



Resilient Environment Department
URBAN PLANNING DIVISION

1 N. University Drive, Box 102 | Plantation, FL 33324 | 954-357-6634 | Fax 954-357-6521

Local Planning Agency

June 12, 2024

2:00pm

Government Center West – 2nd Floor Hearing Room

1 North University Drive

Plantation, FL, 33324

Agenda:

1. Call to Order

2. Approval of Minutes:

- Exhibit 1: April 10, 2024

3. 24-Z3: Garden Park Code Update

- Exhibit 1: Staff Report
- Exhibit 2: Ordinance

4. Public Comments: Non-agenda Items

5. Adjourn

At the public hearing, any person shall be entitled to be heard regarding the subject of the public hearing.

If you require any auxiliary aids or services for communication, please call (954) 357-6634 so that arrangements can be made. The telephone device for the deaf (TDD) number is (954) 831-3940. Please request accommodations at least three (3) days in advance.

Please be advised that any person who decides to appeal any decision made by the LPA with respect to any matter considered at the public hearing will need a recording of the proceedings, and that for such purpose, will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice and advice that a record is required to appeal any decision is made pursuant to Section 286.0105, Florida Statutes.

Local Planning Agency Minutes 4-10-24



SUMMARY MINUTES
(DRAFT)

Resilient Environment Department Local Planning Agency
Public Hearing
Government Center West – 2nd Floor Hearing Room
1 North University Drive, Plantation, FL 33324
April 10, 2024

Attendance

Board Members Present

- a. Cyril Saiphoo, AICP, Chair
- b. Amede Dimonnay
- c. Javier Acevedo, AICP
- d. Michael Huneke
- e. Christian Dumay

Board Members Absent

- a. Glennika Gordon
- b. Angela Chin, AICP
- c. Lisa Wight

County Staff Present

Urban Planning Division

- a. Heather Cunniff, Planning Section Supervisor, AICP
- b. Darby Delsalle, Assistant Director, AICP
- c. Andy Joseph, Planner

County Attorney's Office

- a. Alexis Marrero-Koratich, Assistant County Attorney

Others Present

Joe Zasio
Jesse Scipio
Ruben D Bell
Francisco Rojo
Nicole Rojo

See attached sign-in sheet.

Agenda

1. Call to Order

Cyril Saiphoo, Chair, called the Local Planning Agency (LPA) meeting to order at 2:06 pm. He stated that the meeting is open to the public, notice of the meeting was published in the Sun-Sentinel, and a copy of the notice is on file with the Urban Planning Division. Attendees were advised that the meeting is being recorded. The LPA members introduced themselves.



SUMMARY MINUTES
(DRAFT)

2. Approval of Minutes: January 10, 2024

Upon a motion made by Michael Huneke, seconded by Javier Acevedo, the January 10, 2024 Local Planning Agency minutes were unanimously approved.

3. Chapter 39-Rezoning: 24-Z2: 17 NW 27th Avenue

Prior the item being introduced, Mr. Saiphoo stated he had worked on the item, would not participate in this portion of the meeting, and would not be voting on the item. Mr. Huneke took over as chair, introduced the item, and requested a staff presentation.

Heather Cunniff introduced herself. She stated that public notice was provided through publication in the Sun-Sentinel, mail, and sign posting. Ms. Cunniff stated the approximately 1.71-acre site is located in the Broward Municipal Services District Central County Community, on the west side of NW 27th Avenue, on the north side of NW 1st Street, on the east side of NW 27th Terrace, and south of NW 2nd Street. The site currently has two zoning districts, including RD-10: Duplex and attached one-family dwelling district, and B-3: Intense Commercial Business District. The applicant proposes to rezone the site from RD-10 and B-3 to GP-1: Garden Park Neighborhood District and GP-2: Garden Park Corridor District. Ms. Cunniff explained that the zoning code was amended in September of 2023 to add the Garden Park Districts; this site the first being considered for application of the new zoning districts.

