

# Racial Equity and Social Justice (RESJ) Zoning Text Amendment Statement

Office of Legislative Oversight

## ZTA 21-11: SANDY SPRING/ASHTON RURAL VILLAGE OVERLAY ZONE— AMENDMENTS

### SUMMARY

The Office of Legislative Oversight anticipates that Zoning Text Amendment 21-11 will have little to no impact on racial equity and social justice (RESJ) in the County.

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### PURPOSE OF RESJ STATEMENTS

The purpose of RESJ impact statements for zoning text amendments (ZTAs) is to evaluate the anticipated impact of ZTAs on racial equity and social justice in the County. Racial equity and social justice refer to a **process** that focuses on centering the needs, power, and leadership of communities of color and low-income communities with a **goal** of eliminating racial and social inequities.<sup>1</sup> Achieving racial equity and social justice usually requires seeing, thinking, and working differently to address the racial and social harms that have caused racial and social inequities.<sup>2</sup>

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### PURPOSE OF ZTA 21-11

The primary purpose of Zoning Text Amendment 21-11 is to amend the language of the Sandy Spring Ashton Rural Village Overlay Zone<sup>3, 4</sup> to make it consistent with the Ashton Village Center Sector Plan.<sup>5</sup> The Council approved the Ashton Village Center Sector Plan on June 15, 2021. If enacted, ZTA 21-11 will ensure that two existing nonconforming land uses (a fueling station and two drive-thru facilities that are not associated with a restaurant) remain unaffected.<sup>6</sup> It will also require a site plan review for all projects except for single-family detached houses.

ZTA -21-11 was introduced on December 14, 2021.<sup>7</sup> This ZTA is scheduled for Council review and final action on January 18, 2022 in conjunction with the Sectional Map Amendment H-144 for the Ashton Village Center Plan.<sup>8</sup>

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### ANTICIPATED RESJ IMPACTS

OLO does not anticipate a racial equity and social justice impact for ZTA 21-11 because it codifies regulations already adopted by the Council in the Ashton Village Center Sector Plan. This ZTA offers technical corrections to make the Zoning Ordinance consistent with prior policies rather than establishes new policies or practices that may impact RESJ in the County. As such, OLO anticipates that ZTA 21-11 will have little to no impact on RESJ in the County.

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### CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of zoning text amendments on racial equity and social justice is a challenging, analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement on the proposed zoning text amendment is intended to inform the Council's decision-making process rather than determine it. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the ZTA under consideration.

# RESJ Impact Statement

## Zoning Text Amendment 21-11

### CONTRIBUTIONS

OLO staffer Elsabett Tesfaye, Performance Management and Data Analyst, drafted this racial equity and social justice impact statement.

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<sup>1</sup> Definition of racial equity and social justice adopted from “Applying a Racial Equity Lens into Federal Nutrition Programs” by Marlysa Gamblin, et.al. Bread for the World, and from Racial Equity Tools <https://www.racialequitytools.org/glossary>

<sup>2</sup> Ibid

<sup>3</sup> Zoning Text Amendment 21-11 amends Section 4.9.15 of the Zoning Ordinance Chapter 59 the Montgomery County Zoning Ordinance, 2014.

<sup>4</sup> The Sandy Spring Ashton Rural Village Overlay Area was established in 1998 as part of the Sandy Spring-Ashton Master Plan to provide “greater protections for height, density, land uses and building form” than the C-1 (Convenience Commercial) and C-2 (General Commercial) zones could not provide at the time. The Zoning Ordinance was updated in 2014 and C-1 and C-2 zones were replaced with CR (Commercial Residential) and CRT (Commercial Residential Town) zones. The new zones included design guidelines that could provide adequate protection of the rural character of the village. Consequently, the Sandy Spring Rural Village Plan was updated in 2015 removing Sandy Spring from the overlay zone. Source: *Staff Report, The Maryland National Park Planning: Zoning Text Amendment-Sandy Spring /Ashton Village Overlay Zone, November 4, 2021*

<sup>5</sup>“The Ashton Village Center Sector Plan is a small part of the greater Sandy Spring-Ashton community. The plan mainly focuses on the properties on the four corners of the intersection of MD 650 (New Hampshire Ave) and MD 108 (Ashton Road/Olney Sandy Spring Road), as well as the properties just west of the intersection around Sherwood High School. The total plan area is approximately 126 acres and is a sub-set of the much larger 1998 Sandy Spring/Ashton Master Plan, which covered approximately 5,989 acres around the Sector Plan boundary. Source: *Staff Briefing and Preliminary Recommendations Ashton Village Center Sector Plan April 9, 2020.*

<sup>6</sup> Montgomery County Council, Zoning Text Amendment 21-11, Sandy Spring/Ashton Rural Village Overlap Zone – Amendments, Introduced on December 14, 2021

<sup>7</sup> Ibid

<sup>8</sup> Montgomery Planning, Maryland National-Capital Parking and Planning Commission, Sectional Map Amendment H-144 Ashton Village Center Sector Plan application to Montgomery County Council, December 14, 2021.