

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

Office of Legislative Oversight

## ZTA 25-01 SELF-STORAGE - CIVIC AND INSTITUTIONAL (“STREET ACTIVATION AND VACANCY ELIMINATION (S.A.V.E.)”)

### SUMMARY

The Office of Legislative Oversight (OLO) cannot discern the anticipated impact of ZTA 25-01 Self-Storage - Civic and Institutional (“Street Activation and Vacancy Elimination (S.A.V.E.)”) on racial equity and social justice (RESJ) in the County with available data.

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### PURPOSE OF RESJ STATEMENTS

RESJ impact statements (RESJIS) for zoning text amendments (ZTAs) evaluate the anticipated impact of ZTAs on racial equity and social justice in the County. RESJ is a **process** that focuses on centering the needs, leadership, and power of Black, Indigenous, and other people of color (BIPOC) and communities with low incomes with a **goal** of eliminating racial and social inequities. Applying a RESJ lens is essential to achieve RESJ.<sup>1</sup> This involves seeing, thinking, and working differently to address the racial and social inequities that cause racial and social disparities.<sup>2</sup>

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### PURPOSE OF ZTA 25-01

ZTA 25-01 will allow a self-storage above the ground floor in the Commercial Residential (CR)1 zone with a Charitable, Philanthropic Institution or a Cultural Institution on the ground floor. Currently, in the CR zone, self-storage is allowed as a Limited Use only subject to the following requirements:<sup>2</sup>

- a) in a basement or cellar of a building used for other purposes;
- b) with the provision of on-site loading and unloading facilities;
- c) with doors for individual storage units in the interior of the building; and
- d) if signage is limited to a wall sign with a maximum area of the sign is 40 square feet.

ZTA 25-01 will allow the self-storage use located above the ground floor level of an existing building with a site plan approval provided certain restrictive conditions are met including:

- the existing building is an office building that has had no tenants in 90% of the building for at least two contiguous years immediately preceding the application date, provided by the applicant;
- the ground floor contains, either a Charitable, Philanthropic Institution; and
- improvements to the existing building will not cause practical difficulty or undue hardship for conversion to a future commercial or residential use.

The Zoning Code defines self-storage as “a structure providing separate storage areas for personal, or business use designed to allow private access by the tenant.”.<sup>3</sup>

ZTA 25-01 was introduced on February 4, 2025.

# RESJ Impact Statement

## Zoning Text Amendment 25-01

### ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of ZTA 25-01 on racial equity and social justice (RESJ), OLO considers two related questions:

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

The Office of Legislative Oversight was unable to identify the primary beneficiaries of the proposed amendment due to a lack of context, background information, and clarity regarding its intent and purpose. As a result, OLO could not evaluate the potential impact of ZTA 25-01 on the County's self-storage supply and its implications for RESJ.

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### RECOMMENDED AMENDMENTS

The Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.<sup>4</sup> Based on available information, OLO cannot estimate the impact of ZTA 25-01 on RESJ and, therefore, it cannot make any recommendation.

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### CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging, analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. 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>The Montgomery County Zoning Ordinance indicates that the CR Zone is one of the three Commercial Residential Zones – Commercial Residential Neighborhood (CRN), Commercial Residential Town (CRT), and Commercial Residential (CRN) – that allow a mix of residential and nonresidential uses at varying densities and heights. The zones promote economically, environmentally, and socially sustainable development patterns where people can live, work, recreate, and access services and amenities. Commercial Residential (CR) Zone is intended for larger downtown, mixed-use, and pedestrian-oriented areas in close proximity to transit options such as Metro, light rail, and bus. Retail tenant gross floor area is not restricted.

<sup>2</sup> Chapter 59. Zoning Code Montgomery County Zoning Ordinance. 2014. Section 3.6.8 D.2.ii

<sup>3</sup> Chapter 59. Zoning Code Montgomery County Zoning Ordinance. 2014. Section 3.6.8 Warehouse, D. Self-storage.

<sup>4</sup> Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council