The proposed rezoning allows an affordable senior living project that includes two buildings. A six (6) story building fronts NW 27th Avenue and a three (3) story building fronts NW 27th Terrace. Ms. Cunniff explained that the proposed rezoning implements and is consistent with Broward County Land Use Plan Policy 2.16.3, which allows allocation of residential density for projects that have an affordability component. Projects that implement Policy 2.16.3 do not require a future land use map amendment. Ms. Cunniff entered the written Staff Report into the record as part of the public hearing and noted it includes the full background and details.

Ms. Cunniff stated that staff reviewed the proposed rezoning based upon the criteria included in Broward County's Zoning Code and made the following findings:

- The proposed rezoning will:
 - Allow urban infill and redevelopment consistent with the intents and purposes of the GP-1 and GP-2 zoning districts;
 - Facilitate cohesive development of a multifamily affordable housing development, in which 80% of the units must be occupied by at least one person age 55 or older.
- The proposed rezoning is consistent with the goals, objectives, and policies of the Broward County Comprehensive Plan. Applicable policies are referenced in the Staff report and throughout the comments from the various review agencies.
- Any potential negative environmental impacts will be mitigated by compliance with various environmental licensing and permitting requirements.
- Infrastructure capacity is expected to be available to serve the site.
- The proposed rezoning is compatible with adjacent land uses because it allows a circumstance in which land uses or conditions can co-exist in relative proximity to each



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- other, in a stable fashion over time, such that no use or condition is unduly negatively impacted either directly or indirectly by another use or condition.
- The applicant's voluntary commitment to provide age-restricted, affordable housing units is subject to the execution and recordation of two (2) separate agreements with Broward County, acceptable to the County Attorney's Office, including:
 - a. One agreement that restricts the additional 100 dwelling units as low-income, affordable housing units for a period of 30 years;
 - b. A second agreement that designates at least 80% of the proposed units for residents 55 years of age or older.
 - Pursuant to Broward County Land Use Plan (BCLUP) Policy 2.16.3. residential density is subject to the following:
 - a. The portion of the site having the BCLUP Low-Medium (10) Residential future land use designation shall not exceed a residential density of fifty (50) dwelling units per acre.
 - b. The portion of the site having the BCLUP Commerce designation, shall not have a maximum density.
 - Projects certified as very low or low-income housing projects are eligible for 100% waiver of park impact and transportation concurrency fees.
 - Projects certified as low or very low may also be eligible for a waiver of school impact fees, up to \$50,000 per project, if approved by the School Board of Broward County.
 - To obtain the fee waiver, a Declaration of Restrictive Covenant for Affordable Housing must be applied to the property that ensure the rental units will be affordable for at least 30 years.

Ms. Cunniff stated that the Urban Planning Division recommends that the Local Planning Agency find the proposed rezoning is consistent with the Broward County Comprehensive Plan.

Mr. Huneke requested the applicant to make a presentation.

Nicole Rojo, Landmark Development, introduced herself. Ms. Rojo stated that a site plan application had not yet been submitted to the County. Ms. Rojo stated that the proposed development will provide senior housing. She also stated that the applicants have met with members of the Boulevard Gardens community on multiple occasions to discuss the project.

Mr. Huneke opened the item for public comment.

Francisco Rojo, Landmark Development, introduced himself. Mr. Rojo stated that while the project renderings are conceptual in nature, they represent the intent of the project. Mr. Rojo described the orientation of the proposed apartment buildings, stating that a six (6) story structure will front NW 27th Avenue, and a three (3) story building will front NW 27th Terrace. He stated that the renderings were shown to Boulevard Gardens residents.

Jesse Scipio, President of the Boulevard Gardens Homeowner's Association, asked for clarification about the duration of the restrictive covenant. Ms. Cunniff responded that the duration of the restrictive covenant would be at least thirty (30) years.



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Mr. Scipio asked the applicant how many units be affordable.

Mr. Rojo responded that all the units are intended to be affordable. He further stated that occupants of rental units will earn around eighty percent (80%) or less of the median income for Broward County. He also noted that ten percent (10%) of the units would be reserved for families earning under thirty-three percent (33%) of the median income.

Mr. Huneke requested comments from the LPA members.

Mr. Acevedo asked if the rezoning would additionally be transmitted as a Land Use Plan Amendment (LUPA) to the Florida Department of Economic Opportunity. Ms. Cunniff answered no, a LUPA is not required. The next step would be to forward the rezoning to the Board of County Commissioners. She noted that the Commission is tentatively scheduled to consider a resolution to set a public hearing on May 7, with the actual public hearing to be held on June 4.

