

**Rules of  
Georgia Department of Community Affairs**

**Chapter 110-12-3  
Developments of Regional Impact  
(Effective Date: July 1, 2009)**

**TABLE OF CONTENTS**

<b>110-12-3-.01</b>	<b>Purpose &amp; Overview</b>
<b>110-12-3-.02</b>	<b>Determining if a Project Qualifies for DRI Review</b>
<b>110-12-3-.03</b>	<b>DRI Review Procedures</b>
<b>110-12-3-.04</b>	<b>Local Government Responsibilities</b>
<b>110-12-3-.05</b>	<b>Regional Commission Responsibilities</b>
<b>110-12-3-.06</b>	<b>Definitions</b>
<b>110-12-3-.07</b>	<b>Development Thresholds</b>

**CHAPTER 110-12-3-.01  
PURPOSE & OVERVIEW**

**110-12-3-.01 Purpose & Overview**

**(1) General.** The Georgia Planning Act authorizes the Department of Community Affairs (the Department) to establish the specific thresholds, rules, and procedures for the identification and review of Developments of Regional Impact (DRI) that are provided in these rules. These rules are applicable to all local governments and Regional Commissions in the State. The intent of the DRI review process is: (1) enhanced focus on quality growth in planning and executing major development projects throughout the state; (2) careful consideration of, and planning for, impacts of major development projects on local public infrastructure and services; and (3) improved local, regional and state level communication about new growth in the state. The DRI review process is also intended to coordinate, streamline, and provide consistency with the Georgia Regional Transportation Authority's (GRTA) required review and approval of state and federal expenditures required to create land transportation services and access to a DRIs located within GRTA's jurisdictional area pursuant to O.C.G.A. 50-32-14.

**(2) Overview.** The rules require that:

**(a)** Local governments must submit any development project that meets or exceeds the thresholds specified in Chapter 110-12-3-.07 to their Regional Commission for determination of whether it qualifies for DRI review.

(b) If the Regional Commission determines that the project qualifies for DRI review, the project must be reviewed in accordance with the procedures spelled out in Chapter 110-12-3-.03 DRI Review Procedures. The local government may not take action approving the project during the DRI review process. See section 110-12-3-.04(4) for actions that the local government may take while the DRI review process is underway.

(c) The DRI review will evaluate the development project for its local impacts, potential effects on neighboring jurisdictions, and consistency with the considerations for review of Developments of Regional Impact identified in the Regional Commission's Regional Plan and the recommended development patterns chapter of the State Planning Recommendations. This review process will be completed in 30 calendar days.

(d) At the completion of the review process, the Regional Commission will issue its finding and recommendations for the project. The local government is encouraged to consider the Regional Commission's finding and recommendations in making its decisions related to the project.

(e) The rules also include provisions for addressing special situations, such as failure to comply with DRI review requirements, in Chapters 110-12-3-.04 and 110-12-3-.05.

**(3) Changes and Interpretation.** These rules and regulations may from time to time be revised by the Department pursuant to the Administrative Procedure Act. The Department is the final authority for interpretation of these rules.

## **CHAPTER 110-12-3-.02 DETERMINING IF A PROJECT QUALIFIES FOR DRI REVIEW**

### **110-12-3-.02 Determining if a Project Qualifies for DRI Review.**

(1) Regional Commissions must use the following criteria to determine if a development project qualifies for DRI review. The determination of the Regional Commission is final; however, a determination by the Regional Commission that a project does not qualify for DRI review will not affect GRTA's authority pursuant to O.C.G.A. 50-32-14.

#### **(a) Meets or Exceeds DRI Thresholds.**

1. Chapter 110-12-3-.07 identifies the Department's minimum DRI thresholds for each type of development and for two distinct population tiers within the state. These population tiers are: (1) Metropolitan Areas, which include counties with population of 50,000 or more as defined by the most recent decennial U.S. Census; and (2) Non-Metropolitan Areas which include the remaining counties within the state. A map delineating these tiers is available from the Department. Regional Commissions and local governments within each county must utilize the appropriate thresholds specified in Chapter 110-12-3-.07 associated with their population tier.

Proposed developments that do not equal or exceed these thresholds are not subject to DRI review requirements.

