

[(vi)] (VII) New intensely developed or limited development areas [to be located in the resource conservation area] INVOLVING THE USE OF GROWTH ALLOCATION shall conform to all criteria of the Commission 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

[(vii)] (VIII) 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 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, 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 item [(v)] (VI) of this paragraph. A developer shall be required to cluster any development in an area of expansion authorized under this paragraph.

(2) A LOCAL JURISDICTION MAY USE A STANDARD THAT VARIES FROM THE STANDARDS REQUIRED UNDER PARAGRAPH (1)(I) AND (II) OF THIS SUBSECTION IF:

(I) THE ALTERNATIVE STANDARD IS CONSISTENT WITH THE JURISDICTION'S ADOPTED COMPREHENSIVE PLAN; AND

(II) THE COMMISSION HAS APPROVED THE ALTERNATIVE STANDARD AS PART OF THE LOCAL PROGRAM.

(3) IN REVIEWING MAP AMENDMENTS OR REFINEMENTS INVOLVING THE USE OF GROWTH ALLOCATION, THE COMMISSION SHALL CONSIDER THE FOLLOWING FACTORS:

(I) CONSISTENCY WITH THE JURISDICTION'S ADOPTED COMPREHENSIVE PLAN AND WHETHER THE GROWTH ALLOCATION WOULD IMPLEMENT THE GOALS AND OBJECTIVES OF THE ADOPTED PLAN;

(II) ~~CONSISTENCY WITH SMART GROWTH PRINCIPLES UNDER TITLE 5, SUBTITLES 7A AND 7B OF THE STATE FINANCE AND PROCUREMENT ARTICLE AND OTHER STATE GROWTH POLICIES, INCLUDING:~~

~~1. CERTIFIED PRIORITY FUNDING AREAS UNDER § 5-7B-08 OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND~~