

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

Office of Legislative Oversight

ZTA 25-11: TEMPORARY COMMERCIAL USES – TEMPORARY TELECOMMUNICATIONS FACILITY

SUMMARY

The Office of Legislative Oversight (OLO) anticipates that ZTA 25-11 Temporary Commercial Uses — Temporary Telecommunications Facility will have a minimal impact on racial equity and social justice (RESJ) in the County.

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. RESJ is also a **goal** of eliminating racial and social inequities. Applying a RESJ lens is essential to achieve RESJ.¹ This involves seeing, thinking, and working differently to address the racial and social inequalities that cause racial and social disparities.²

PURPOSE OF ZTA 25-11

If enacted, ZTA 25-11 would create a “temporary telecommunications facility use” in the Zoning Ordinance to allow temporary telecommunications facilities as a limited use in all zones. Temporary telecommunications facilities refer to monopole or portable wireless communications facilities used to provide wireless voice, data, or image transmission within a designated area.

ZTA 25-11 aims to allow temporary telecommunication facilities to enable continued telecommunications access in times of maintenance, construction, special events, and unforeseen circumstances such as emergencies. Toward this end, ZTA 25-11 would also establish an approval process for this proposed new use.

ZTA 25-11 was introduced on July 22, 2025.

This RESJ impact statement builds on an OLO RESJ impact statement completed for ZTA 22-01: Antenna on Existing Structure – Use Standards.³ This impact statement also builds on four racial equity impact assessments (REIAs) completed by the Office of Racial Equity and Social Justice for:

- Supplemental Appropriation 25-88: FY26 Capital Budget, Montgomery Connects,⁴
- Supplemental Appropriation 25-59: Digital Equity - Montgomery Connects.⁵
- Supplemental Appropriation 23-105: Digital Equity Grant Funding;⁶ and
- Supplemental Appropriation 22-94: Montgomery Connects Computer Grant Funding.⁷

For background on digital equity and equitable access to internet programs and initiatives, please refer to these.

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ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of ZTA 25-11 on racial equity and social justice, OLO considers two related questions:

- Who would primarily benefit or be burdened by this ZTA?
- What racial and social inequities could the passage of this ZTA weaken or strengthen?

To address these questions, OLO considered the impact of ZTA 25-11 on County residents. OLO anticipates that County residents could benefit from temporary telecommunications facilities by providing internet access where traditional connections are hard to access. County residents could especially benefit from these temporary facilities during natural disasters where regular connectivity gets disrupted and emergency services become critical.

Moreover, if Latinx and Black residents adversely impacted by the digital divide are especially harmed by inconsistent access to telecommunications due to seen and unforeseen circumstances, OLO anticipates that ZTA 25-11 could marginally diminish racial inequities in telecommunications access. As observed in the Appendix (Table 1), Latinx and Black residents were twice as likely as White and Asian residents to lack broadband access and home computers in 2021. OLO, however, anticipates at best a marginal impact of ZTA 25-11 on RESJ as it does not address the root causes of the digital divide such as narrowing economic inequities by race and ethnicity that drive the digital divide.

RECOMMENDED AMENDMENTS

Bill 44-20 amending the County's Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to zoning text amendments aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.⁸ Since OLO anticipates ZTA 25-11 could have minimal impact on RESJ, this statement does not offer recommended amendments.

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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APPENDIX

Table 1: Families without Home Broadband and Computers⁹

| Race and Ethnicity | Broadband | % | Computer | % |
|--------------------|-----------|----|----------|----|
| Latinx | 12,493 | 25 | 9,661 | 20 |
| Black | 16,438 | 22 | 9,545 | 13 |
| White | 28,634 | 13 | 16,150 | 7 |
| Asian | 7,702 | 13 | 4,085 | 7 |

Source: Montgomery County Office of Broadband Program, April 21, 2021

¹ 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

² Ibid.

³ Zoning Text Amendment (ZTA) 22-01: Antenna on Existing Structure-Use Standards. Adopted: October 25, 2022

⁴ Montgomery County Office of Racial Equity and Social Justice. REIA SA #25-88 FY26 Capital Budget - Digital Equity-Montgomery Connects. July 23, 2025

⁵ Montgomery County Office of Racial Equity and Social Justice. REIA #25-57 FY25 Capital Budget Montgomery Connects and #25-59-Digital Equity-Montgomery Connects. March 12, 2025

⁶ Racial Equity Impact Assessment (REIA) Supplemental Appropriation (SA) #23-105 Digital Equity Grant Funding. June 7, 2023,

⁷ Racial Equity Impact Assessment (REIA) for Supplemental Appropriation (SA) #22-94 Montgomery Connects Computer Grant Funding. June 27, 2022

⁸ Bill 44-20, Racial Equity and Social Justice – Impact Statements – Advisory Committee – Amendments, Montgomery County, Maryland, December 1, 2020.

⁹ “No Computer” means no tablet or cell phone either.