

8-1808.1.

(c) (1) When locating new intensely developed or limited development areas, local jurisdictions ~~shall use the following guidelines:~~ ~~AND THE COMMISSION SHALL ENSURE THAT THE GUIDELINES IN THIS SUBSECTION HAVE BEEN APPLIED IN A MANNER THAT IS CONSISTENT WITH THE COMMISSION'S PURPOSE, POLICIES, GOALS, ALL CRITERIA, AND THE PROVISIONS OF THIS SUBTITLE.~~

~~(2) THE GUIDELINES FOR LOCATING NEW INTENSELY DEVELOPED OR LIMITED DEVELOPMENT AREAS ARE AS FOLLOWS:~~

[(1) New intensely developed areas should be located in limited development areas or adjacent to existing intensely developed areas;

(2) New limited development areas should be located adjacent to existing limited development areas or intensely developed areas;]

(I) LOCATE A NEW INTENSELY DEVELOPED AREA ~~SHOULD BE LOCATED~~ IN A LIMITED DEVELOPMENT AREA OR ADJACENT TO AN EXISTING INTENSELY DEVELOPED AREA;

(II) LOCATE A NEW LIMITED DEVELOPMENT AREA ~~SHOULD BE LOCATED~~ ADJACENT TO AN EXISTING LIMITED DEVELOPMENT AREA OR AN INTENSELY DEVELOPED AREA;

(III) LOCATE A NEW LIMITED DEVELOPMENT AREA OR AN INTENSELY DEVELOPED AREA ~~SHOULD BE LOCATED~~ IN A MANNER THAT MINIMIZES IMPACTS TO A HABITAT PROTECTION AREA AS DEFINED IN COMAR 27.01.09, AND IN AN AREA AND MANNER THAT OPTIMIZES BENEFITS TO WATER QUALITY; AND

(IV) LOCATE A NEW INTENSELY DEVELOPED AREA OR A LIMITED DEVELOPMENT AREA ~~TO BE LOCATED~~ IN A RESOURCE CONSERVATION AREA ~~SHOULD BE LOCATED~~ AT LEAST 300 FEET BEYOND THE LANDWARD EDGE OF TIDAL WETLANDS OR TIDAL WATERS;

[(3)](V) Except as provided in [paragraph (5)] ITEM (VII) of this [subsection] PARAGRAPH, no more than one-half of the expansion allocated in the criteria of the Commission may be located in resource conservation areas;

[(4)](VI) New intensely developed or limited development areas to be located in the resource conservation area shall conform to all criteria of the Commission [for intensely developed or limited development areas] and shall be designated on the comprehensive zoning map submitted by the local jurisdiction as part of its application to the Commission for program approval or at a later date in compliance with § 8-1809(g) of this subtitle; and

[(5)](VII) In Calvert, Caroline, Cecil, Charles, Dorchester, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Wicomico, and Worcester counties, if the county is unable to utilize a portion of the growth allocated to the county in [paragraphs (1) and (2)] ~~THIS PARAGRAPH OR PARAGRAPH (1) of this subsection~~ ITEMS (I) AND (II) OF THIS PARAGRAPH within or adjacent to existing intensely developed or limited development areas as demonstrated in the local plan approved by the Commission,