

O-14-25**Implementation of Annapolis Ahead Comprehensive Plan, 2040****AMENDMENT 6 – ALDERMAN SAVIDGE**

Amendment Summary:

Amendment 6:

- **Adds a new purpose** for planned developments: supporting transit.
 - **Lowers baseline density increases** and creates higher density awards to incentivize Transit Oriented Development.
 - **Allows parking reductions** and requires a Transportation Demand Management (TDM) plan for Transit-Oriented Development.
 - **Requires a Community Benefits Agreement (CBA):** Developers must provide financial, in-kind, or other support for community improvements, such as affordable housing (25%), local hiring, sustainability, and transit/bike amenities.
 - **Establishes Tax Incremental Financing (TIF) districts:** Increased tax revenue from higher density is dedicated to transit-related infrastructure.
 - **Adds new definitions.**
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MOTION:

1. On page 5, in line 13, before Subsection B, insert the following:

7. To support development built around and connected to transit to improve residents' mobility, reduce automobile dependence, reduce traffic and parking

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pressures, reduce the need for large asphalt parking lots, and optimize land use efficiency.

2. On page 6, in line 16, strike "150%" and after "exceed" insert "125%"; and in line 33, strike "850" and after "area by" insert "1,400".

3. On page 7, in line 3, insert the following *new* subsection C:

C. Conditional Density Bonus Tied to High-Value Transit Improvements.

1. Conditional density increases allowed.

- a. **Residential Planned development.** The maximum number of dwelling units allowed, as calculated in section B(1) above, may be increased to a maximum of 200%.
- b. **Special mixed planned development.** Instead of the 1,400 square feet mentioned in section B(3) above, only 850 square feet may be used when determining the maximum number of allowed dwelling units.

2. The density increases in this section shall become effective only upon satisfaction of all:

a. Transit Conditions.

- i. **High-value Transit Service Confirmation.** The property must be or become served by high-value transit services, as demonstrated by the provision or initiation of these services approved by the City or designated transit authority.

ii. Developer Contribution. The developer shall:

(1) Enter into a binding Community Benefits Agreement (CBA).

- (a) This agreement shall obligate them to contribute financial resources, provide in-kind services, or offer other support to improve the project and benefit the surrounding community.**

- (b) The agreement may include requirements such as prioritizing the construction of below-market-rate housing, promoting**

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local hiring and workforce development, making investments and reinvestments in the community, adhering to environmental and sustainability standards, supporting local business and economic development, and ensuring accountability and monitoring of these efforts.

(2) Contribute financial resources, in-kind services, or other support identified for improvements that help to optimize transit and/or bicycle use for residents and visitors of the project and the surrounding community.

(a) These contributions may include the following: Transit pass incentives for residents, bicycle lockers, public restrooms with showers for bicycle users, and a rebate for residents to purchase a bicycle.

(b) The City Council shall approve such an agreement with recommendations from the Planning Commission.

b. Transit-Oriented Development (TOD) and Tax Incremental Financing (TIF) Establishment.

i. The City shall establish a Transit-Oriented Development (TOD) Tax Increment Financing (TIF) district.

ii. The incremental tax revenues generated as a result of the increased density shall be earmarked for financing further high-value transit-related infrastructure enhancements in the area, or for related operations and maintenance costs.

c. Affordable Housing Conditions.

i. The percentage of below-market-rate housing provided on the property shall be at least 30% of the total units.

ii. At least half of the below-market-rate housing shall be complete and ready for occupancy before issuing any certificate of occupancy for market-rate units at an above-baseline density.

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3. Failure to meet any condition of this section voids the bonus, and the project shall be limited to the baseline density pursuant to § 21.24.050(B).

4. On page 7, before Section 21.24.060, insert *new* Section 21.24.055 as follows:

Section 21.24.055 – Transit-Oriented Development (TOD) Parking Reduction and Transportation Demand Management

A. **Eligibility.** Projects that satisfy all requirements pursuant to § 21.24.050.C (Conditional Density Bonus Tied to High-Value Transit Improvements) are eligible to apply for the benefits in subsections B and C.

