

DRI WORKSHOP REPORT & GRTA RESPONSES



DRI WORKSHOP HELD:
JUNE 27, 2002

REPORT DATED:
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**DRI
Workshop
Report &
GRTA
Responses**



June 27, 2002



**DRI Workshop Report & GRTA Responses
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SECTION A: **DRI WORKSHOP SUMMARY**

The Georgia Regional Transportation Authority's (GRTA) policy for the administration of the Developments of Regional Impacts (DRI's) has been in effect since January 14, 2002. The policy is a new, complex process and is a learning experience for everyone. As a result, GRTA organized a workshop in order to develop and maintain an open line of communication between the GRTA staff and the stakeholders in the DRI review process. The purpose of the workshop was to hear comments and suggestions from applicants, consultants, jurisdictions, and state entities that have had applications reviewed by GRTA, or that have otherwise been part of GRTA's review process.

The workshop was held on June 27, 2002, at the GRTA Boardroom from 10:00 a.m. to 12:00. There were over seventy participants, representing both the private sector (developers, lawyers, and consultants) and the public sector (local, county, and state government). This was an opportunity for GRTA staff to listen as participants were given the opportunity to express their concerns and issues regarding the administration of GRTA's DRI review policy. GRTA noted that the purpose of the workshop was not to make wholesale concept changes to the policy, but rather to provide the stakeholders a forum to identify issues and propose solutions to improve the administration of the existing process.

The format of the workshop allowed those in attendance to lead the discussion as a group. GRTA staff recorded comments and identified priority topics, but the specific issues discussed were those chosen by the participants.

GRTA did not facilitate the workshop, but instead used someone who was familiar with the DRI process. This enabled GRTA staff to observe and take notes. Each participant was offered an opportunity to identify and discuss their main concerns, and then the top four concerns were discussed in more detail. The participants were encouraged to suggest potential solutions to improve the DRI review process. While many of the participants found it difficult to narrow their concerns to a single issue, as the discussion progressed, dominant themes emerged.

The GRTA staff organized participant comments into 4 categories: (1) Coordination and Timing, (2) Procedural, (3) Resources, (4) Technical, and (5) Other. This report summarizes some of the major issues and suggestions and provides GRTA staff comments. The intent of GRTA staff is to constantly evaluate the DRI program, both the administration and the results. This workshop report is only the beginning of the evaluation.

GRTA would like to thank all participants for attending the workshop and expressing their ideas. GRTA is taking action on many of the suggestions and hopes to incorporate them into the current review process.

SECTION B:
Specific DRI Issues & GRTA Responses

The following tables describe the main issues discussed by the participants at the workshop. A listing of specific concerns, comments, and suggestions follows each issue.

The concerns, comments, and suggestions offered at the workshop have been summarized. GRTA apologizes if some concerns were not adequately captured and would be happy to address such issues upon request.

COORDINATION/TIMING ISSUES

Issue 1: GRTA review requires the applicant to provide very specific details in site plans prior to any local government review.

Summary of Participant Comments:

- The GRTA process requires developers to provide too much site plan detail because at this stage of the development process, developers do not know whether they will even be able to get the local government approval necessary to commit to the project.
- A DRI's site plan is likely to change during the local government review process. The policy is not clear as to whether the DRI will have to return to GRTA for a second review to ensure state and federal funding.
- GRTA needs to allow developers some flexibility in site plan requirements and conditions to account for changes that may be necessary to get local government approval.
- GRTA approval of a DRI plan is conditional on the plan not being significantly changed, but the policy is unclear as to what constitutes a "significant change."
- It is difficult to identify end-users in the plan prior to local government approval and before users are located.
- The process is risky, requiring developers to invest a great deal of time and money up front.

Participant Suggestions:

- GRTA should allow DRI applicants to submit "bubble plans" instead of detailed site plans. Bubble plans show the general layout of the development and the network of streets and access points but do not require developers to show exact lot configurations or exact land uses.
- GRTA needs to take a more moderate approach with study requirements, requiring less detail.
- GRTA DRI review should take place post-zoning, after the specifics of the plan have been finalized and approved by the local government.
- GRTA should engage in an administrative oversight review of approved DRI's to assess and examine the changes made by the local government.

