

(II) INFORMATION RELATING TO THE STUDENT CAPACITY OF EACH SCHOOL AND ANY PROPOSED PLANS RELATING TO SCHOOL REDISTRICTING IN THE COUNTY.

5-7B-04, 5-7B-05.

(A) (1) THE STATE MAY PROVIDE FUNDING FOR A PROJECT A GROWTH-RELATED PROJECT NOT IN A STATE PRIORITY FUNDING AREA IF:

(I) THE BOARD OF PUBLIC WORKS DETERMINES THAT EXTRAORDINARY CIRCUMSTANCES EXIST WHICH WARRANT PROCEEDING WITH THE PROJECT AND THAT NO REASONABLY FEASIBLE ALTERNATIVE EXISTS IN ACCORDANCE WITH THE REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION; OR

(II) THE BOARD OF PUBLIC WORKS APPROVES THE PROJECT AS A TRANSPORTATION PROJECT THAT MEETS THE REQUIREMENTS OF PARAGRAPH (3) OF THIS SUBSECTION.

(2) IN ORDER TO DETERMINE THAT EXTRAORDINARY CIRCUMSTANCES EXIST UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD SHALL DETERMINE BY A MAJORITY VOTE THAT:

(I) THE FAILURE TO FUND THE PROJECT IN QUESTION CREATES AN EXTREME INEQUITY, HARDSHIP, OR DISADVANTAGE THAT CLEARLY OUTWEIGHS THE BENEFITS FROM LOCATING A PROJECT IN A PRIORITY FUNDING AREA; AND

(II) THERE IS NO REASONABLE ALTERNATIVE FOR THE PROJECT IN A PRIORITY FUNDING AREA IN ANOTHER LOCATION WITHIN THE STATE COUNTY OR AN ADJACENT COUNTY.

(3) THE BOARD OF PUBLIC WORKS MAY APPROVE A TRANSPORTATION PROJECT UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION IF THE TRANSPORTATION PROJECT:

(I) MAINTAINS THE EXISTING TRANSPORTATION SYSTEM, PROVIDED IF THE DEPARTMENT OF TRANSPORTATION AND THE OFFICE OF PLANNING DETERMINE THE PROJECT DOES NOT SERVE TO SIGNIFICANTLY INCREASE HIGHWAY CAPACITY;

(II) SERVES TO CONNECT STATE PRIORITY FUNDING AREAS, PROVIDED THAT IF:

1. THE DEPARTMENT OF TRANSPORTATION AND THE OFFICE OF PLANNING DETERMINE THAT ADEQUATE ACCESS CONTROL OR OTHER MEASURES ARE IN PLACE TO:

A. PREVENT DEVELOPMENT THAT IS INCONSISTENT WITH § 5-7A-01(1), (2), AND (3) OF THIS TITLE; AND