

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

Office of Legislative Oversight

## ZTA 22-09      ACCESSORY STRUCTURES — USE STANDARDS

### SUMMARY

The Office of Legislative Oversight anticipates that Zoning Text Amendment 22-09 would have little or 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 22-09

The purpose of Zoning Text Amendment 22-09 is to allow a cumulative footprint of up to 1,200 square feet for a “pool enclosure” on a detached single-family property.<sup>3</sup> ZTA 22-09 amends provisions for accessory structures under the use group Section 3.7.4 “Accessory Miscellaneous Uses” of the Zoning Ordinance and other sections in the Agricultural, Rural Residential, and Residential zones.<sup>4</sup> ZTA 22-09 also requires that pool enclosures be transparent or translucent and have a maximum height of seven feet or less.<sup>5</sup> However, the existing accessory building requirement which specifies “...the cumulative footprint of all accessory buildings on that lot may not exceed 50 percent of the footprint of the principal building or 600 square feet, whichever is greater” remains unchanged for accessory buildings that do not include a pool enclosure.<sup>6</sup> ZTA 22-09 was introduced on July 26, 2022.<sup>7</sup>

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### ANTICIPATED RESJ IMPACTS

OLO anticipates that ZTA 22-09 will have little to no impact on RESJ in the County. The modifications proposed in this ZTA apply to all single-family detached residential developments in the County. While homeownership rates in the County vary by race and ethnicity with three-quarters of White and Asian households residing in owner-occupied units compared to half of Latinx residents, 43 percent of Black residents, and 47 percent of Indigenous residents and other groups,<sup>8</sup> OLO anticipates that few homeowners will take advantage of this proposed change in the Zoning Ordinance. Thus, ZTA 22-09 will have little to no impact on existing disparities in homeownership by race and ethnicity locally.

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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 22-09

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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> Montgomery County, Maryland Council: Zoning Text Amendment No. 22-09, Concerning: Accessory Structures – Use Standards. Introduced: July 26, 2022

[Zoning Text Amendment No: 10-xx \(montgomerycountymd.gov\)](https://montgomerycountymd.gov/ZoningTextAmendmentNo10-xx)

<sup>4</sup> Ibid

<sup>5</sup> Ibid

<sup>6</sup> Ibid

<sup>7</sup> Montgomery County, Maryland Council: Zoning Text Amendment No. 22-09.

<sup>8</sup> Racial Equity Profile Montgomery County. Report Number Report Number 2019-7. July 15, 2019

<https://www.montgomerycountymd.gov/OLO/Resources/Files/2019%20Reports/RevisedOLO2019-7.pdf>