Zoning Commission's tool.)

2. The Zoning Commission must add to the tool the rubric it will use to determine if a proposed action addresses the symptoms of racial inequity, the deeper structures that reinforce racial inequity, or both. If the proposed action would not improve the symptoms and structures of racial inequity, the Zoning Commission must determine the action as inconsistent with the Comp Plan and reject the application. (See the DC Council Office of Racial Equity's scale [here](#) for an example of a racial equity rubric.)

3. The Zoning Commission must require all applicants to submit a detailed racial equity assessment as part of their application that:

- 1) identifies past and current systemic racial inequities;**
- 2) identifies who benefits or is burdened by their proposed action;**
- 3) analyzes data that shows different impacts and outcomes by race; and**
- 4) identifies interventions they will take to mitigate identified negative impacts.**

Getting this tool correct is important to me because so many critical determinants of our lives are connected to where we live. Zoning decisions have enormous implications on the outcomes of communities - particularly because those decisions affect the cost of living. This then influences where we can live, which determines where we go to school, our access to jobs and transportation, our susceptibility to environmental and health hazards, the types of stores and services we have access to, and much more.

U.S. housing and zoning policies have been used to serve racist motivations since the beginning and have created long-term and ongoing negative impacts on Black individuals' income, wealth, and equality. Zoning cannot be uncoupled from past policies and motivations that were largely rooted in racial segregation, displacement, and exclusion. We live in communities that are a product of this legacy. The Zoning Commission's racial equity analysis

tool needs to be effective to undo these historic harms and the racism built into our land use and zoning systems.

The District amended the Comp Plan in 2021 and recognized this connection between zoning and racial inequity. Throughout the updated Comp 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 that center and account for the needs of residents of color to:

- 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)

The Comp Plan says a racial equity lens should be applied in these efforts that is explicit in naming and considering each representative community of color in the District, including African Americans, Hawaiian/Pacific Islanders, Asians, Indigenous populations, or members of the Latine community. Further, implementation strategies should be targeted in proportion to the historical trauma and disproportionate outcomes experienced by those communities. This can best be accomplished by disaggregating data to track and analyze specific outcomes for each racial and ethnic group. Action IM-1.B of the Comp Plan requires the DC government to prepare and implement tools to assist agencies in evaluating and implementing the Comp Plan’s policies and actions through an equity, particularly a racial equity lens. This shall specifically include a process for the Zoning Commission to evaluate all actions through a racial equity lens as part of its Comp Plan consistency analysis.

Zoning decisions in DC have resulted in disproportionate harm to DC’s Black residents, which is why the Zoning Commission’s racial equity analysis tool and Comp Plan consistency analysis must better align with the DC Office of Racial Equity’s sample tool and require a concluding racial impact statement on whether a proposed action exacerbates addresses the symptoms of racial inequity and the deeper structures that reinforce racial inequity, similar to what the DC Council’s Office of Racial Equity requires. The four recommendations above will move the current tool closer.

As the Center for American Progress wrote in its report, *Systemic Inequality: Displacement, Exclusion, and Segregation*, “For Black communities in urban areas, public policies have often been enacted under the guise of creating new public spaces, combating urban blight, or bolstering economic development. But over time, these policies have stripped Black communities of the wealth and financial stability found in property ownership and affordable rental housing.” MITRE’s report, *The Racial Wealth Gap in Washington, D.C.*, states, “Increasing rent costs affect many Black D.C. residents who do not own their own home and have lower incomes. Rent takes up a higher portion of Black household income in D.C. compared to White household income. Between 2000 and 2010, the supply of apartments with low rent decreased by half to 34,000 units. As a result, 14% of Black families have moved out of D.C. due to their inability to pay rent compared to only 4% of White families. Additionally, a recent survey shows that 20% of residents in predominantly Black Wards 7 and 8 indicated they would most likely move in the next three years due to high rent prices.”

Washington, DC continues to be among the most rapidly gentrifying city in the country, and it has not done so in an inclusive way that cares for its current residents. In Southwest DC, residents, including myself, overwhelmingly want to maintain the economic and racial diversity that make the community so strong and vibrant. Families who have been able to call Southwest their home for decades, some whom I have had the honor of meeting and exchanging greetings with whenever we see each other, are getting pushed out because the DC government and developers prioritize potential profit more than opportunities to uplift human beings.

To conclude, my three recommendations for how to improve the Zoning Commission's racial equity analysis tool are:

1. The Zoning Commission must revise the tool so that it meets the Comp Plan's requirements to:

- 1) identify and consider past and current systemic racial inequities;
- 2) identify who benefits or is burdened from a Zoning Commission decision;
- 3) disaggregate data by race, and analyze data considering different impacts and outcomes by race; and
- 4) evaluate the decision 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.

2. The Zoning Commission must add to the tool the rubric it will use to determine if a proposed action addresses the symptoms of racial inequity, the deeper structures that reinforce racial inequity, or both. If the proposed action would not improve the symptoms and structures of racial inequity, the Zoning Commission must determine the action as inconsistent with the Comp Plan and reject the application.

3. The Zoning Commission must require all applicants to submit a detailed racial equity assessment as part of their application that:

- 1) identifies past and current systemic racial inequities;
- 2) identifies who benefits or is burdened by their proposed action;
- 3) analyzes data that shows different impacts and outcomes by race; and
- 4) identifies interventions they will take to mitigate identified negative impacts.

Thank you for your consideration.

Jennifer Ho