Mr. Acevedo asked if the land use designation is proposed to change. Ms. Cunniff stated that the Broward County Land Use Plan allows this type of development and an amendment is not required.

Mr. Dimonnay requested further clarification of the affordable housing component of the project.

Mr. Rojo stated that all of the units are proposed to be affordable and that the rent cost would be far below market price. The funding needed for the project is contingent upon at least eighty percent (80%) of the units having at least one occupant aged fifty-five (55) or older.

Mr. Dimonnay asked if any correspondence has been made with the Broward County Planning Council. Ms. Rojo stated that she has been in contact with Dawn Teetsel of the Broward County Planning Council and confirmed that the proposed density could be achieved.

Christian Dumay asked if a platting determination has been received for the site.

Ms. Rojo does not believe a platting determination letter has been issued, but Landmark Development is currently in the process of corresponding with Broward County's Highway Construction & Engineering Division.

Upon a motion made by Javier Acevedo, seconded by Christian Dumay, and unanimously approved, the Local Planning Agency accepted public comments and approved the staff recommendation.

4. Public Comments: Non-Agenda Items
None.

5. Adjourn

Upon a motion made by Christian Dumay, seconded by Javier Acevedo, and unanimously approved, the meeting adjourned at 2:27pm.

24-Z3: Garden Park Code Update

Resilient Environment Department, Urban Planning Division

STAFF REPORT

Amendment 24-Z3: Garden Park Districts Code Update

I. Item Summary

Figure 1: Item Summary

Figure 1: Item Summary

Commission District	1, 2, 3, 5, 6, 7, 8, 9
Applicant/Agent	Urban Planning Division
Proposed modifications	Broward County Code of Ordinances, Chapter 39-Zoning, Article XL - Garden Park Districts.
Effect of Proposed Change	Clarifies and adds requirements consistent with the intent of the Garden Park districts.
Comprehensive Plan Consistency	Consistent <ul style="list-style-type: none"> • Broward Municipal Services District Element Policies BMSD 1.1.8, 1.1.9, and 4.1.4.

II. Staff Recommendation

The Urban Planning Division staff recommend the Resilient Environment Department Local Planning Agency (LPA) find the proposed ordinance consistent with the Broward County Comprehensive Plan.

III. Background.

The GP Districts are intended to emphasize urban form, facilitate multifamily residential and mixed-use development, and incorporate landscape features as much as possible. The GP Districts were adopted on September 19, 2023, and are designed to incentivize affordable housing and context-sensitive redevelopment along arterial and collector roadways within the Broward Municipal Services District (BMSD). Since that time, staff has worked with applicants who desire to rezone property to GP Districts. Through this work, staff identified changes that would better align the GP Districts with that intent. To enable such changes, the Board of County Commissioners (Board) directed the Office of County Attorney to draft an Ordinance to amend Article XL, Garden Park Districts on April 16, 2024. (Legistar 24-460, Agenda Item 41).

IV. Description of Amendment.

The proposed amendment makes minor updates and adjustments to Chapter 39-Zoning, Article XL - Garden Park Districts including, but not limited to, the following:

- Section 39-656. Development standards:
 - Decreases the minimum lot size in the GP-1 District from 4,800 to 4,000 square feet.