B. **Parking Reduction Incentive.** Eligible projects may reduce required off-street parking by up to 30% below the ratios in Chapter 21.66, provided they demonstrate compliance with subsection C.

C. Transportation Demand Management (TMD) Plan Requirement.

1. Approval Process.

- a. The developer shall submit a detailed Transportation Demand Management (TMD) Plan to the Department of Planning & Zoning for review at the time of the site design plan submission.
- b. The Planning Commission must approve the Transportation Demand Management (TMD) Plan before building permits for density above the baseline are issued.

2. Mandatory Elements. The Transportation Demand Management (TMD) Plan shall include, at a minimum, all of the following:

- a. **Parking Pricing.** Tiered or unbundled parking pricing for residents and visitors to encourage mode shift.
- b. **Bicycle Infrastructure.** Secure bicycle parking equals at least one space per ten dwelling units and at least one short-term rack per fifty units.
- c. **Carshare/Rideshare Integration.** On-site carshare or rideshare pick-up/drop-off zones, including at least one dedicated stall.
- d. **Transit Pass Subsidy.** Offer every residential and non-residential tenant a transit pass discount or subsidy for a minimum of one year.

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e. **Mobility Coordinator.** Retain an on-site mobility coordinator responsible for:

- i. Marketing Transportation Demand Management (TDM) services and alternative-mode options;
- ii. Tracking mode-split data (annual mode-share survey);
- iii. Hosting quarterly outreach sessions (e.g., transit fairs, bike-to-work days).

3. **Coordination with High-Value Transit (HVT) and Active Transportation.** The Transportation Demand Management (TDM) Plan must describe how the project will connect to adjacent high-value transit facilities and active-transportation networks, including safe, direct pedestrian and bicycle routes to stations or stops.

D. Monitoring, Reporting, and Enforcement.

1. **Annual Reporting.** The developer or property owner shall submit an annual Transportation Demand Management (TDM) Report to the Department of Planning & Zoning documenting:

- a. Parking utilization rates
- b. Transit-pass uptake
- c. Bike parking usage
- d. Carshare/ride-share trip counts
- e. Results of mode-split surveys

2. **Performance Security.** A performance bond or letter of credit equal to 10% of the estimated cost of on-site Transportation Demand Management (TDM) measures shall be posted before the first certificate of occupancy for bonus units.

3. **Penalties.** Failure to achieve or maintain 20% non-single-occupant-vehicle mode share within two years of full build-out may trigger revocation of further permits for density above baseline and require additional Transportation Demand Management (TDM) enhancements at the developer's expense.

5. On page 8, strike paragraph 8, and insert a *new* paragraph 8 and 9 as follows:

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8. Conditional Transit-Oriented Development (TOD) Findings. The Planning Commission may approve any density above the baseline in § 21.24.050(B) or any bonus under § 21.24.050(C) only upon a written finding that all of the following have been satisfied:

- a. All transit infrastructure conditions pursuant to § 21.24.050;
- b. Execution of the required Community Benefits Agreement (CBA);
- c. Adoption of the Transit-Oriented Development (TOD), Tax Incremental Financing (TIF) overlay;
- d. Provision of affordable housing pursuant to § 21.24.050;
- e. Approval of a Transportation Demand Management (TDM) plan as required pursuant to § 21.24.055;
- f. Posting performance security in less than 125% of estimated public infrastructure costs to guarantee High-Value Transit (HVT), Community Benefits Agreement (CBA), and affordable housing delivery.

9. Density Limitation. If the Commission finds that any condition of this item has not been met within the required timeframe and manner, the project shall be approved only up to the baseline density pursuant to § 21.24.050(B), and no conditional bonus shall apply.

6. On page 12, insert the following definitions in alphabetical order:

“High-value transit (HVT)” means a fixed transportation route that includes enhanced reliability and service frequency with headways of at least 20 minutes; dedicated transit infrastructure (e.g., travel lanes); comprehensive station upgrades with real-time arrival/departure information; multi-modal integration with walking, biking, and micro-transit; and seamless intermodal connectivity.

