

**A RESOLUTION BY THE
GEORGIA MOUNTAINS REGIONAL DEVELOPMENT CENTER
AMENDING THE CENTER'S RULES AND REGULATIONS
PERTAINING TO THE METROPOLITAN RIVER PROTECTION ACT
AND REGARDING AN ADDITION TO THE DEFINITION OF
"SUBSTANTIAL CHANGE"**

WHEREAS, on March 16, 1973, the Metropolitan River Protection Act (hereinafter referred to as the "Act") and now codified as Georgia Code Section 12-5-440, et seq.) took effect and was subsequently amended, the most recent amendments having taken effect July, 1988 and

WHEREAS, Subsection (3) of Section 12-5-443 of the Act requires the Center to "make such rules and regulations as may be necessary to implement the purposes of (the Act);" and

WHEREAS, the Commission has adopted, and from time to time revised, rules and regulations to administer the Act, the most recent amendments having taken effect July, 1988; and

WHEREAS, the Center desires to amend Section I.K. of said rules and regulations, which now reads as follows: "The term "substantial change" shall mean any deviation from a certified land or water use when such deviation (a) requires the issuance by the governing authority or its authorized agent of an additional written instrument, other than a letter of clarification, which has the effect of amending the original certificate, or (b) has the effect of increasing the amount of land disturbance or impervious surface in any vulnerability category from the amount previously certified."

NOW, THEREFORE, BE IT RESOLVED that the Georgia Mountains Regional Development Center hereby amends Section I,K of the Metropolitan River Protection Act Rules and Regulations, adopted pursuant to O.C.G.A. Section 12-5-443(3), to read as follows: "The term "substantial change" shall mean any deviation from a certified land or water use when such deviation (a) requires the issuance by the governing authority or its authorized agent of an additional written instrument, other than a letter of clarification, which has the effect if amending the original certificate; or (b) has the effect of increasing the amount of land disturbance or impervious surface in any vulnerability category from the amount previously certified, except that a transfer of pre-existing or certified land disturbance or impervious surface from a more restrictive vulnerability category to a less restrictive vulnerability category on a one-square-foot for one-square-foot basis shall not constitute a substantial change. In the case of such transfer, the aggregate amount of pre-existing or certified land disturbance and impervious surface in all categories on the pre-existing property or certified review area shall not be increased."

NOW, THEREFORE, BE IT FURTHER RESOLVED that this amendment shall become effective on May 31, 1996.