2. When it is not easily determined whether a project equals or exceeds the applicable DRI threshold, the Regional Commission must consider the following factors in making its determination:

- **Speculative Developments.** If final development type is difficult to determine because project tenants have not yet been identified, use the thresholds specified in Chapter 110-12-3-.07 for the highest intensity development requested by the project, allowed by current land use regulations, or if these don't exist, estimate the likely type and scale of development based on the real estate market potential of the project site.
- **Multi-phased Developments.** Applicants shall submit all phases of the project as a DRI at inception of the project, rather than submitting each phase one at a time. However, if the applicant seeks local government approvals for smaller phases individually, the determination of whether the project is in fact a multi-phased development should be based on considerations as to whether a plan has been prepared for the overall project or whether any approvals have been sought for the entire overall project as a unit. If the multi-phased nature of the project cannot be established in advance, whenever a phase is submitted for approval that, when combined with all previously approved phases of the project built during the past five years, cumulatively equals or exceeds the applicable DRI threshold, the proposed new phase, plus any incomplete portions of the project must be submitted as a DRI.
- **Multiple Land Parcels.** If parts of the project are located on separate land parcels, the decision whether the project is a single (perhaps multi-phased) development, or actually separate projects should be based on such considerations as whether the separate parcels are owned by the same entity, whether a plan has been prepared for the overall project, or whether any approvals have been sought for the overall project as a unit.

**(b) Project Specificity.** Frequently, proposed development projects are submitted for review before project specifics are available, such as at the time of an initial rezoning of a large tract of land, establishment of an industrial park, etc. In such cases, the Regional Commission must make a determination of whether the project should be reviewed presently and/or should be resubmitted for DRI review when project specifics become available. In making this determination, the Regional Commission must consider such factors as:

1. Whether the assessment of project impacts is likely to change substantially once project specifics are clarified.
2. Whether the assessment of project consistency with the consideration for review of Developments of Regional Impact identified in the Regional Commission's Regional Plan and

the recommended development patterns from the State Planning Recommendations is likely to change substantially once project specifics are clarified.

**3.** The benefit of an earlier review to the local government, in terms of need to plan infrastructure expansions well in advance of development, etc.

**(c) Project Changes.** The Regional Commission may determine that a previously reviewed DRI is nevertheless subject to another review if the project changes are substantial enough to warrant this new DRI review. Examples include: increase of project size by 10% or more, or change in the mix of uses by 20% or more (based on the applicable measures used for the thresholds specified in Chapter 110-12-3-.07). In making this determination, the Regional Commission must consider such factors as:

**1.** Whether the assessment of project impacts will change substantially for the altered project.

**2.** Whether the assessment of project consistency with the consideration for review of Developments of Regional Impact identified in the Regional Commission's Regional Plan and the recommended development patterns from the State Planning Recommendations will change substantially for the altered project.

**3.** The time that has passed since the previous DRI review (thus increasing likelihood that the local infrastructure and service availability situation has changed).

**4. Redevelopment.** Proposed redevelopments that exceed a DRI threshold must be considered a new DRI, even if the previous development on the site was reviewed as a DRI.

## **CHAPTER 110-12-3-.03 DRI REVIEW PROCEDURES**

### **110-12-3-.03 DRI Review Procedures.**

**(1) Advance Information.** The Regional Commission must develop a fact sheet that provides an easy-to-understand overview of the DRI review process, spelling out the review steps, information that will be required about the proposed development, and the criteria the Regional Commission will use to evaluate each project. This fact sheet must be made readily accessible to participants in the DRI review process, both as a handout and on the Regional Commission's website.

**(2) Request for Action.** Whenever a local government is considering action (approval, acceptance, etc.) on a development project that meets or exceeds the DRI thresholds for that development type, the local government must require that the applicant (developer, builder, or landowner who is proposing the new development) provide enough information about the project to complete the DRI Information form. This form is available on the Department's web site and

is intended to: (1) identify basic information about the proposed project; and (2) provide this information to the Regional Commission and GRTA (if the local government is located within GRTA's jurisdiction) in order for them to meet their DRI review responsibilities.

**(3) DRI Notification.** When completed, local government must submit the DRI Information form to the Regional Commission, GRTA (if the local government is located within GRTA's jurisdiction), and the Department. When completing this form, the local government should ascertain that plans for the proposed project are sufficiently finalized that no, or only minor, modifications of the proposed project are anticipated prior to project construction.

