

then that portion of the allocated expansion which cannot be so located may be located in the resource conservation area in addition to the expansion allocated in [paragraph (3) of this subsection] ITEM ~~(VI)~~ (V) OF THIS PARAGRAPH. A developer shall be required to cluster any development in an area of expansion authorized under this paragraph.

(2) THE COMMISSION SHALL ENSURE THAT THE GUIDELINES IN PARAGRAPH (1) OF THIS SUBSECTION HAVE BEEN APPLIED IN A MANNER THAT IS CONSISTENT WITH THE PURPOSES, POLICIES, GOALS, AND PROVISIONS OF THIS SUBTITLE, AND ALL CRITERIA OF THE COMMISSION.

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(o) (1) For proposed program amendments, a Commission panel shall hold a public hearing in the local jurisdiction, and the Commission shall act on the proposed program amendment within 90 days of the Commission's acceptance of the proposal. If action by the Commission is not taken within 90 days, the proposed program amendment is deemed approved.

(2) THE COMMISSION SHALL DETERMINE IF THE PROPOSED AMENDMENT IS CONSISTENT WITH THE ~~COMMISSION'S PURPOSE~~ PURPOSES, POLICIES, GOALS, ALL CRITERIA, AND AND THE PROVISIONS OF THIS SUBTITLE, AND ALL CRITERIA OF THE COMMISSION.

(3) IN ACCORDANCE WITH THE COMMISSION'S DETERMINATION IN PARAGRAPH (2) OF THIS SUBSECTION, THE COMMISSION SHALL:

(I) APPROVE THE PROPOSED PROGRAM AMENDMENT AND NOTIFY THE LOCAL JURISDICTION;

(II) DENY THE PROPOSED PROGRAM AMENDMENT;

(III) APPROVE THE PROPOSED PROGRAM AMENDMENT SUBJECT TO ONE OR MORE CONDITIONS; OR

(IV) RETURN THE PROPOSED PROGRAM AMENDMENT TO THE LOCAL JURISDICTION WITH A LIST OF THE CHANGES TO BE MADE.

(4) IF THE COMMISSION APPROVES A PROPOSED PROGRAM AMENDMENT SUBJECT TO ONE OR MORE CONDITIONS UNDER ITEM (3)(III) OF THIS SUBSECTION, THE LOCAL JURISDICTION SHALL NOTIFY THE COMMISSION WITHIN ~~90~~ 60 DAYS OF ITS INTENT TO ~~COMPLY WITH~~ ADOPT THE CONDITIONS.

[(2)](5) The local jurisdiction shall incorporate the approved program amendment AND ANY REQUIRED CONDITIONS into the adopted program within 120 days of receiving notice from the Commission that the program amendment has been approved.

(p) (1) Proposed program refinements shall be determined as provided in this subsection.

(2) (i) Within 30 days of the Commission's acceptance of a proposal to change an adopted program, the chairman, on behalf of the Commission, may