- Removes lot dimension standards.
- Clarifies that buildings within the GP-2 District can have up to six (6) stories in height consistent with the “Building Typology Type” and “Basic Illustrative Models...” found in sub-Sections 36-656(c)(1) and (2) respectively.
- Buildings and structures within fifty feet (50’) of property zoned RS-1 to RS-6 are limited to a maximum building height of thirty-five feet (35’).
- Buildings taller than thirty-five feet (35’) or three (3) stories that are contiguous to property zoned RS-1 to RS-6 require an eight feet (8’) step-back beginning on the third (3rd) floor of at least eight feet (8’).
- GP-2 properties contiguous to RS-1 to RS-6 shall have a minimum 10’ setback.
- Balconies are prohibited along facades that are contiguous to, and face, a property being used or is zoned for single family detached residential.
- Decreases the minimum required building frontage along arterial and collector roads from sixty percent (60%) to fifty percent (50%).
- Requires all building to have at least forty percent (40%) of the frontage along the build-to line.
- Changes the requirement that the façade of a building not occupy more than one hundred fifty feet (150’) of continuous frontage along any street, to the requirement that the continuous unarticulated façade of a building shall not occupy more than one hundred fifty feet (150’) of continuous frontage along any street.
- Changes the requirement that fences and walls be designed to ensure visibility from street frontage to the requirement that any permitted fences and walls be sited to ensure visibility between the building and the street frontages.
- Clarifies that railings and fencing constructed as part of a front patio or stoop are allowed, in addition to landings.
- Section 39-657. Parking:
 - Removes the requirement to provide at least one (1) offstreet parking space per residential unit consistent with the parking table that requires senior living facilities to provide at least 0.5 spaces per unit.
 - Requires parallel parking to include a landscape island for every three (3) contiguous parking spaces.
 - Increases the required roadway frontage that ground level parking may occupy on arterial or collector roads from thirty percent (30%) to thirty-five percent (35%).
- Section 39-658. Access.
 - Changes the requirement that traffic flow along NW 1st Street be eastbound only, by allowing the portion of NW 1st Street between NW 27th Avenue and NW 27th Terrace to be westbound only.
- Section 39-659. Landscaping.
 - Requires all landscaped areas, including those within the rights-of-way, to include irrigation systems with rain sensors.
 - Requires trees to be located within sidewalk cutouts that are covered by permeable surfaces.
 - Prohibits tree grates.
 - Requires development adjacent to local roads to provide a sidewalk/shared path that is eight feet (8’) to ten feet (10’) wide along the frontage, where possible.

- Allows easements to be required to achieve desired sidewalk width to accommodate landscaping within rights-of-way.

V. Data and Analysis. The Broward County Code of Ordinances, Chapter 39-Zoning, Section 39-24 provides for the Board to amend zoning regulations whenever the public necessity, convenience, general welfare, or good planning and zoning practice requires. It further provides that the Board of shall consider public input and the recommendations of staff in considering any ordinance amending the Zoning Code.

Staff conducted an analysis of the proposed amendment and finds the amendment is consistent with good planning and zoning practices in that it better aligns the intent of the GP districts. Staff further finds the proposed amendment is consistent with the Broward County Comprehensive Plan's Broward Municipal Services District Element Objective BMSD 2.1 and Policy BMSD 2.1.1 that are shown below.

- **OBJECTIVE BMSD 2.1 – Planning and Redevelopment** Broward County will continue to work with residents and business owners within the BMSD to improve the health, safety, and welfare, focusing on security, redevelopment, housing, transportation, education, open space and recreation, and local economic concerns.
- **POLICY BMSD 2.1.1** Broward County will manage development through land use, zoning, platting, site planning, permitting, and professional licensing and registration.

VI. Exhibits

- Exhibit 1: Staff Report.
- Exhibit 2: Proposed Ordinance.

PROPOSED

ORDINANCE NO.

1 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, PERTAINING TO THE GARDEN PARK DISTRICTS; AMENDING
3 VARIOUS SECTIONS OF CHAPTER 39 OF THE BROWARD COUNTY CODE OF
4 ORDINANCES ("CODE"), PROVIDING FOR REVISED DEVELOPMENT STANDARDS,
5 PARKING, ACCESS, AND LANDSCAPING REQUIREMENTS WITHIN THE GARDEN
6 PARK DISTRICTS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE,
7 AND AN EFFECTIVE DATE.

8 (Sponsored by the Board of County Commissioners)
9

10 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
11 BROWARD COUNTY, FLORIDA:

12 Section 1. Section 39-656 of the Broward County Code of Ordinances is hereby
13 amended to read as follows:

14 **Sec. 39-656. Development standards.**

15 (a) *Area requirements:*

16 (1) Lot size.

17 GP-1: Four thousand ~~eight hundred~~ (4,800 4,000) square feet (40'x120')
18 minimum

19 GP-2: No minimum

20 . . .