**(4) DRI Determination.** Within 5 days of receiving a DRI Information form, the Regional Commission must evaluate whether the project qualifies for DRI review. The Regional Commission's determination of whether the project qualifies for DRI review shall be made considering the guidelines provided in section 110-12-3-.02. The Regional Commission must then issue notice to the local government, applicant, GRTA (if the local government is located within GRTA's jurisdiction) and the Department, stating whether or not the project qualifies for DRI review. If applicable, the Regional Commission must also provide GRTA with a copy of all information submitted by the local government on the proposed development. GRTA will then review the project concurrently with the Regional Commission in accordance with GRTA's Principles and Procedures adopted pursuant to O.C.G.A §50-2-1 et seq. If the Regional Commission determines the project does not qualify for DRI review, the review process is terminated.

**(5) Pre-Review Consultation.** If the Regional Commission determines the project qualifies for DRI review, the Regional Commission must schedule a pre-review consultation to be held within 10 days of receipt of the DRI Information form from the local government. Invitations to the consultation must be extended to the local government, the applicant, and all affected parties. The purpose of this consultation is to explain the DRI review process, discuss project related issues, determine if the project is a candidate for expedited review as provided in section 110-12-3-.03(6), and determine additional information required of the applicant regarding the proposed project. The Regional Commission and affected parties must be reasonable in identifying additional information to be provided for the project; for example, in no case should detailed engineering drawings of the project be required for DRI review.

**(6) Expedited Review.** The Regional Commission may choose to complete the DRI review process early under either of the following circumstances. However, the Regional Commission must not issue its finding as identified in section 110-12-3-.03(13) prior to (1) providing notice to affected parties as provided in section 110-12-3-.03(10); and (2) allowing 14 days for comments from affected parties.

**(a)** The DRI review process may be completed early if, during the pre-review consultation, the Regional Commission, local government, and affected parties all agree that the proposed development has clearly addressed all potential impacts or conflicts and adequately addresses the considerations for review of Developments of Regional Impact identified in the Regional Commission's Regional Plan.

**(b)** The DRI review process may be completed early if, during the pre-review consultation, the Regional Commission, local government, and affected parties in attendance all agree that the applicant has provided sufficient assurances to make specific alterations of the proposed development that will clearly address all potential impacts of conflicts and adequately address the considerations for review of Developments of Regional Impact identified in the Regional Plan.

**(7) Submittal for Review.** Provided the pre-review consultation does not result in an expedited review, the local government and the applicant must gather all additional information identified at the pre-application consultation and submit this information to the Regional Commission and to GRTA (if the local government is located within GRTA's jurisdiction) in order to ensure that the impacts of the proposed project can be identified.

**(8) Completeness Certification.** Once the Regional Commission receives all of the additional information identified at the pre-review consultation from the local government, the Regional Commission and GRTA (if the local government is located within GRTA's jurisdiction) must, within 5 days, issue notice to the local government, the applicant and the affected parties stating that: (1) the submittal is complete and the DRI review process is beginning; or (2) the submittal is incomplete and identify any additional materials the local government and the applicant must provide. The DRI review process will not begin until the Regional Commission and GRTA (if the local government is located within GRTA's jurisdiction) certify the completeness of the submittal.

**(9) Failure to Submit Additional Information.** If the additional information required by the Regional Commission or GRTA (if the local government is located within GRTA's jurisdiction) is not provided within 90 days of the pre-review consultation, then the DRI project will be deemed withdrawn, the Regional Commission must notify the affected parties of the withdrawal, and no further action will be taken by the Regional Commission or GRTA (if the local government is located within GRTA's jurisdiction) in connection with the submittal.

**(10) Notice to Affected Parties.** Within 5 days of issuing the completeness certification, the Regional Commission will provide a project summary for review and comment to all affected parties and other organizations the Regional Commission would like included in the review process.

**(11) Evaluation and Analysis.** The Regional Commission must prepare an evaluation and analysis of the proposed DRI using the information provided by the applicant and the local government. This evaluation and analysis must be completed using DRI review standards or a review checklist developed by the Regional Commission staff. These DRI review standards or checklist must:

- be based on the model standards or checklist provided by the Department;
- be consistent with the Regional Commission's regional plan; and
- be approved by a majority of the Regional Commission's Council and subsequently approved by the Department.

