

(b) Regional Commission Comments. The report must also include the Regional Commission's assessment of any likely interjurisdictional impacts resulting from the proposed development and how the project relates to the policies, programs, and projects articulated in the Regional Plan and Regional Resource Plan.

(c) Evaluation and Recommendations.

Upon request by the host jurisdiction, the Regional Commission may evaluate the development project for potential positive and negative outcomes. The Commission may provide recommendations intended to maximize the potential positive effects and economic benefits, minimize the project's local impacts and impacts upon neighboring jurisdictions, or otherwise further quality growth principles and/or the goals of the regional plan. The extent of this evaluation and recommendations shall be whatever the Regional Commission deems appropriate, but under no circumstance shall it delay the completion of the DRI process. The Regional Commission, in attempting to facilitate this optional activity, shall not compel the host government or applicant to provide information regarding the project beyond that routinely collected in the course of the DRI process.

(6) Notification Requirements. The DRI report must be transmitted to the local government, the applicant, the Department and all affected parties not more than 30 days after issuing the DRI determination (unless process extensions are taken as provided for in section 110-12-3-.02(10)(c)). Transmittal of the DRI report officially completes the DRI process.

(7) Local Government Action. After the DRI process is completed, the submitting local government may proceed with whatever final official action(s) it deems appropriate regarding the proposed project, but it is strongly encouraged to take the materials presented in the DRI report into consideration when rendering its decision.

(8) Withdrawal of DRI. If, at any time during the DRI process, an applicant desires to withdraw a DRI project from the process, 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, thereby concluding the DRI process.

(9) Alternative Dispute Resolution. Alternative dispute resolution of conflicts relating to the Developments of Regional Impact may be initiated in accordance with the process provided for Alternative Dispute Resolution for Inter-jurisdictional Conflicts (Rules of the Department of Community Affairs, Chapter 110-12-5) adopted by the Board of Community Affairs.

(10) Optional Activities.

(a) Consultations. If, at any point during the DRI Communications Procedures covered in this chapter, it appears to the Regional Commission that the outcomes of the process would be improved by more direct communication, the Regional Commission may at its own discretion bring the local government, the applicant, and the affected parties together to discuss the development proposal, the DRI process, any comments received, or results of any evaluation conducted by the Regional Commission.

(b) Process Extensions. The Regional Commission's Executive Director may approve up to

(a) Meets or Exceeds DRI Thresholds.

1. The table below identifies the minimum DRI thresholds for each type of development and for two distinct planning 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 associated with their population tier, unless the Regional Commission has adopted alternative thresholds for its region as provided in section 110-12-3-04(1). Proposed developments that do not equal or exceed these thresholds are not subject to the DRI Communication Procedures.

(2) Thresholds Table. These thresholds shall be construed liberally and applied to development proposals with the goals of: 1) facilitating intergovernmental communication intended to mitigate potential adverse impacts and to catalyze potential positive impacts with the potential to transcend jurisdictional boundaries; and, 2) fostering coordinated and comprehensive planning.

Developments of Regional Impact Development Thresholds		
Type of Development	Metropolitan Tier	Non-Metropolitan Tier
(1) 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
(2) 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
(3) Commercial	Greater than 300,000 gross square feet or is anticipated to generate more than 10,000 trips per day	Greater than 175,000 gross square feet or is anticipated to generate more than 10,000 trips per day
(4) Correctional/Detention 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) 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
(6) Hotels	Greater than 400 rooms	Greater than 250 rooms
(7) Housing	Greater than 400 new lots or units	Greater than 125 new lots or units
(8) 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
(9) Intermodal Terminals	New Facilities	New Facilities

(10) Mixed Use	Gross square feet greater than 400,000 (with residential units calculated at either 1,800 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 1,800 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
(11) Office	Greater than 400,000 gross square feet	Greater than 125,000 gross square feet
(12) 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
(13) 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
(14) 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
(15) Solar Power Generation Facility	500 acres or more	300 acres or more
(16) Technological Facility (Including Data Centers)	Greater than 500,000 gross square feet; or covering more than 200 acres	Greater than 500,000 gross square feet; or covering more than 200 acres
(17) Truck Stops	A new facility with the capacity to fuel 10 or more trucks simultaneously; and, either one acre of truck parking or 20 truck parking spaces	A new facility with the capacity to fuel 10 or more trucks simultaneously; and, either one acre of truck parking or 20 truck parking spaces
(18) 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
(19) Wastewater Treatment Facilities	New major conventional treatment facility or expansion of existing facility by more than 50 percent; or 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; or 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
(20) Water Supply Intakes/Public Wells/Reservoirs/Treatment Facilities	New Facilities	New Facilities
(21) Wholesale Distribution	Greater than 500,000 gross square feet	Greater than 175,000 gross square feet

(22) Any other development types (includes parking facilities)	1000 parking spaces or, if available, more than 5,000 trips generated	1000 parking spaces or, if available, more than 5,000 trips generated
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1. 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 for the highest intensity development type allowed by current land use regulations. If there are no such local development regulations, 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 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 master plan has been prepared for the overall project or whether any approvals have been sought for the entire 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 the previously completed phases, and 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 master 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 a DRI determination 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 proceed through the DRI process presently and/or should be resubmitted when project specifics become available. In making this determination, the Regional Commission must consider factors including, but not limited to:

1. Whether the potential for project impacts is likely to change substantially once project specifics are clarified.
2. The benefit of an earlier notification to affected parties, in terms of need to plan infrastructure expansions well in advance of development, or act otherwise to mitigate potential interjurisdictional impacts.

(c) Project Changes. The Regional Commission may determine that a previously submitted DRI is nevertheless subject to another round of comment by affected parties if the project changes are substantial enough to warrant this. Such determination should be made after consultation with the host government and affected parties. Examples of project changes that may lead a Regional Commission to determine that an additional comment opportunity is warranted include but are not limited to: substantial increase of project size or substantial change in the mix of uses (based on the applicable measures used for the DRI thresholds). In making this determination, the Regional Commission must consider such factors as:

1. Whether the potential for project impacts will change substantially for the altered project.
2. Whether significant time has passed since the previous DRI process (thus increasing likelihood that the views of affected parties on the project have changed).

(d) Redevelopment. Proposed redevelopments that exceed a DRI threshold must be considered a new DRI, even if the previous development on the site was processed as a DRI. However, if the project parameters are not substantively different from what exists on the site (similar function, similar trip generation, similar demand on utilities), then a new DRI review is not necessary.

Statutory Authority, O.C.G.A. 50-8-7.1(b)

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 Communication Procedures.

(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) “Final Action” means a vote by the governing authority of the host local government that is considering action on a proposed project.

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

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

(h) ‘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.

(i) ‘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.

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

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

(l) ‘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.

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

(n) ‘Project’ means any proposed development outlined in section 110-12-3-.05(1) above.

(o) ‘Redevelopment’ consists of new and existing construction (unless as otherwise noted under 110-12-3-.05(1)(d)). This can include the 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) ‘Regional Plan’ means the comprehensive plan for a region prepared by the Regional Commission in accordance with the requirements established by the Department.

(s) ‘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

