

# Racial Equity and Social Justice Impact Statement for Zoning Text Amendment

Office of Legislative Oversight

## ZTA 24-03: OVERLAY ZONES – GREAT SENECA LIFE SCIENCES (GSLs) OVERLAY ZONE

### SUMMARY

If Zoning Text Amendment (ZTA) 24-03, Overlay Zones – Great Seneca Life Sciences, increases the supply of affordable housing in the County, OLO anticipates that it will favorably impact racial equity and social justice (RESJ). Predicting the utilization of this ZTA among developers to calculate its impact on the supply of affordable housing in the County, however, is beyond the scope of this RESJ impact statement. As such, OLO can neither predict the impact of this ZTA on the County's supply of affordable housing nor its impact on RESJ.

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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 24-03

ZTA 24-03 establishes a new Life Sciences Center Overlay Zone, the Great Seneca Life Sciences (GSLs) Overlay. The intent of this ZTA is to implement the recommendation of the Great Seneca Plan which is currently under review by the County Council. The ZTA, as introduced, describes the purpose of the GSLs Overlay Zone as follows:<sup>3</sup>

- To attract and retain the life sciences industry;
- To incentivize the production of housing;
- To achieve a community that includes a range of land uses, jobs, diverse housing options, services, and amenities that meet the needs of people within a 15-minute walk, bike ride, roll, or other trip; and
- To implement recommendations of the Great Seneca Plan's land uses, densities, building heights, parking, and public benefits.

Towards these ends ZTA 24-03 sets development standards; stages various scenarios for applying height, density, and public benefits to developments in the overlay zone; incentivizes housing production; and establishes a new methodology for providing public benefits in optional methods of development projects.<sup>4</sup>

Of note, the Great Seneca Plan is a comprehensive amendment to the 2010 Great Seneca Science Corridor Master Plan. It covers 4,330 acres of noncontiguous areas at the center of the I-270 Corridor, with a large portion of the plan including the Life Sciences Center between the cities of Rockville and Gaithersburg and the Town of Washington Grove (see Appendix A).<sup>5</sup>

# RESJ Impact Statement

## Zoning Text Amendment 24-03

This RESJ impact statement (RESJIS) builds on the RESJIS for ZTA 21-09: Bio Health Priority Campus, ZTA 22-02: Density Height Limits – Biohealth, ZTA 23-02: Regulatory Approvals - Mixed-Use Housing Community, ZTA 23-06: Fenton Village (FV) Overlay Zone-Site Plan, and ZTA: 24-01: Household Living–Civic and Institutional Uses. Refer to these RESJIS for background on racial inequities in land use, housing, economic development, and the biohealth industry. ZTA 24-03 was introduced on June 11, 2024.

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### ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of ZTA 24-03 on racial equity and social justice, OLO considers two related questions:

- Who are the primary beneficiaries of this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

**In response to the first question,** OLO considered the demographics of households needing affordable housing. Given the higher levels of housing insecurity experienced among Latinx and Black households, OLO anticipates that BIPOC households would be the primary beneficiaries of ZTA 24-03 if it resulted in the production of additional affordable housing units. However, OLO cannot discern whether ZTA 24-03's incentives for producing affordable housing would be utilized by developers and yield additional affordable housing units. Consequently, OLO cannot estimate the impact of this ZTA on the supply of affordable housing or RESJ in the County.

**In response to the second question,** OLO considered the potential impact of ZTA 24-03 on housing disparities in the County. If ZTA 24-03 increases the number of affordable housing units, it could narrow racial and social inequities in housing security and cost burden. Predicting the utilization of this ZTA among developers to calculate its impact on the supply of affordable housing in the County, however, is beyond the scope of this RESJ impact statement. As such, OLO can neither predict the impact of this ZTA on the County's supply of affordable housing nor its impact on RESJ.

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### RECOMMENDED AMENDMENTS

Bill 44-20 amending the County's Racial Equity and Social Justice Act<sup>6</sup> requires OLO to consider whether recommended amendments to narrow racial and social inequities are warranted in developing RESJ impact statements for zoning text amendments. OLO cannot discern the anticipated impact of ZTA 24-03 on RESJ in the County. Consequently, the actual yield of affordable housing attainable through this ZTA is neither quantifiable nor could it be estimated in a practical manner. As such, OLO does not offer recommended amendments.

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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 24-03

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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 Council, Agenda Item #8B, June 11, 2024

[https://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&clip\\_id=17415&meta\\_id=180823](https://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&clip_id=17415&meta_id=180823)

<sup>4</sup> Ibid

<sup>5</sup> Memorandum from Pamela Dunn, and Bilal Ali, Legislative Analyst to Planning, Housing, and Parks (PHP) Committee, Agenda Item #10, Great Seneca Plan: Connecting Life and Science. June 17, 2024.