**(12) Pre-Finding Consultation.** If the Regional Commission determines that adverse impacts or conflicts will result from the project, the Regional Commission may bring the local government, the applicant, and the affected parties together to discuss the results of the evaluation and analysis and try to manage the impacts before issuing its public finding referenced below.

**(13) Regional Commission Finding and Recommendations.**

**(a) Finding.** Upon conclusion of its evaluation and analysis, the Regional Commission must issue one of the following public findings:

**1. Negative Finding.** If the Regional Commission determines that adverse impact and conflicts related to the proposed project remain unresolved, the Regional Commission may issue a finding that “the proposed local government action is not in the best interest of the Region and therefore not of the State” through any of the three processes identified at 110-12-3-.05(5). This finding is advisory only, and indicates that adverse impacts or conflicts remain unresolved. For a negative finding, the Regional Commission must: provide a copy of this finding to the local government and the applicant prior to the 30th day from the date of completeness certification as identified in section 110-12-3-.03(8). If the negative finding is not issued by resolution of the full Council, the applicant may appeal the negative finding to the full Council at its next meeting. The appeal must be made in writing to the Regional Commission within 5 days of notification of the negative finding. General publication of the negative finding shall be postponed until after the opportunity to appeal has passed or the appeal has been decided by the Regional Commission’s Council.

**2. Positive Finding.** If the Regional Commission determines that no adverse impacts or conflicts exist, the Regional Commission’s Executive Director may issue a finding that “The proposed action is in the best interest of the Region and therefore of the State.” This finding is advisory only, and indicates that any adverse impacts or conflicts have been resolved. A positive finding must be made public no later than 30 days from the date of the Regional Commission’s completeness certification as identified in section 110-12-.03(8).

**3. Georgia Quality Development Candidate.** If the Regional Commission determines that the proposed project is likely to be a model development project for the region, exemplary of quality growth principles, the Regional Commission’s Executive Director may issue a positive finding as provided at 110-12-3-.03(13)(a)2. and additionally recommend the project to the Department for Georgia Quality Development designation. This designation will be determined by the Department, using review criteria included in the State Planning Recommendations, upon final local approval of the project.

**(b) Recommendations.** In addition to the above finding, the Regional Commission may, depending on its assessment of the local government’s need for advice and assistance, provide recommendations and technical assistance to the local government for addressing impacts of the proposed development. These recommendations, like the public finding, are advisory only, and the technical assistance shall be offered only if requested by the local government.

**(14) Notification Requirements.** The Regional Commission’s finding and recommendations must be transmitted to the local government, the applicant, and all affected parties. The finding must also appear in the minutes of the pertinent meeting of the Council. Transmittal of the Regional Commission’s finding and recommendations officially completes the DRI review process

**(15) Local Government Action.** After the DRI review process is completed, the submitting local government may proceed with action(s) it deems appropriate regarding the proposed project, but it is encouraged to take the Regional Commission’s finding and recommendations into consideration when rendering its decision. The local government shall notify the Regional Commission of its action and identify all local requirements it has placed on the development as a result of the Regional Commission’s DRI recommendations.

**(16) Withdrawal of DRI.** If, any time during the DRI review process, an applicant desires to withdraw a DRI project from review, the local government must inform the Regional Commission in writing of the request. The Regional Commission must provide notice of this withdrawal to all affected parties.

**(17) Extension Request.** The Regional Commission’s Executive Director or his designee may approve up to three 30-day extensions of the DRI review process to permit negotiations, conflict resolution, or similar activities related to the project. An extension may be approved only upon receiving written request, submitted at any time during the DRI review process, from either: (1) the applicant; (2) the local government; or (3) any affected party. Each additional 30-day extension must be requested and approved by the Regional Commission’s Executive Director separately, and notice given to the local government, the applicant, and all affected parties.

**(18) Alternative Dispute Resolution.** Alternative dispute resolution of conflicts relating to the Regional Commission’s finding and recommendations may be initiated in accordance with the Rules for Alternative Dispute Resolution (DCA Rules 110-12-5) adopted by the Board of Community Affairs.