21 (d) *Maximum permitted height/stories.*

- 22 ...
- 23 (2) GP-2:
- 24 a. Buildings shall be at least two (2) stories and no more than
- 25 ~~five~~ six (5 6) stories.
- 26 b. Heights:
- 27 ...
- 28 2. Thirty-five foot (35') maximum height for any portion of a
- 29 buildings and structures within fifty feet (50') of a property
- 30 zoned RS-1 to RS-5 6.
- 31 3. Buildings greater than thirty-five feet (35') in height or
- 32 three (3) stories that are contiguous to a property zoned RS-1
- 33 to RS-5 6 shall have a step-back beginning on the third (~~3rd~~)
- 34 (3rd) story of at least eight feet (8').
- 35 ...
- 36 (e) *Setbacks and build-to line.*
- 37 ...
- 38 (3) Interior side yard setback:
- 39 ...
- 40 b. GP-2:
- 41 ...
- 42 2. If contiguous to GP-1 or RS-1 to RS-5 6, then shall be a
- 43 minimum of ten feet (10')₂.
- 44 (4) Allowable encroachments.

45 a. In GP-1, unenclosed covered front porches may encroach
46 eight feet (8') into the build-to line; steps shall not be counted for the
47 purposes of calculating the eight feet (8'). Balconies may encroach
48 five feet (5') into any required setbacks or build-to lines. Balconies
49 shall be prohibited along façades that are contiguous to, and face, a
50 property being used or zoned for use as a single family detached
51 residential property.

52 . . .

53 (g) *Building frontage.* Building frontages along arterial and collector roads shall
54 be a minimum of ~~sixty~~ fifty percent (~~60~~ 50%) of the width of the lot frontage, except as
55 required to provide for minimum requirements related to vehicular and pedestrian access
56 to and from the property; provided, however, that all buildings shall have at least
57 ~~fifty~~ forty percent (~~50~~ 40%) of the frontage along the build-to line.

58 (h) *Building size and mass.* Buildings shall be constructed as variable masses
59 with applied horizontal and vertical extrusions to create the desired building form.

60 (1) The continuous unarticulated façade of a building shall not occupy more
61 than one hundred fifty feet (150') of continuous frontage along any street.

62 . . .

63 (m) *Fencing.* Where permitted within a District, fencing and walls shall be
64 designed and sited to ensure visibility ~~from~~ between the building and street frontages,
65 while still providing the opportunity to secure property as further provided below.

66 . . .

67 (3) No portion of this section shall be construed to prohibit railing/fencing
68 ~~associated with~~ constructed as part of a front patio, stoop, or landing of a
69 residential unit. Such construction shall be consistent with permitted
70 materials.

71 . . .

72 Section 2. Section 39-657 of the Broward County Code of Ordinances is hereby
73 amended to read as follows:

74 **Sec. 39-657. Parking.**

75 Except as set forth herein, offstreet parking and loading shall be provided in
76 accordance with the standards set forth in Article XII of Chapter 39 of the Code.

77 (a) *Amount of parking.* The minimum parking shall be calculated according to
78 Section 39-228 of the Code, except as provided below:

79 . . .

80 It is the responsibility of the applicant to demonstrate the parking plan is in
81 compliance with the requirements of the Americans with Disabilities Act and this Code
82 including, but not limited to, the provision of sufficient offstreet parking for the business
83 operations, safe and efficient ingress and egress to the site, and adequate internal traffic
84 circulation. ~~At no point shall the number of offstreet parking spaces be fewer than one (1)~~
85 ~~space per residential unit, exclusive of any space(s) dedicated for nonresidential parking.~~

86 . . .

87 (e) *Parking dimensions.* Parking dimensions shall comply with Section 39-217
88 of the Code, except as provided herein:

89 . . .

90 (2) Parallel parking spaces (onsite or on-street) shall be a minimum of
91 seven feet (7') by twenty-two feet (22'), exclusive of the curb or drainage
92 valley, and drive aisles shall be a minimum of fifteen feet (15') wide. Parallel
93 parking shall include a minimum of one (1) landscape island for every
94 three (3) contiguous parking spaces.

95 . . .