“Transportation Demand Management (TDM)” means a package of strategies, programs, and services designed to reduce reliance on single-occupant vehicle trips, improve system efficiency, and shift travel toward high-value transit, walking, biking, and other low-emission modes. TDM measures may include transit subsidies, carshare/vanpool integration, bicycle infrastructure and amenities, telework/flex scheduling, on-site mobility coordination, and information-sharing platforms.

“Transit-Oriented Development (TOD)” means development sited and designed to prioritize access to high-quality public transit and active transportation. TOD is characterized by increased residential and/or employment density within walking

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distance of transit stops, pedestrian-oriented site and street design, safe and direct bicycle and pedestrian connections to transit, integration of Transportation Demand Management measures, and reduced automobile-oriented parking. Mixed use is encouraged but not required where demonstrated high-quality transit service, multimodal access, and TDM commitments are provided.

“Tax incremental financing” (TIF) means, a public financing mechanism in which the City designates a defined district and fixes a base year taxable value for property therein; thereafter, the increase in property tax revenue above the base (the “tax increment”) is captured and deposited into a dedicated fund to pay for eligible public improvements that benefit the district, including transportation, utility, streetscape, parks, environmental remediation, and transit-supportive infrastructure. TIF may be implemented on a pay-as-you-go basis or used to secure bonds or other obligations, with repayment limited to the tax increment and any other pledged revenues. Establishment of a TIF district does not by itself raise tax rates, and use of TIF revenues shall be limited to purposes and expenditures authorized by the creating ordinance and applicable law within or benefiting the district.

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As the changes would look in the Ordinance:

Section 21.24.010 - Purposes, authorities and types.

A. **Purposes.** The purposes of planned developments are as follows:

1. To allow greater flexibility to encourage more creative design for the development of land than is generally possible under conventional zoning district regulations.
2. ~~To promote orderly and thorough planning and review procedures that will result in quality design and counteract the adverse effects of monotonous design.~~
To promote orderly and thorough planning and review procedures that will result in community design that exceeds what is possible under conventional site planning, and which counteract the adverse effects of monotonous design.
3. To allow the grouping of buildings and a mix of land uses, especially housing, with an integrated design and a physical plan coordinated with surrounding land uses.
4. To promote development in a manner that protects significant natural resources, coordinates the placement of structures with existing natural features, and integrates natural open spaces into the design of a development project.
5. To promote ~~a design development approach that considers~~ the natural characteristics of ~~the sites~~ in the placement of structures.
6. To promote development that is consistent, which substantially advances the goals of the Comprehensive Plan, particularly the following:
 - a. Promoting the supply of affordable housing, especially multi-family housing types (missing middle housing), which can be developed at a lower cost per unit than single-family housing;
 - b. Promoting a mix of land use types within development projects (mixed use);
 - c. Promoting the installation and use of infrastructure such as sidewalks, trails, bikeways, and transit (active transportation);
 - d. Promoting physical connections to area waterways through such things as dedicated routes and recreational enhancements to waterfront land (public water access); and

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e. Promoting linking open spaces for environmental and recreational benefits (greenways).

7. To support development built around and connected to transit to improve residents' mobility, reduce automobile dependence, reduce traffic and parking pressures, reduce the need for large asphalt parking lots, and optimize land use efficiency.

Section 21.24.050 - Bulk and density standards.

B. **Maximum Allowable Density Standards.** The following density standards shall apply to planned developments:

- ~~1. In a residential planned development, the maximum number of dwelling units may not exceed the number of units determined by dividing the gross development area by the minimum lot area per dwelling unit (or per dwelling unit type if a mix of units is proposed) required by the district or districts in which the development is located. Gross development area shall be the area of the zoning lot as a whole. The area of land set aside for common open space or recreational use may be included in determining the number of dwelling units permitted. If the gross development area of the property includes property within the Resource Conservation Area of the Critical Area Overlay, density shall be determined, as per Section 20.24.130(G) and (H).~~
1. In a residential planned development, the maximum number of dwelling units may not exceed ~~150~~125% of the number of units determined by dividing the gross development area by the minimum lot area per dwelling unit (or per dwelling unit type if a mix of units is proposed) required by the district or districts in which the development is located.
 - a. Gross development area shall be the area of the zoning lot as a whole.
 - b. The area of land set aside for common open space or recreational use may be included in determining the number of dwelling units permitted.
 - c. If the gross development area of the property includes property within the Resource Conservation Area of the Critical Area Overlay, density shall be determined, as per § 20.24.130(G) and (H).
2. Except as provided in 21.24.050(3), in a business or special mixed planned development, the maximum number of dwelling units may not exceed the number of units determined by dividing the gross residential development area by the minimum lot area per dwelling unit required by the R4 district.