## **CHAPTER 110-12-3-.04 LOCAL GOVERNMENT RESPONSIBILITIES**

### **110-12-3-.04 Local Government Responsibilities.**

**(1)** The local government must follow the applicable procedures identified under DRI Review Procedures detailed in Chapter 110-12-3-.03 when: 1) an applicant (developer, builder, or landowner who is proposing the new development) requests some type of local government action related to a proposed development project, such as, but not limited to, a request for rezoning, annexation, zoning variance, permit, hookup to a water or sewer system, master or site plan approval, acceptance of a public street, signing off on a subdivision plat, or entering into a

contract; and 2) it appears that the proposed development may meet or exceed the DRI thresholds established by the Department.

**(2)** When a local government proposes a project that may meet or exceed the DRI thresholds, the local government becomes the applicant and must submit the project to the Regional Commission as a potential DRI. Because the DRI review process is based on the project and not the applicant, a local government is not exempt from the review process.

**(3)** If a proposed development will be located in more than one jurisdiction and, in total, the proposed development meets or exceeds a DRI threshold, the local government in which the largest portion of the project is to be located is responsible for submitting the project to the Regional Commission as a potential DRI.

**(4)** Local governments must not take any official action approving a project until the DRI review process is completed and the local government has had adequate time to consider the Regional Commission's finding and recommendations. It is intended that the DRI review process should take place simultaneously with local development review procedures in order to minimize administrative delay for review and approval of large developments. Therefore, the local government may proceed with its development review process during the DRI review period, provided that it does not make decisions on final approvals, and builds in enough time to take the Regional Commission's finding and recommendations into consideration, and to seek appropriate alterations of the proposed project from the applicant, before granting final approvals. Examples of local development review activities that may take place during the DRI review process include, but are not limited to, preliminary staff administrative functions, project evaluation/assessment, community participation meetings and hearings, site visits, and planning commission meetings to discuss, but not vote on, the proposed project.

**(5)** Failure of a local government to submit a project that exceeds thresholds specified in Chapter 110-12-3-.07 to the Regional Commission for determination of whether it qualifies for DRI review or to wait until the DRI review is completed before taking official action may result in the loss of the local government's Qualified Local Government status, as follows:

**(a)** On the first occurrence, the local government will receive a warning notice from the Regional Commission specifying a two-year probationary period during which they must not have a second failure to submit a potential DRI to the Regional Commission for review.

**(b)** If the local government has previously received a warning notice from the Regional Commission and again fails to submit a qualifying project for DRI review during the two-year probationary period specified in the warning notice, the Department will evaluate the evidence and make a decision which may include suspension of the local government's Qualified Local Government status for a period of 1 year.

**(6)** Local governments may request changing their tier for determining applicable DRI thresholds as provided in section 110-12-3-.02(1) by transmitting written request and justification for such change to their Regional Commission, GRTA (if the local government is located within GRTA's jurisdiction), and the Department. The request will only be granted if the Regional Commission,

GRTA (if the local government is located within GRTA's jurisdiction), and the Department all agree that the requested change of tier is justified.

## **CHAPTER 110-12-3-.05 REGIONAL COMMISSION RESPONSIBILITIES**

### **110-12-3-.05 Regional Commission Responsibilities.**

(1) Whenever it becomes aware of a potential DRI within its region, the Regional Commission must inform the affected local government to submit the project to the Regional Commission for review.

(2) Whenever a development is submitted to an Regional Commission for review by one of its constituent local governments, the Regional Commission must undertake a review of the project following the procedures identified in Chapter 110-12-3-.03.

(3) Whenever it comes to the Regional Commission's attention that a local government has taken an action to further the project prior to the completion of the DRI review period or, has allowed a development that exceeds DRI thresholds to proceed without submitting the project to the Regional Commission for review, the Regional Commission must:

(a) Make a determination as to whether the local government has any additional approvals awaiting consideration for the subject development project. Then,

(b) If the local government has not completed all approvals for the development, the Regional Commission will then issue a directive to the local government to grant no further approvals and to submit the project immediately for DRI review. The Regional Commission's notification will specify that failure to comply with its directive may result in the revocation of the local government's Qualified Local Government status for a period of 1 year. If the local government fails to comply with the Regional Commission's directive, the Regional Commission will contact the Department immediately for appropriate action regarding the local government's Qualified Local Government status. If the local government complies with the Regional Commission's directive, the Regional Commission will follow-up with a warning notice to the local government specifying a two-year probationary period during which a second failure to comply with DRI review requirements must not occur. Or,

(c) If the local government has completed all approvals for the development, the development will be allowed to proceed without undergoing the DRI review process. The Regional Commission will nevertheless follow-up with a warning notice to the local government specifying a two-year probationary period during which they must not have a second failure to comply with DRI review requirements.

