

1 **A RESOLUTION DIRECTING COUNTY STAFF TO PREPARE AND PROCESS**
2 **A TEXT AMENDMENT TO THE FULTON COUNTY ZONING RESOLUTION**
3 **PROMOTING ENVIRONMENTAL JUSTICE BY ESTABLISHING DISTANCE**
4 **REQUIREMENTS BETWEEN CERTAIN ENVIRONMENTALLY ADVERSE**
5 **USES**
6

7 **WHEREAS**, “Environmental Justice” is defined by the U.S. Environmental
8 Protection Agency as “the fair treatment and meaningful involvement of all people
9 regardless of race, color, national origin, or income with respect to the development,
10 implementation, and enforcement of environmental laws, regulations, and policies”; and

11 **WHEREAS**, the concept of Environmental Justice arose following early studies
12 showing that environmentally adverse land uses – for example, landfills, industrial uses,
13 and hazardous waste sites – are disproportionately located in areas whose residents
14 are more likely to be minorities and low-income; and

15 **WHEREAS**, on March 6, 1996, the Board of Commissioners adopted as Agenda
16 Item 96-0300 certain amendments to the Comprehensive Land Use Plan to expand
17 then-current policies to ensure that the placement of both private and public uses and
18 infrastructure which may be considered environmentally adverse are not concentrated
19 in minority and low-income neighborhoods; and

20 **WHEREAS**, on August 22, 1996, the Board of Commissioners implemented
21 those Comprehensive Land Use Plan policies by way of amendments to the Fulton
22 County Zoning Resolution requiring the submission of an “Environmental Impact
23 Report” for use permit applications for certain uses considered environmentally adverse;
24 and

25 **WHEREAS**, the Fulton County Zoning Resolution also requires, on all rezoning
26 applications, the Community Zoning Board and County planning staff to report and

1 make recommendations to the Board of Commissioners on a list of zoning impact
2 criteria, including “whether the zoning proposal will permit a use which can be
3 considered environmentally adverse to the natural resources, environment and citizens
4 of Fulton County”; and

5 **WHEREAS**, the Board of Commissioners finds the current rules inadequate
6 because environmentally adverse uses continue to proliferate in minority and low
7 income neighborhoods within Fulton County, as demonstrated in a March 2012 report
8 by GreenLaw that identified the worst “environmental justice hotspot” in the region as
9 the Fulton Industrial Boulevard area, with approximately 55 pollution points in an area
10 where nearly ninety percent (90%) of residents are minorities;

11 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners
12 hereby directs the County Manager and the Department of Planning and Community
13 Services to research, develop, and present to the Board of Commissioners
14 amendments to the Fulton County Zoning Resolution establishing distance
15 requirements between certain land uses deemed to be environmentally adverse to the
16 natural resources, environment and citizens of Fulton County.

17 **BE IT FURTHER RESOLVED**, that such amendments to the Fulton County
18 Zoning Resolution shall be 1) processed in accordance with the notice and hearing
19 requirements for amendments to the Zoning Resolution and 2) presented to the Board
20 of Commissioners for consideration within 120 days of the adoption of this Resolution.

21 **BE IT FURTHER RESOLVED**, that this Resolution shall become effective when
22 passed and adopted, and that all resolutions and parts of resolutions in conflict with this
23 Resolution are hereby repealed to the extent of the conflict.