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3. In a special mixed planned development, on property meeting the following locational criteria, the maximum number of dwelling units may not exceed the number of units determined by dividing the gross development area by ~~850~~1,400 square feet.

a. The property fronts directly on at least one of the following streets: Forest Drive, Bay Ridge Road east of Hillsmere Drive, West Street, Rowe Boulevard, Chinquapin Round Road, Spa Road, Old Solomons Island Road, or Solomons Island Road.

b. The property is designated for mixed use on the map of future land use in Chapter 4, Land Use, of the comprehensive plan.

C. Conditional Density Bonus Tied to High-Value Transit Improvements.

1. Conditional density increases allowed.

a. **Residential Planned development.** The maximum number of dwelling units allowed, as calculated in section B(1) above, may be increased to a maximum of 200%.

b. **Special mixed planned development.** Instead of the 1,400 square feet mentioned in section B(3) above, only 850 square feet may be used when determining the maximum number of allowed dwelling units.

2. The density increases in this section shall become effective only upon satisfaction of all:

a. **Transit Conditions.**

i. **High-value Transit Service Confirmation.** The property must be or become served by high-value transit services, as demonstrated by the provision or initiation of these services approved by the City or designated transit authority.

ii. **Developer Contribution.** The developer shall:

(1) Enter into a binding Community Benefits Agreement (CBA).

(a) This agreement shall obligate them to contribute financial resources, provide in-kind services, or offer other support to improve the project and benefit the surrounding community.

(b) The agreement may include requirements such as prioritizing the construction of below-market-rate housing, promoting local hiring and workforce development, making investments and

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reinvestments in the community, adhering to environmental and sustainability standards, supporting local business and economic development, and ensuring accountability and monitoring of these efforts.

(2) Contribute financial resources, in-kind services, or other support identified for improvements that help to optimize transit and/or bicycle use for residents and visitors of the project and the surrounding community.

(a) These contributions may include the following: Transit pass incentives for residents, bicycle lockers, public restrooms with showers for bicycle users, and a rebate for residents to purchase a bicycle.

(b) The City Council shall approve such an agreement with recommendations from the Planning Commission.

b. Transit-Oriented Development (TOD) and Tax Incremental Financing (TIF) Establishment.

- i. The City shall establish a Transit-Oriented Development (TOD) Tax Increment Financing (TIF) district.
- ii. The incremental tax revenues generated as a result of the increased density shall be earmarked for financing further high-value transit-related infrastructure enhancements in the area, or for related operations and maintenance costs.

c. Affordable Housing Conditions.

- i. The percentage of below-market-rate housing provided on the property shall be at least 25% of the total units.
- ii. At least half of the below-market-rate housing shall be complete and ready for occupancy before issuing any certificate of occupancy for market-rate units at an above-baseline density.

3. Failure to meet any condition of this section voids the bonus, and the project shall be limited to the baseline density pursuant to § 21.24.050(B).

Section 21.24.055 – Transit-Oriented Development (TOD) Parking Reduction and Transportation Demand Management

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B. **Parking Reduction Incentive.** Eligible projects may reduce required off-street parking by up to 30% below the ratios in Chapter 21.66, provided they demonstrate compliance with subsection C.

C. **Transportation Demand Management (TMD) Plan Requirement.**

1. **Approval Process.**

- a. The developer shall submit a detailed Transportation Demand Management (TDM) Plan to the Department of Planning & Zoning for review at the time of the site design plan submission.
- b. The Planning Commission must approve the Transportation Demand Management (TDM) Plan before building permits for density above the baseline are issued.