(4) When an Regional Commission becomes aware that a local government has taken an action to further the project prior to the completion of the DRI review period or has failed to submit a qualifying project for DRI review during the probationary period specified in a previous warning notice to that local government, the Regional Commission must notify the Department immediately for appropriate action regarding the local government's Qualified Local Government status.

(5) Each Regional Commission's Council must formally approve its process for issuance of negative DRI findings as provided at 110-12-3-.03(13)(a), choosing from either of the following three options:

(a) The Regional Commission's Executive Director may issue the negative finding without approval of the full Council, but subject to the applicant's opportunity to appeal as specified at 110-12-3-.03(13)(a)1.

(b) A subcommittee of the Regional Commission's Council may be designated to approve and issue negative findings without approval of the full Council, but subject to the applicant's opportunity to appeal as specified at 110-12-3-.03(13)(a)1.

(c) Approval of the full Council is required for issuance of negative findings. In order to meet the 30-day DRI review timeline, it is recommended that the Council also authorize the Regional Commission's Executive Director to notify the local government and the applicant prior to the 30th day from the date of completeness certification that staff will recommend a negative finding for action at the next meeting of the full Council.

(6) Each Regional Commission is encouraged to establish alternative DRI requirements or thresholds from those adopted by the Department. The alternative DRI requirements or thresholds may apply to the entire region or to specific Areas Requiring Special Attention that are identified in the Regional Commission's Regional Plan. The alternative requirements must be developed with input from the affected local governments and must be approved by a majority of the Regional Commission's Council and subsequently approved by the Department.

(7) Each Regional Commission must designate a DRI review officer who must participate in annual DRI review training sponsored by DCA. The Regional Commission must notify DCA of any changes of the review officer.

## **CHAPTER 110-12-3-.06 DEFINITIONS**

### **110-12-3-.06 Definitions.**

(1) For the purpose of these rules, the following words will have the meaning as contained herein unless the context does not permit such meaning. Terms not defined in these rules but defined in O.C.G.A. 50-8-1 et seq., will have the meanings contained therein. Terms not defined in these

rules, or in O.C.G.A. 50-8-1 et seq., will have ascribed to them the ordinary accepted meanings such as the context may imply.

**(a)** ‘Affected Parties’ means: 1) any local governments within geographic proximity that may be impacted by a DRI project located outside of its jurisdictional limits; and 2) any local, state, or federal agencies including the Department that could potentially have concern about a project’s impact on regional systems and resources; 3) Georgia Regional Transportation Authority, if the proposed project is located within GRTA’s jurisdiction; and 4) the host Regional Commission plus any Regional Commission within geographic proximity that could potentially have concern about a project’s impact on regional systems and resources. This term should be liberally construed to ensure that all potentially affected local governments, public agencies, or Regional Commissions are included in the DRI Review Process.

**(b)** ‘Council’ means the Board of Directors of a Regional Commission as per O.C.G.A. 50-8-32.

**(c)** ‘Days’ means calendar days.

**(d)** ‘Department’ means the Department of Community Affairs.

**(e)** ‘Georgia Regional Transportation Authority (GRTA)’ means the authority created by O.C.G.A. 50-32-1 et seq.

**(f)** ‘GRTA’s Jurisdictional Area’ means counties that are under the jurisdiction of the Georgia Regional Transportation Authority.

**(g)** ‘Gross Square Footage’ means areas of each floor of a building, measured from the exterior faces of the exterior walls or from the centerline of a wall separating two buildings. The gross square footage measurement is exclusive of areas of unfinished basements, unfinished cellars, unfinished attics, attached or detached garages, space used for off street parking or loading, breezeways, enclosed or unenclosed porches and accessory structures.

**(h)** ‘Incomplete Portion of the Project’ means any part of a development project that is not completed to the point of being ready for occupancy or, if applicable, the final certificate of occupancy has not yet been issued by the local government.

**(i)** ‘Interjurisdictional’ means among two or more local governments or Regional Commissions.

**(j)** ‘Local Government’ means any county, municipality, consolidated government or other political subdivision of the state.

**(k)** ‘Metropolitan’ means all local governments located within counties with a population of 50,000 persons or more, according to the most recent U.S. Census.

