

Georgia's Senate Bill 447: New Permitting Rules for Real Estate Developers

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On May 11, 2026, Governor Brian Kemp signed [Senate Bill 447](#) ("SB 447") into law. SB 447, which took effect on July 1, 2026, represents a significant change to Georgia's real estate development permitting process. SB 447 establishes enforceable permit-processing deadlines for land disturbance and building permits, mandates written explanations for permit application denials, requires fee refunds when jurisdictions miss those deadlines and includes protections that prohibit local authorities from commenting on aspects of a permit application resubmission unrelated to their initial comments.

This article provides a general overview of SB 447, and it addresses the practical implications and key considerations that developers, investors and lenders involved in real estate development projects should keep in mind as SB 447 takes effect.

Background of SB 447

SB 447 responds to longstanding frustration among Georgia's development community over the lack of enforceable timelines for local permit processing. Before SB 447 took effect, no comprehensive statewide framework required local jurisdictions to process permit applications within specific deadlines, leaving developers with little meaningful recourse when applications stalled in review. Georgia's continued population growth has driven a corresponding surge in housing demand. As a result, permitting delays have compounded, affecting project timelines, financing commitments and development costs. Proponents of SB 447, including homebuilders, developers and industry groups, argued that the lack of accountability in the

permitting process was contributing to constraints on housing supply and driving up costs for both developers and consumers. The intent of SB 447 is to bring predictability, transparency and accountability to local permitting processes by establishing more uniform procedural requirements and enforceable review timelines, while preserving the substantive authority of local jurisdictions to enforce their building codes and land use regulations.

Summary of Georgia's Senate Bill 447

SB 447 addresses the absence of enforceable timelines for local permit processing by creating a statutory framework that requires local jurisdictions to act on land disturbance and building permit applications within specified timeframes and providing applicants with concrete remedies when those deadlines are not met. The key provisions of SB 447 are summarized below.

Permit Processing Deadlines. SB 447 establishes mandatory processing timelines for land disturbance permits and building permits. Jurisdictions must review and act on complete permit applications within specified timeframes. If a jurisdiction fails to act within the applicable deadline, the applicant is entitled to statutory remedies, including fee refunds and mandamus relief. These deadlines are intended to eliminate the open-ended permitting delays that have historically created uncertainty for project timelines and financing commitments.

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Written Denial Requirements. SB 447 requires that any denial of a permit application be in writing and include specific citations to the code provisions, ordinances or standards that the application fails to meet. General or conclusory denials are no longer sufficient. This requirement gives applicants a clear basis for revising and resubmitting applications or challenging denials and is intended to reduce ambiguous or inconsistent permitting decisions.

Fee Refund Mechanism. When a jurisdiction misses the deadline for acting on a complete application, it must refund all permit fees to the applicant. This provision creates a financial incentive for jurisdictions to process applications within the statutory timeframes and gives developers a concrete remedy for administrative delays.

Mandamus Relief. Applicants aggrieved by a local issuing authority's failure to comply with any requirement of SB 447 may petition the superior court for mandamus relief. Such a petition will receive priority on the superior court's docket. This provision creates accountability for jurisdictions to process permit applications in accordance with the requirements outlined in SB 447.

Comment Protections. Local issuing authorities generally may not provide comments on aspects of a permit application resubmission that are unrelated to their initial comments or to further changes made in the resubmission. This limitation is designed to give applicants greater certainty regarding the scope of issues that can be raised during subsequent review cycles and to reduce the risk of new comments being introduced late in the permitting process. This comment protection is likely to be particularly significant in jurisdictions experiencing active regulatory change.

Real-Time Permit Tracking Portal. Jurisdictions that issued 250 or more building permits in the preceding calendar year must maintain a publicly

accessible, online portal showing the real-time status of pending permit applications. The portal requirement is designed to increase transparency in the permitting process and allow applicants, lenders and investors to monitor application status without relying solely on informal communications with permitting staff.

Third-Party Inspections. Applicants who use qualified third-party inspectors must follow statutory procedures for coordinating inspection results and timelines with the local permitting authority.

Timeline. SB 447 took effect on July 1, 2026. Most of its provisions, including the permit processing deadlines, written denial requirements, fee refund mechanisms, mandamus relief, comment protections and third-party inspections, are now in full force. That said, the requirements regarding the real-time permit tracking portal will begin on January 1, 2028.

Practical Considerations for Developers

Given the scope of SB 447's reforms, developers and investors involved in development projects should consider the following as they evaluate and structure transactions in the current regulatory environment.

Remedies for Missed Deadlines. The fee refund mechanism and mandamus relief provisions create real leverage for developers facing delays at the local municipality level. To enforce these rights effectively, developers should maintain careful records of submission dates, completeness determinations and applicable deadlines. Project teams should implement internal tracking systems to monitor permit processing timelines and promptly notify jurisdictions when deadlines are approaching or have been missed. The combination of fee refunds and mandamus relief represents a meaningful shift in the balance of leverage between applicants and permitting authorities.

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Local Zoning Changes. Where regulatory requirements are evolving during the permitting process, SB 447's limits on raising new comments during resubmission review become especially important. Under the statute, once deficiencies have been identified and an applicant submits revisions addressing those comments, a local issuing authority generally may not raise new comments during subsequent reviews except with respect to issues previously identified or changes made in the resubmission. This should provide applicants with greater predictability and reduce the risk of new review comments being introduced late in the permitting process. Developers should carefully document the completeness of each application and maintain records establishing the timing of submissions, agency comments and resubmissions, particularly where zoning amendments or other regulatory changes are under consideration. While SB 447 provides important procedural protections, it does not expressly address vested rights or the applicability of subsequently adopted zoning regulations, which remain governed by other provisions of Georgia law and applicable local ordinances.

Third-Party Inspection Requirements.

Developers can engage third-party inspectors to maintain project momentum when local jurisdictions cannot meet inspection timelines. However, developers should pay close attention to SB 447's requirements regarding coordinating third-party inspection results and timelines with the local permitting authority. Early engagement of qualified third-party inspectors in each jurisdiction may be advisable for projects on tight construction schedules.

Deal Structuring Implications. Purchase agreements, development agreements and joint venture agreements should be updated to reference SB 447's deadline and comment protections. Entitlement contingencies can now incorporate

specific statutory timelines rather than open-ended permit approval language, providing greater certainty for both developers and their capital partners. Lenders and investors should also consider whether their construction-related loan documents and investment agreements address the remedies available under SB 447, including mandamus relief and fee refunds, and how those remedies interact with existing approval milestones and draw conditions.

Regional Trends

Georgia is not alone in pursuing permitting reform. During the 2026 legislative session, other Southern states, including Tennessee and Florida, enacted similar legislation establishing permitting-reform requirements. These reforms reflect a broader regional trend toward holding local jurisdictions accountable for permitting timelines and providing developers with enforceable remedies for administrative delays.

Developers operating across the Southeast should monitor these parallel developments closely. While the general goal of these reforms is consistent, the specific timelines, remedies and compliance requirements vary by state. Deal structuring and entitlement strategies should account for these differences, particularly for developers with projects in multiple states.

Conclusion

SB 447 represents a meaningful shift in the permitting landscape for real estate development in Georgia. The statutory deadlines, comment protections and transparency requirements give developers concrete tools to manage permitting risk, but they also require proactive compliance and documentation. Developers who invest in application tracking, thorough documentation and deadline enforcement will be best positioned to take advantage of SB 447's protections. Developers,

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investors and lenders active in the real estate market in Georgia should work with counsel to review their permitting processes, transaction documents and entitlement strategies in light of these legislative changes.

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