

D.C. Zoning Commission Roundtable on the Racial Equity Analysis Tool,
September 22, 2022

Testimony of Nancy MacWood on behalf of Ward 3 Housing Justice

Thank you for the opportunity to testify at the roundtable on racial equity. The Zoning Commission is asking for advice on creating a tool that links racial equity to both process and outcomes. That is the right approach, but we urge the Zoning Commission to require more information from applicants as it joins every branch of government in meaningfully ending racial injustice.

The Zoning Commission requested, in part, for advice on how to make its evaluation of racial equity more substantive. We suggest that the tool used by applicants and the Office of Planning (OP) must be more specific and detailed to provide you with the information and context you need for a deeper dive into the link between racial equity and zoning. You must understand what opportunities or burdens people of color are facing to prevent zoning decisions exacerbating racial divisions.

The second question mentioned in the roundtable announcement is how to better identify potential positive impacts and negative outcomes of a zoning action. The DC Comprehensive Plan, which has elevated racial equity in our city to both an emergency and an essential shared value, provides relevant information. The desired outcome is no division between people of color and white people – life outcomes no longer predicted by skin color. To get there the Implementation Element says you need to identify past and current racial inequities, so you know what the needs of residents of color are. In a zoning context that means applicants must use data disaggregated by race, which the Office of Planning has, to show how income, jobs, healthcare, and housing are different or the same in the area where they seek benefits or relief from zoning regulations. Information about the goals of an application or if there are featured public space improvements will not help you to address structural racism.

We looked at a PUD, map amendment, and modification of a PUD filed after the release of the Zoning Commission racial equity tool to get a sense of how applicants use the tool. In every case, applicants said there would be no displacement because zoning had not permitted housing previously. They did not go a step further and discuss the demographics of the area, what the income levels are, what the unemployment rate is or any other factors that would be relevant to determining how a development proposal or allowing more buildable density could impact an area from a racial perspective. The intention of a zoning racial equity analysis, we believe, is to shine a light on the potential for loss of culture, loss of small and local businesses, displacement due to property tax increases, and loss of jobs. With that information the Zoning

Commission can work with applicants and stakeholders to change emphasis, add conditions, require mitigations or interventions to ensure that racial outcomes are positive.

Affordable housing was barely mentioned in these statements. The map amendment submission said that a development proposal *could* result that would offer housing, including affordable housing, but not a word about the cost of housing in the area and whether there is a need for affordable housing. The other two submissions noted that they would comply with Inclusionary Zoning requirements, and one said that they would make sure that some people at 50% MFI could live in the development. But there was no information on how much rent people of color who live in the area could afford to pay, or whether the area is so predominately white that a greater percentage of affordable units is really the public benefit that is needed. Amazingly, people of color were never mentioned in any of the statements.

It appears that the Zoning Commission is taking a very narrow approach to how applicants can show consistency with the Comprehensive Plan policies on racial equity. We urge you to examine the robust racial equity requirements for land use and development processes adopted by Boston and New York City. Our neighbor, Montgomery County also has some interesting approaches that DC might consider. The goal is not to scrutinize the Comprehensive Plan to figure out how little applicants must do, but to figure out how through text amendments the Zoning Commission can add process to help it incorporate racial equity into all its actions.

Thank you for your time and attention.