**(l)** ‘Non-metropolitan’ means all local governments within counties with a population less than 50,000 persons according to the most recent U.S. Census.

**(m)** ‘Project’ means any proposed development outlined in section 110-12-3-.06(1)(e) above.

**(n)** ‘Qualified Local Government’ means a county or municipality that:

- Adopts and maintains a comprehensive plan in conformity with the local planning requirements;
- Establishes regulations consistent with its comprehensive plan and with the local planning requirements; and
- Does not fail to participate in the Department's mediation or other means of resolving conflicts in a manner in which, in the judgment of the Department, reflects a good faith effort to resolve any conflict.

**(o)** ‘Redevelopment’ means new construction, possibly including clearing or rehabilitation of existing structures, on a site that was previously developed.

**(p)** ‘Regional Commission’ means a regional commission established under O.C.G.A. 50-8-32.

**(q)** ‘Regionally Important Resource’ means any natural or cultural resource area identified for protection by an Regional Commission following the minimum requirements established by the Department.

**(r)** ‘Regionally Important Resource Map’ means the map developed by the Regional Commission in preparing the Regional Resource Plan that includes all of the important natural and cultural resources in the region linked to form a continuous regional green infrastructure network.

**(s)** ‘Regional Plan’ means the comprehensive plan for a region prepared by the Regional Commission in accordance with the requirements established by the Department.

**(t)** ‘Regional Resource Plan’ means a plan for management and protection of the Regionally Important Resources in the region, developed by the Regional Commission following the procedures established by the Department.

**(u)** ‘State Planning Recommendations’ means the supplemental guidance provided by the Department to assist local governments and Regional Commission s in preparing and implementing local and regional plans. The recommended development patterns chapter of these recommendations is used in the DRI review process for evaluating the proposed project and developing suggestions for improving the project through inclusion of appropriate best development practices.

**(v)** ‘Threshold’ means a level of development beyond which a project is likely to affect areas or regions outside the boundaries of the local government in which the project occurs.

## CHAPTER 110-12-3-.07 DEVELOPMENT THRESHOLDS

### 110-12-3-.07 Development Thresholds

#### (1) Thresholds Table.

<b>Developments of Regional Impact Development Thresholds</b>		
<b>Type of Development</b>	<b>Metropolitan Regions</b>	<b>Nonmetropolitan Regions</b>
(1) Office	Greater than 400,000 gross square feet	Greater than 125,000 gross square feet
(2) Commercial	Greater than 300,000 gross square feet	Greater than 175,000 gross square feet
(3) Wholesale & Distribution	Greater than 500,000 gross square feet	Greater than 175,000 gross square feet
(4) Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day	Greater than 200 new beds; or generating more than 250 peak hour vehicle trips per day
(5) Housing	Greater than 400 new lots or units	Greater than 125 new lots or units
(6) Industrial	Greater than 500,000 gross square feet; or employing more than 1,600 workers; or covering more than 400 acres	Greater than 175,000 gross square feet; or employing more than 500 workers; or covering more than 125 acres
(7) Hotels	Greater than 400 rooms	Greater than 250 rooms
(8) Mixed Use	Gross square feet greater than 400,000 (with residential units calculated at either 1800 square feet per unit or, if applicable, the minimum square footage allowed by local development regulations); or covering more than 120 acres; or if any of the individual uses meets or exceeds a threshold as identified herein	Gross square feet greater than 125,000 (with residential units calculated at either 1800 square feet per unit or, if applicable, the minimum square footage allowed by local development regulations); or covering more than 40 acres; or if any of the individual uses meets or exceeds a threshold as identified herein
(9) Airports	All new airports, runways and runway extensions	Any new airport with a paved runway; or runway additions of more than 25% of existing runway length
(10) Attractions & Recreational Facilities	Greater than 1,500 parking spaces or a seating capacity of more than 6,000	Greater than 1,500 parking spaces or a seating capacity of more than 6,000
(11) Post-Secondary School	New school with a capacity of more than 2,400 students, or expansion by at least 25 percent of capacity	New school with a capacity of more than 750 students, or expansion by at least 25 percent of capacity
(12) Waste Handling Facilities	New facility or expansion of use of an existing facility by 50 percent or more	New facility or expansion of use of an existing facility by 50 percent or more
(13) Quarries, Asphalt & Cement Plants	New facility or expansion of existing facility by more than 50 percent	New facility or expansion of existing facility by more than 50 percent
(14) Wastewater Treatment Facilities	New major conventional treatment facility or expansion of existing facility by more than 50 percent. Community septic treatment facilities exceeding 150,000 gallons per day or serving a development project that meets or exceeds an applicable threshold as identified herein.	New major conventional treatment facility or expansion of existing facility by more than 50 percent. Community septic treatment facilities exceeding 150,000 gallons per day or serving a development project that meets or exceeds an applicable threshold as identified herein.
(15) Petroleum Storage Facilities	Storage greater than 50,000 barrels if within 1,000 feet of any water supply; otherwise, storage capacity greater than 200,000 barrels	Storage greater than 50,000 barrels if within 1,000 feet of any water supply; otherwise, storage capacity greater than 200,000 barrels
(16) Water Supply Intakes/Reservoirs	New Facilities	New Facilities
(17) Intermodal Terminals	New Facilities	New Facilities
(18) Truck Stops	A new facility with more than three (3) diesel fuel pumps; or containing a half acre of truck parking	A new facility with more than three (3) diesel fuel pumps; or containing a half acre of truck parking or

