

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

## Office of Legislative Oversight

### ZTA 22-10: STREETS AND ROADS

#### SUMMARY

The Office of Legislative Oversight (OLO) finds that Zoning Text Amendment 22-10, Streets and Roads, 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 22-10

As noted in the RESJ impact statement for Bill 24-22, Streets and Roads, the Montgomery County Planning Department published the Complete Street Design Guide (CSDG) in February 2021 to provide “policy and design guidance on the planning, design, and operation of county roadways.”<sup>3</sup> The Complete Street Design Guide aligns the County’s approach to designing roads to the “Complete Streets” concept to prioritize safety, sustainability, and vitality.<sup>4</sup> The Guide was also developed to support the County’s Vision Zero goal of eliminating serious and fatal collisions on County roads by the end of 2030.<sup>5</sup>

The primary purpose of Zoning Text Amendment 22-10, Streets and Roads is to revise the Zoning Ordinance to make the road types it references consistent with the Complete Streets Design Guide (CSDG). Of note, ZTA 22-10 is one of three proposals aimed at aligning County policy to the CSDG. If enacted:

- Zoning Text Amendment 22-10 will amend Chapter 59 of the County Code (the Zoning Ordinance) to provide a new definition for residential streets and to replace road types with new typologies that align with the CSDG;
- Bill 24-22 will amend Chapter 49 of the County Code to modernize street and road standards across the County to align with the CSDG; and
- Subdivision Regulation Amendment 22-01 will amend Chapter 50 of the County Code to update standards for intersections and replace street types with new typologies that also align with the CSDG.

At the request of the County Executive, ZTA -22-10 was introduced on July 26, 2022.

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#### ANTICIPATED RESJ IMPACTS

Among the three policies proposed to align the County policy to the Complete Streets Design Guide (CSDG), OLO finds that ZTA 22-10 would have the most minor impact on RESJ as it centers on renaming road types to align typologies in the

# RESJ Impact Statement

## Zoning Text Amendment 22-10

Zoning Ordinance to the CSDG. More specifically, rather than changing transportation or road policies across the County as undertaken by Bill 24-22,<sup>6</sup> ZTA 22-10 makes technical revisions to the Zoning Ordinance that do not impact RESJ.

Of note, OLO published a RESJ impact statement for Bill 24-22, Streets and Roads, on August 22, 2022.<sup>7</sup> That RESJ impact statement describes the historical drivers of racial inequities in transportation infrastructure and available data on racial disparities in traffic injuries that could be impacted by Bill 24-22.<sup>8</sup> Based on a review of data on budgeted roadway projects in the County's Capital Improvement Program,<sup>9</sup> OLO finds the RESJ impact of Bill 24-22 to be indeterminant due to insufficient information on whether Black, Indigenous, and other people of color residents would be the primary beneficiaries of roadway projects developed with complete street standards.<sup>10</sup> Yet, given the limited potential impact of zoning text amendments on capital funding for roadway projects, OLO finds that ZTA 22-10 offers little to no impact on RESJ in the County rather than an indeterminant RESJ impact as found for Bill 24-22.

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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.

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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> Racial Equity and Social Justice (RESJ) Impact Statement, Office of Legislative Oversight. Bill 24-22, Street and Roads [Racial Equity and Social Justice Impact Statement \(montgomerycountymd.gov\)](https://montgomerycountymd.gov/BASISCAPITAL/Common/Index.aspx)

<sup>4</sup> Ibid

<sup>5</sup> Ibid

<sup>6</sup> And perhaps by SRA 22-01 although an assessment of the impact on SRA 22-01 on transportation policy in the County is beyond the scope of OLO since the County's RESJ Act does not task OLO to develop RESJ impact statements for subdivision regulation amendments.

<sup>7</sup> RESJ impact statement for Bill 24-22

<sup>8</sup> Ibid

<sup>9</sup> Montgomery County MD Capital Budget. 2023 County Council Approved Budget. July, 2022. <https://apps.montgomerycountymd.gov/BASISCAPITAL/Common/Index.aspx>

<sup>10</sup> RESJ impact statement for Bill 24-22