

THE GROWTH ALLOCATION FOR THAT JURISDICTION MAY BE UTILIZED WITHIN EITHER CRITICAL AREA, AS THE JURISDICTION'S LOCAL PROGRAM CONSIDERS APPROPRIATE.

(2) A LOCAL JURISDICTION'S PROGRAM MAY NOT UTILIZE THE GROWTH ALLOCATION FROM ANOTHER CRITICAL AREA UNLESS THE GROWTH ALLOCATION REMAINING IN EITHER CRITICAL AREA IS INSUFFICIENT TO ALLOW APPROVAL OF A GROWTH ALLOCATION PROPOSAL ASSOCIATED WITH A PROGRAM AMENDMENT FOR WHICH THE LOCAL PROGRAM SEEKS COMMISSION APPROVAL.

(3) A LOCAL JURISDICTION'S PROGRAM MAY NOT TRANSFER MORE THAN 150 ACRES OF GROWTH ALLOCATION TO ANOTHER CRITICAL AREA.

[(d)](E) In calculating the 1-in-20 acre density of development that is permitted on a parcel located within the resource conservation area, a local jurisdiction may permit the area of any private wetlands located on the property to be included, under the following conditions:

(1) The density of development on the upland portion of the parcel may not exceed 1 dwelling unit per 8 acres; and

(2) The area of private wetlands shall be estimated on the basis of vegetative information as designated on the State wetlands maps.

8-1808.2.

(a) (1) In this section the following words have the meanings indicated.

(2) "Bona fide intrafamily transfer" means a transfer to a member of the owner's immediate family of a portion of the owner's property for the purpose of establishing a residence for that family member.

(3) "Immediate family" means a father, mother, ~~BROTHER, SISTER~~ son, daughter, grandfather, grandmother, grandson, or granddaughter.

(b) Notwithstanding density limitations established in criteria of the Commission, as part of its local program, a local jurisdiction may submit provisions by which an owner of a parcel of land in the resource conservation area may be permitted to make bona fide intrafamily transfers.

(c) If a local jurisdiction includes provisions for bona fide intrafamily transfers as part of its local program, the local jurisdiction shall permit a bona fide intrafamily transfer to be made only from parcels of land that:

(1) Were of record on March 1, 1986 IN THE CHESAPEAKE BAY CRITICAL AREA OR ON ~~APRIL 17, 2001~~ JUNE 1, 2002 IN THE ATLANTIC COASTAL BAYS CRITICAL AREA; and

(2) Are 7 acres or more and less than 60 acres in size.

(d) A bona fide intrafamily transfer from a parcel of land shall be a subdivision of the parcel of land that is subject to local approval under the