

Cochran, Patricia (DCOZ)

From: Kelley Gallagher <kelleygallagher@gmail.com>
Sent: Wednesday, September 21, 2022 3:35 PM
To: DCOZ - ZC Submissions (DCOZ)
Subject: Testimony regarding DC Zoning Commission Case No. 22-RT1.

Some people who received this message don't often get email from kelleygallagher@gmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the DC Government. Do not click on links or open attachments unless you recognize the sender and know that the content is safe. If you believe that this email is suspicious, please forward to phishing@dc.gov for additional analysis by OCTO Security Operations Center (SOC).

To the Zoning Commission,

My name is Kelley Gallagher, I am a concerned resident of the Southwest DC neighborhood, and I have lived in DC for 18 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 deeply 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 recommend and request the following:

First, 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:

- 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?

Second, the Zoning Commission must add 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.

Third, 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 because zoning decisions have great implications on the outcomes of communities. They influence 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 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 work toward undoing these historic harms and the racism built into our land use and zoning systems.

Thank you for your consideration,

Kelley Gallagher

1301 Delaware Ave SW
Washington, DC 20024