COORDINATION/TIMING ISSUES

Issue 1: GRTA review requires the applicant to provide very specific details in site plans prior to any local government review.

GRTA Response:

- GRTA agrees with the general comments and recognizes that at the time of its decision on a DRI, the local government review process is not complete and additional changes to the site plan may be necessary. A balance is required between GRTA's need for enough specificity to conduct its analysis and identify appropriate conditions, and the applicant's need to maintain enough flexibility for subsequent local government action. It is GRTA's intent to minimize the number of times that an approved plan must be reviewed. In order to maintain a proper balance, several steps should occur:
 1. GRTA should only condition those portions of a site plan that are required to achieve its goals. As a result, GRTA will work to incorporate standard language into its decisions that identify what constitutes a "substantial change" requiring additional review.
 2. GRTA should create a list of the common conditions that applicants can expect will be included as part of the approval. For each particular DRI, GRTA plans to identify the "significant conditions" upon which approval is dependent, and the conditions should be designed to leave flexibility. This will allow site plans to undergo changes necessary for local approval without having to be reviewed again by GRTA.
 3. GRTA should develop guidance for the level of site plan detail necessary to conduct its review, with a goal of maintaining as much flexibility as possible. GRTA has begun to develop such guidance. In response to one of the suggestions, however, GRTA notes that a "bubble plan" is not detailed enough for GRTA to complete its analysis.
 4. Local governments should attend meetings where site plans are discussed, and they need to provide input into draft conditions. They are currently invited to meetings and encouraged to attend, but some local governments have not participated.
- GRTA notes the participant suggestions requesting that DRI review take place after zoning. However, the law is designed for GRTA to review a DRI prior to the local government decision. Additionally, it is difficult to condition approvals after the local jurisdiction makes its decision.

COORDINATION/TIMING ISSUES

Issue 2: GRTA review should account for local government goals and requirements.

Summary of Participant Comments:

- Some of the recommendations and conditions imposed by GRTA could conflict with a local government comprehensive plans.
- Developers may feel “trapped” between GRTA and local government approval criteria.
- The review process needs to account for differences in jurisdictions.
- GRTA shouldn’t try to make developments in outlying counties meet “Atlanta-type” requirements.
- The GRTA review recommendations essentially “re-design” the DRI according to GRTA standards without accounting for local restrictions.

Participant Suggestions:

- GRTA should approve local comprehensive plans or review local zoning decisions.
- Give local governments the option of having the entire land use plan approved by GRTA as a way of either avoiding the DRI process for each project or allowing DRI’s to have less review.
- There needs to be some mechanism to ensure consistency between GRTA conditions and local comprehensive plans and ordinances.
- GRTA needs to remember that there are other stakeholders interested in a particular DRI (e.g. the local government, the local public, and the individual developer).
- More flexibility in the review process is needed to account for the different goals and objectives of the local governments (e.g. conservation subdivisions), the differences in the geography and demographics of jurisdictions, and the differences in the types of development being proposed (e.g. multi-use, residential, office).

COORDINATION/TIMING ISSUES

Issue 2: GRTA review needs to account for local government goals and requirements.

GRTA Response:

- GRTA notes that Issue 2 is related to Issue 1 and refers the reader to that section for additional information.
- GRTA agrees that local government concerns and requirements must be included in the review. The existing policy recognizes the importance of the issue and offers extensive local government input. At the outset of the review, the local government is asked to provide its applicable regulations and to outline the limits of its discretion. Each local government is then urged to attend and participate in all meetings, and is provided with notice at every step. Finally, each local government is provided with draft reports and conditions and is urged to provide comments. It is vitally important for local governments to actively participate in the process.
- GRTA believes that developing more standardized conditions and guidance, as discussed in Issue 1, will help resolve Issue 2, particularly since the goal is to permit flexibility. First, it should improve the coordination between GRTA and local jurisdictions such that participants will be less concerned about inconsistent outcomes. Second, it should allow more flexibility among different jurisdictions.
- It is important to note that while GRTA needs to provide maximum flexibility, GRTA has the important duty of protecting transportation investments for the region. Since large developments in rural areas tend to have major traffic impacts on the region, GRTA cannot exempt these developments from conditions that are aimed at increasing mobility and minimizing traffic.
- The current DRI review process is very technical in nature and requires detailed analysis of impacts on transportation investments. As GRTA examines the results of the analysis over time, GRTA will begin to focus on more performance based criteria or outcomes. Over time, this should result in less analysis. For example, GRTA is working to compile a 'menu' of flexible development options supporting GRTA's DRI goals and based on information gathered from GRTA's review. Once complete, applicants may be able to choose options from this 'menu' to achieve GRTA approval. This menu could account for differences in jurisdictions.
- One of the suggestions was that GRTA "pre-approve" land use plans and ordinances, and then give reduced scrutiny to DRI's in those pre-approved locations. GRTA believes that this idea warrants further review. As GRTA revises its policies, this will be considered as an option.

COORDINATION/TIMING ISSUES

Issue 3: GRTA needs to educate local governments about their role in the review process.

Summary of Participant Comments:

- Local government officials are unclear as to where and when certain paperwork needs to be submitted.
- There needs to be more public involvement and participation at the local level.
- How much input do the local governments have in GRTA's decision? Do local governments have to attend all of the methodology meetings?

Participant Suggestions:

- GRTA needs to describe to local governments the goals of its DRI review, explain why developers must go through it, and make them aware of their role in the process.
- Meetings should be held in the cities and counties in order to get the local governments involved from the beginning.

COORDINATION/TIMING ISSUES

Issue 3: GRTA needs to educate local governments about their role in the review process.

GRTA Response:

- GRTA agrees that additional education is required. Most of the local government requirements are identified either in the DCA regulations or in GRTA's process. It is important to remember that the DRI review process is a joint effort with DCA and the Regional Development Centers (RDC's). GRTA will recommend jointly sponsored periodic educational forums to review the process and address questions.
- GRTA is presently working to complete a handbook, which will also be helpful in providing the basic steps to the DRI process.
- GRTA is currently exploring ways of utilizing information technology to get local governments involved without requiring them to make frequent trips to GRTA's office.
- GRTA believes that local governments can facilitate the education process by designating official contacts within the local government. This contact can be the liaison with GRTA, DCA, and the applicant as it relates to issues and problems that might arise. The contact can also become educated and familiar with the process. GRTA will work with local governments to establish this contact list.
- Once again, GRTA would like to emphasize the importance of local governments attending meetings where particular DRI's are discussed, particularly methodology meetings. Methodology meetings are the point at which local government input is actively solicited. Many of the problems and concerns raised in the workshop can be addressed in the methodology meeting.
- One of the suggestions requested that meetings be held in the jurisdiction where the DRI is located. This simply is not a feasible alternative at this point because multiple meetings are held each day for different jurisdictions. Multiple meetings at more centralized locations are required because of the short schedule. While it is not feasible to schedule meetings at each jurisdiction, certain meetings are scheduled at the Regional Development Center.
- GRTA also believes that it is important to hold fewer meetings for the reasons discussed in other sections of this report. If fewer meetings are scheduled, it will be easier for local jurisdictions to attend.

COORDINATION/TIMING ISSUES

Issue 4: The time required to review a DRI should be shortened.

Summary of Participant Comments:

- The number and length of methodology meetings need to be reduced.
- The review process requires too much time to identify methodologies and options before formal review actually begins.

Participant Suggestions:

- Steps 1-3 need to be streamlined.
- Methodology meetings could be made more efficient if GRTA provided templates and examples of acceptable methodologies.
- Applicants should be required to submit their paperwork and proposed methodologies before the meeting, allowing GRTA staff to review the information beforehand.