[https://montgomerycountymd.granicus.com/MetaViewer.php?view\\_id=169&event\\_id=16188&meta\\_id=180947](https://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=16188&meta_id=180947)

<sup>6</sup> Bill 44-20, Racial Equity and Social Justice – Impact Statements – Advisory Committee – Amendments, Montgomery County, Maryland, December 1, 2020.

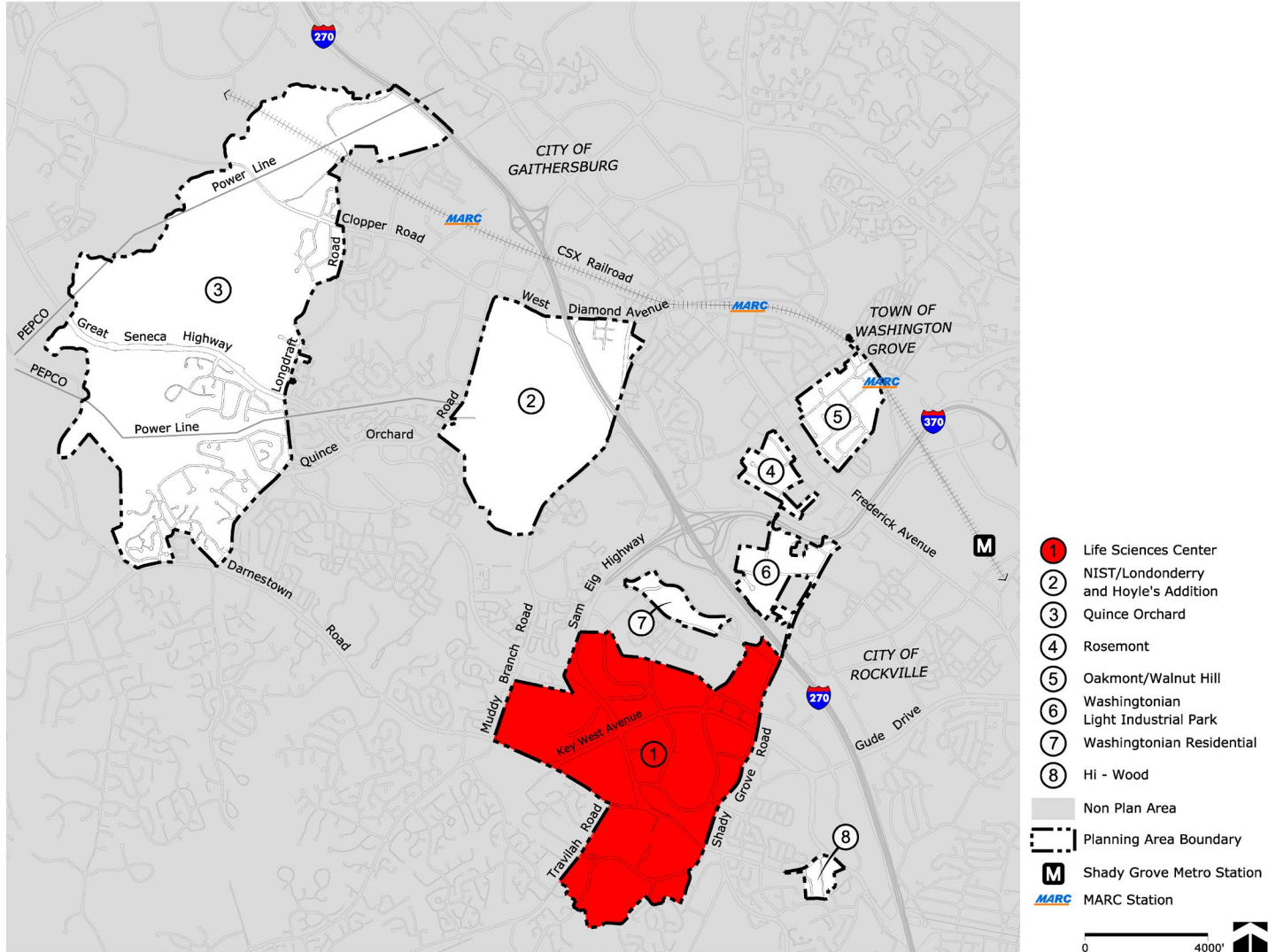
[https://apps.montgomerycountymd.gov/ccllms/DownloadFilePage?FileName=2682\\_1\\_12149\\_Bill\\_44-20\\_Signed\\_20201211.pdf](https://apps.montgomerycountymd.gov/ccllms/DownloadFilePage?FileName=2682_1_12149_Bill_44-20_Signed_20201211.pdf)

# RESJ Impact Statement

## Zoning Text Amendment 24-03

### Appendix-A

#### Life Sciences Center



Source: Draft ZTA 24-03 Attachment C