	or 10 truck parking spaces.	10 truck parking spaces.
(19) Any other development types not identified above (includes parking facilities)	1000 parking spaces or, if available, more than 5,000 daily trips generated	1000 parking spaces or, if available, more than 5,000 daily trips generated

**(2) Definitions for Types of Development.** The following definitions must be used to identify the types of development that qualify for the development thresholds listed in the thresholds table above.

1. ‘Airports’ means land areas and related facilities that are maintained for the landing and takeoff of aircraft and for receiving and discharging passengers and/or cargo.
2. ‘Attractions & Recreational Facilities’ means an establishment or set of establishments that provide leisure time recreational or entertainment activities occurring in either an indoor or outdoor setting.
3. ‘Commercial’ means activities within land areas that are predominantly associated with the sale of goods and/or services.
4. ‘Hospitals and Health Care Facilities’ means a structure, or set of structures, primarily intended to provide health care services for human in-patient medical or surgical care for the sick and injured.
5. ‘Hotels’ means establishments that provide temporary lodging and may also provide food and beverage service, entertainment, and/or convention services.
6. ‘Housing’ means land areas used predominantly for residential purposes, including one family, two family, and multiple family dwellings.
7. ‘Industrial’ means activities within land areas predominantly connected with manufacturing, assembly, processing or storage of products.
8. ‘Mixed Use’ means a type of development that is comprised of multiple land uses (e.g. commercial, residential, office, etc.) which may also include multiple density and intensity of each use.
9. ‘Office’ means a building(s) wherein services are performed involving predominantly administrative, professional, or clerical operations.
10. ‘Petroleum Storage Facilities’ means facilities used to store gasoline, motor fuel, or other petroleum products.
11. ‘Post-Secondary Schools’ means the facilities (buildings, open space, dormitories, recreational facilities, and parking) of public and private vocational and technical schools, and colleges and universities.

- 12. 'Quarries, Asphalt & Cement Plants'** Quarries means an open excavation used for obtaining building stone, slate, or limestone. The terms 'Asphalt' and 'Cement Plants' are self-explanatory. This includes ready mix concrete plants.
- 13. 'Truck Stops'** means an establishment that provides fuel, parking, and related goods and services to primarily support interstate truck transportation. Such facilities do not include convenience stores that have the primary purpose of selling goods and services to support the traveling public.
- 14. 'Intermodal Terminals'** means an area and building where the mode of transportation for cargo or freight changes and where the cargo and freight may be broken down or aggregated in smaller or larger loads for transfer to other land based vehicles. Such terminals do not include airports or seaports.
- 15. 'Waste Handling Facilities'** means structures or systems designed for the collection, processing or disposal of solid waste, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems.
- 16. 'Wastewater Treatment Facilities'** means structures or systems designed for the treatment of sewage. This definition does not include septic tanks.
- 17. 'Wholesale and Distribution'** means activities within land areas that are predominantly associated with the receipt, storage, and distribution of goods, products, cargo and materials.
- 18. 'Water Supply Intakes/Reservoirs'** means facilities excavated, drilled, dug or impounded that are used for the supply of potable water for general public consumption.