GRTA Response:

- GRTA agrees that the number and length of meetings should be reduced. As applicants and participants become familiar with the process, GRTA anticipates that the number of meetings will decline. GRTA has, as one of its administrative goals, a reduction in the number of meetings.
- GRTA agrees that developing templates and standard methodologies will reduce the need for meetings. GRTA has engaged a consultant to develop a template for the Area of Influence analysis, which will eliminate the need for multiple Area of Influence methodology meetings.
- GRTA will begin requesting that materials be submitted prior to the actual methodology meeting, thereby reducing the time it takes to familiarize staff with the proposal and allowing the discussion to progress more expediently.
- This is a new process for applicants and GRTA staff. The time it takes to get through the process should decrease quickly.

PROCEDURAL ISSUES

Issue 5: The process should be simpler and less complicated.

Summary of Participant Comments:

- Some of the requirements of the review process are unclear.
- Expedited review will not be faster if the criteria are too complex and complicated.
- The potential for faster “Expedited Review” does not seem to be a viable option because of the lack of formalized standards and procedures make it difficult to start the review clock ticking.
- Too much detail is required in the site plan.
- GRTA traffic study requirements are too demanding.
- The time and cost of DRI review is an incentive not to develop.

Participant Suggestions:

- GRTA needs to provide explanatory information, such as: (1) a “How To Do a DRI Handbook” in laymen’s terms for developers; (2) a general timeline so applicants can understand where they are in the process; and (3) an updated checklist which includes all of the information necessary for GRTA to conduct its review.
- GRTA should educate developers so they are able to get GRTA approval without having to hire a lawyer.
- GRTA may want to consider reducing some of its requirements and making them more reasonable.
- GRTA should pre-qualify consultants to assist applicants with their DRI’s (at least until the process becomes more formalized and familiar).

PROCEDURAL ISSUES

Issue 5: The process should be simpler and less complicated.

GRTA Response:

- GRTA agrees that the process should be simplified and that a number of actions will assist with this process, many of which have been discussed in prior sections:
 - Prepare a handbook for the DRI process;
 - Prepare guidance for site plan requirements;
 - Issue standardized templates and methodologies (e.g., Area of Influence);
 - Distribute more standardized information of site specific conditions associated with approval;
 - Prepare a performance-based “menu” of development options; and
 - Reduce the number of meetings.
- The traffic study required by GRTA is necessary at this point in order to understand what “funding” or “improvements” would be required for a particular DRI. As discussed in earlier sections of the report, however, the analysis may be simplified as GRTA begins to focus on more performance-based criteria.
- GRTA will investigate the suggestion of pre-qualifying consultants. GRTA views this as a method for providing education to the consultant community. While education is critical, the method must promote broad participation by the consultant community in order to foster a competition.
- One of the comments raises the concern that the DRI process will cause developers to break-up developments or choose other locations. There is always a concern that too much regulation creates disincentive. This issue was discussed at length during the development of the DRI policy. GRTA is committed to monitor and evaluate both the positive and negative impacts of DRI review.
- GRTA recognizes that the cost of DRI review is a reflection of the time and complexity currently necessary to meet the requirements of the process. GRTA believes that as the process becomes more “performance-based” and lists of site plan requirements and common conditions are made available to applicants, the time and money developers must devote to the process will decrease.

Issue 6: GRTA needs more staff.

Summary of Participant Comments:

- GRTA needs to have more staff resources available to handle this DRI review process.

Participant Suggestions:

- GRTA either needs to clone Dan Drake or allocate more staff to the review process.

GRTA Response:

- Cloning does not appear a viable option at this point, but GRTA does recognize the need to provide sufficient staff. GRTA has been monitoring its DRI staff needs since the policy became effective in January. In addition to Mr. Drake, GRTA has a consultant under contract to assist in the technical analysis. GRTA is pleased to announce that subsequent to the workshop it hired a land use planner to share responsibilities with Mr. Drake. GRTA is also working with its technology staff to develop an automated administration system that will more productively use staff resources.