2. **Mandatory Elements.** The Transportation Demand Management (TDM) Plan shall include, at a minimum, all of the following:

- a. **Parking Pricing.** Tiered or unbundled parking pricing for residents and visitors to encourage mode shift.
- b. **Bicycle Infrastructure.** Secure bicycle parking equals at least one space per ten dwelling units and at least one short-term rack per fifty units.
- c. **Carshare/Rideshare Integration.** On-site carshare or rideshare pick-up/drop-off zones, including at least one dedicated stall.
- d. **Transit Pass Subsidy.** Offer every residential and non-residential tenant a transit pass discount or subsidy for a minimum of one year.
- e. **Mobility Coordinator.** Retain an on-site mobility coordinator responsible for:

 - i. Marketing Transportation Demand Management (TDM) services and alternative-mode options;
 - ii. Tracking mode-split data (annual mode-share survey);
 - iii. Hosting quarterly outreach sessions (e.g., transit fairs, bike-to-work days).

3. **Coordination with High-Value Transit (HVT) and Active Transportation.**

The Transportation Demand Management (TDM) Plan must describe how the project will connect to adjacent high-value transit facilities and active-transportation networks, including safe, direct pedestrian and bicycle routes to stations or stops.

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D. Monitoring, Reporting, and Enforcement.

1. **Annual Reporting.** The developer or property owner shall submit an annual Transportation Demand Management (TDM) Report to the Department of Planning & Zoning documenting:
 - a. Parking utilization rates
 - b. Transit-pass uptake
 - c. Bike parking usage
 - d. Carshare/ride-share trip counts
 - e. Results of mode-split surveys
2. **Performance Security.** A performance bond or letter of credit equal to 10% of the estimated cost of on-site Transportation Demand Management (TDM) measures shall be posted before the first certificate of occupancy for bonus units.
3. **Penalties.** Failure to achieve or maintain 20% non-single-occupant-vehicle mode share within two years of full build-out may trigger revocation of further permits for density above baseline and require additional Transportation Demand Management (TDM) enhancements at the developer's expense.

Section 21.24.090 - Planned development review criteria and findings.

8. The planned development is consistent with the adopted City of Annapolis comprehensive plan. For business and special mixed use planned developments, the planned development is specifically consistent with each of the six performance standards for mixed use development set forth in Chapter 4: Land Use of the comprehensive plan.
9. **Conditional Transit-Oriented Development (TOD) Findings.** The Planning Commission may approve any density above the baseline in § 21.24.050(B) or any bonus under § 21.24.050(C) only upon a written finding that all of the following have been satisfied:
 - a. All transit infrastructure conditions pursuant to § 21.24.050;
 - b. Execution of the required Community Benefits Agreement (CBA);
 - c. Adoption of the Transit-Oriented Development (TOD), Tax Incremental Financing (TIF) overlay;
 - d. Provision of affordable housing pursuant to § 21.24.050;

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- e. Approval of a Transportation Demand Management (TDM) plan as required pursuant to § 21.24.055;
 - f. Posting performance security in less than 125% of estimated public infrastructure costs to guarantee High-Value Transit (HVT), Community Benefits Agreement (CBA), and affordable housing delivery.
10. **Density Limitation.** If the Commission finds that any condition of this item has not been met within the required timeframe and manner, the project shall be approved only up to the baseline density pursuant to § 21.24.050(B), and no conditional bonus shall apply.

City Code Title 21 - PLANNING AND ZONING
Division VI - General Terms and Rules of Measurement
Chapter 21.72 - Terms and Definitions

Section 21.72.010 - Terms.

Insert the following terms in alphabetical order:

“High-value transit (HVT)” means a fixed transportation route that includes enhanced reliability and service frequency with headways of at least 20 minutes; dedicated transit infrastructure (e.g., travel lanes); comprehensive station upgrades with real-time arrival/departure information; multi-modal integration with walking, biking, and micro-transit; and seamless intermodal connectivity.

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“Transit-Oriented Development (TOD)” means development sited and designed to prioritize access to high-quality public transit and active transportation. TOD is characterized by increased residential and/or employment density within walking distance of transit stops, pedestrian-oriented site and street design, safe and direct bicycle and pedestrian connections to transit, integration of Transportation Demand Management measures, and reduced automobile-oriented parking. Mixed use is encouraged but not

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