

- (iv) Baltimore City and Baltimore County;
- (v) Charles, Calvert, and St. Mary's counties; and
- (vi) Anne Arundel and Prince George's counties.

(2) During the hearing process, the Commission shall consult with each affected local jurisdiction.

(3) IN ACCORDANCE WITH ITS POWERS UNDER § 8-1806(A) OF THIS SUBTITLE, THE COMMISSION MAY AMEND THE CRITERIA FOR PROGRAM DEVELOPMENT AND APPROVAL ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

8-1808.1.

(c) (1) When locating new intensely developed or limited development areas, local jurisdictions shall use the following [guidelines] STANDARDS:

(i) Locate a new intensely developed area in a limited development area or adjacent to an existing intensely developed area;

(ii) Locate a new limited development area adjacent to an existing limited development area or an intensely developed area;

(iii) Locate a new limited development area or an intensely developed area 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;

(iv) Locate a new intensely developed area or a limited development area in a resource conservation area at least 300 feet beyond the landward edge of tidal wetlands or tidal waters, **UNLESS THE LOCAL JURISDICTION PROPOSES, AND THE COMMISSION APPROVES, ALTERNATIVE MEASURES FOR ENHANCEMENT OF WATER QUALITY AND HABITAT THAT PROVIDE GREATER BENEFITS TO THE RESOURCES;**

(V) LOCATE NEW INTENSELY DEVELOPED AREAS AND LIMITED DEVELOPMENT AREAS IN A MANNER THAT MINIMIZES THEIR IMPACTS TO THE DEFINED LAND USES OF THE RESOURCE CONSERVATION AREA;

[(v)] (VI) Except as provided in item [(vii)] (VIII) of this paragraph, no more than one-half of the expansion allocated in the criteria of the Commission may be located in resource conservation areas;