Issue 7: GRTA needs to provide applicants with templates of acceptable methodologies and data sources (e.g. AOI).

Summary of Participant Comments:

- Area of Influence (AOI) analysis is unclear; therefore creating a bottleneck in the DRI review process.
- GRTA sets a relatively high standard for many of its studies relatively high and without proper guidelines it is difficult for applicants to reach these standards.
- Some of the data requested by GRTA is very difficult to obtain and is not readily accessible.
- The market conditions study required in the DRI review process asks for information that the developers do not know yet.

Participant Suggestions:

- GRTA needs to provide applicants with a detailed AOI methodology to use as a model or a template.
- GRTA should provide applicants with a list of available data sources to expedite the preparation of DRI proposals possibly providing data sources and methodologies online.
- A “DRI Users Group” should be established on a website where developers, municipalities, and consultants can help each other by sharing tools and methods.

GRTA Response:

- GRTA agrees that it should provide templates and methodologies. GRTA has contracted with a consultant to create the methodology template for AOI analysis. This will give applicants the requirements and structural format GRTA desires in an AOI study. Once complete this will undoubtedly reduce the number and length of methodology meetings. It will also reduce the time and effort required of the applicant’s consultant.
- As GRTA makes progress in database creation, data will be more easily accessible and as the DRI review process matures data sources will be more readily attainable.
- One of the suggestions was for GRTA to establish a model user’s group or a “chat room” for the purpose of sharing information. GRTA will review this suggestion with its technical staff to determine its feasibility.

Issue 8: GRTA should evaluate its technical requirements to make sure it is only requiring the information necessary to achieve its objectives.

Summary of Participant Comments:

- GRTA needs to explain how the technical information being requested reinforces its end goals and objectives and whether the goals are being achieved.
- Since some of the data and site plan specifics requested by GRTA are difficult to obtain, GRTA should provide applicants with an explanation of how the information will be used to advance GRTA's objectives.
- Are these DRI rules actually meeting the original goals?

Participant Suggestions:

- GRTA needs to provide applicants with the purpose for requesting certain data, and the ultimate goal obtaining the information is supposed to accomplish.
- GRTA should only just request information that is absolutely necessary for them to conduct their review.
- GRTA should track and evaluate the actual value or contribution DRI review changes have had on achieving the program's goals for each DRI.

GRTA Response:

- GRTA agrees that it should continue to evaluate the DRI process to ensure that it is achieving certain goals, to determine whether all of the information requested is necessary, and to recommend revisions. In fact, the workshop is an early beginning to this evaluation. This workshop report provides a beginning list of comments, suggestions and recommendations as a framework for reviewing the DRI policy. The report and recommendations will be updated as the process matures and as future workshops are held. It must be recognized, however, that it will take time to allow DRI's to move through to completion in order to properly evaluate the DRI policy. Once that occurs, GRTA can better assess the policy and recommend changes. In the meantime, GRTA has proposed a number of measures in this report that should help address comments that have been raised.

SECTION C: **Summary of GRTA Staff Recommendations**

- Approve plans in a way that is flexible enough to allow some revisions without additional GRTA review.
- Define what is required for a site plan submission.
- Develop list of common conditions that will be adopted.
- Use completed DRI's to develop "performance-based" reviews that are consistent with GRTA's goals and objectives.
- Move towards a more "performance-based" flexible menu of options and a reduction of technical analysis.
- Develop DRI Handbook for applicants and local governments.
- Develop standard methodologies and templates for Area of Influence analysis.
- Work with DCA and the RDC's to sponsor DRI education opportunities for local governments.
- Reduce the number of methodology meetings.
- Periodically report whether the DRI process is achieving its goals and make recommendations for improvement.
- Identify a local government contact list for DRI's.
- Explore suggestions that may reduce the time involved or technical analysis such as pre-certification of consultants and pre-approval of land use plans.