96 (g) *Ground level parking, understory parking, and parking structures.* Ground
97 level parking or parking structures may constitute no more than
98 thirty-five percent (~~30~~ 35%) of a development's roadway frontage on an arterial or
99 collector road. Ground level parking and parking structures may front rights-of-way that
100 are less than forty feet (40') in width. All other parking structures and understory parking
101 shall only be permitted behind an active building liner with a minimum depth of
102 twenty feet (20') of habitable building space. Notwithstanding the foregoing, detached
103 single family homes shall be permitted to have a carport or enclosed garage that faces a
104 street.

105 Section 3. Section 39-658 of the Broward County Code of Ordinances is hereby
106 amended to read as follows:

107 **Sec. 39-658. Access.**

108 Except as provided herein, offstreet parking and loading shall be provided in
109 accordance with the standards set forth in Article XII of Chapter 39 of the Code.

110 (a) *Vehicular access.* Where the entire frontage between two (2) avenues along
111 NW 1st Street, inclusive of lots to the north and south, is being redeveloped, traffic flow
112 along NW 1st Street shall be limited to eastbound only, except for that portion between

113 NW 27th Avenue and 27th Terrace, which may be westbound only. All other areas within
114 the Districts shall have two-way traffic. Each development shall be permitted curb cuts as
115 provided below.

116 . . .

117 Section 4. Section 39-659 of the Broward County Code of Ordinances is hereby
118 amended to read as follows:

119 **Sec. 39-659. Landscaping.**

120 (a) *Required landscaping.* Except as provided in this section and where limited
121 by the regulations of this article, development shall comply with the requirements of
122 Article VIII of Chapter 39 of the Code to the greatest extent possible.

123 . . .

124 (3) All landscaped areas, including those within the rights-of-way, shall include
125 an irrigation system with a rain sensor.

126 . . .

127 (c) *Street trees.* Street trees (i.e., trees placed within a right-of-way) shall have
128 a minimum trunk caliper of five inches (5") and shall be spaced at a maximum of
129 twenty-five feet (25') average on center, unless integrated with parking or silva cells, or
130 similar technology is utilized. All required street trees shall be hardwood.

131 (1) Street trees shall be planted in one (1) or more of the following methods:

132 a. ~~Tree grates Sidewalk cutouts.~~ Sidewalk cutouts shall
133 mean areas where trees are planted within openings of the sidewalk.
134 Openings shall be covered by ~~permanently installed grates~~
135 permeable surfaces that may include, but are not limited to, brick

136 pavers, smoothed rock, or various resin bond surfaces, which are
137 flush with the sidewalk and perforated to permit natural irrigation or
138 similar technology. Tree grates shall be prohibited.

139 . . .

140 (3) Local roads. Where possible, developments adjacent to local roads shall
141 provide an eight-foot (8') to ten-foot (10') sidewalk along the frontage. An
142 easement may be required to achieve the desired sidewalk width in order
143 to accommodate landscaping within the rights-of-way.

144 Section 5. Severability.

145 If any portion of this Ordinance is determined by any court to be invalid, the invalid
146 portion will be stricken, and such striking will not affect the validity of the remainder of this
147 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
148 legally applied to any individual, group, entity, property, or circumstance, such
149 determination will not affect the applicability of this Ordinance to any other individual,
150 group, entity, property, or circumstance.

151 Section 6. Inclusion in the Broward County Code of Ordinances.

152 It is the intention of the Board of County Commissioners that the provisions of this
153 Ordinance become part of the Broward County Code of Ordinances as of the effective
154 date. The sections of this Ordinance may be renumbered or relettered and the word
155 "ordinance" may be changed to "section," "article," or such other appropriate word or
156 phrase to the extent necessary to accomplish such intention.

157 Section 7. Effective Date.

158 This Ordinance is effective as of the date provided by law.

ENACTED

PROPOSED

FILED WITH THE DEPARTMENT OF STATE

EFFECTIVE

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By: /s/ Alexis Marrero Koratich 05/02/2024
Alexis Marrero Koratich (date)
Assistant County Attorney

By: /s/ Maite Azcoitia 05/02/2024
Maite Azcoitia (date)
Deputy County Attorney

AIK/gmb
Garden Park Districts Amendment Ordinance
05/02/2024
#60049-0229

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.