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**WEEK IN REVIEW:**

Mon (Aug 3)	Tues (Aug 4)	Wed (Aug 5)	Thurs (Aug 6)	Fri (Aug 7)

## CALENDAR DETAILS:

August and September calendars are attached.



2015 Council  
Calendarb.pdf

## INFORMATION:

### **August 5 – CharMeck 311 Tenth Anniversary Celebration**

*Staff Resource: Janice Quintana, CharMeck 311, 704-432-4001, [jquintana@charlottenc.gov](mailto:jquintana@charlottenc.gov)*

On July 5, 2015, CharMeck 311, celebrated 10 years of service to the Charlotte community. The call center will officially celebrate the anniversary during an open house on Wednesday, August 5, 10 a.m. – 3:00 p.m. The facility will be open to tours for media and employee to learn more about 311's services, staff, and accomplishments. Janice Quintana, director of CharMeck 311, will be available for news interviews from 10:30 – 11 a.m. and 1 – 1:30 p.m.

The call center has responded to nearly 15 million service calls since it opened one decade ago and has been recognized for its service with the following awards:

- Citizen Engaged Community Designation (2012-2016) by the Public Technology Institute
- Solutions Award of Significant Achievement (2012-2013) by the Public Technology Institute
- Award of Excellence (2012) by 311 Synergy Group

The event will be held at the CharMeck 311 Call Center, 10101 Claude Freeman Drive, Suite 250W. A promotional flyer is attached.



311 Anniversary  
Invitation.pdf

### **2015 State Legislative Report #24**

*Staff Resource: Dana Fenton, City Manager's Office, 704-336-2009, [dfenton@charlottenc.gov](mailto:dfenton@charlottenc.gov)*

Attached is the latest State Legislative Report.



final week 24  
report.pdf

# August

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						<b>1</b>
<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>9</b>	<b>10</b> 3:00pm Transportation & Planning Committee Mtg., Room 280	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>
<b>16</b>	<b>17</b> 12:00pm Governance & Accountability Committee Mtg., Room 280	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>
<b>23</b>	<b>24</b> 12:00pm City Attorney 's Evaluation, Room CH-14  5:00pm Citizens' Forum/Council Business Meeting, Room 267	<b>25</b>	<b>26</b> 5:30pm MTC Meeting, Room 267	<b>27</b>	<b>28</b>	<b>29</b>
<b>30</b>	<b>31</b>					

**2015**

# September

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		<b>1</b>	<b>2</b>	<b>3</b> 12:00pm ED & Global Competitiveness Committee Mtg., Room CH-14	<b>4</b>	<b>5</b>
<b>6</b>	<b>7</b> Labor Day	<b>8</b>	<b>9</b> 12:00pm Housing & Neighborhood Dev. Committee Mtg., Room 280  2:00pm Environment Committee Mtg., Room 280	<b>10</b> 12:00pm Community Safety Committee Mtg., Room 280	<b>11</b>	<b>12</b>
<b>13</b>	<b>14</b> 3:00pm Transportation & Planning Committee Mtg., Room 280	<b>15</b>	<b>16</b>	<b>17</b> 12:00pm ED & Global Competitiveness Committee Mtg., Room CH-14  Chamber Retreat Asheville, NC	<b>18</b>	<b>19</b>
<b>20</b>	<b>21</b> 5:00pm Zoning Meeting, Room CH-14	<b>22</b>	<b>23</b> 12:00pm Housing & Neighborhood Dev. Committee Mtg., Room 280  5:30pm MTC Meeting, Room 267	<b>24</b> 12:00pm Transportation & Planning Committee Mtg., Room 280	<b>25</b>	<b>26</b>
<b>27</b>	<b>28</b> 12:00pm Governance & Accountability Committee Mtg., Room 280  5:00pm Citizens' Forum/Council Business Meeting, Room 267	<b>29</b>	<b>30</b>			
ICMA Conference Seattle, WA						
					<b>2015</b>	

YOU'RE INVITED

**10TH ANNIVERSARY  
OPEN HOUSE  
WEDNESDAY, 08.05.15  
10 AM - 3 PM**

CHARMECK 311 CALL CENTER  
10101 CLAUDE FREEMAN DR. - SUITE 250W



CELEBRATING 10 YEARS OF SERVICE  
AND NEARLY 15 MILLION CALLS  
SINCE JULY 5, 2005.





**CITY MANAGER'S OFFICE  
M E M O R A N D U M**

July 31, 2015

**TO:** Ron Carlee, City Manager  
Ron Kimble, Deputy City Manager

**FROM:** Dana Fenton, Intergovernmental Relations Manager

**SUBJECT:** 2015 State Legislative Report #24

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**Trending Topics**

**HB 97, 2015 Appropriations Act:**

- House-Senate committee of conference continued this week
- House Appropriations Committee held second public hearing on 7/29 to gather more input on Senate budget proposal

**HB 721, Subdivision Ordinance / Land Development Changes:**

- Senate amendments concurred by the House
- Sent to the Governor for signature

**SB 541, Regulate Transportation Network Companies:**

- SB 541 will be heard in House Transportation on Tuesday, 8/4

**State Budget**

**2015 Appropriations Act ([HB 97 – Dollar, L. Johnson, McGrady and Lambeth](#))** is being conferenced by the House and Senate. Conferees are concentrating upon State tax reform and Medicaid reform prior to deliberating other parts of the budget. House and Senate must agree on a budget before August 14 or a new continuing resolution will have to be passed to keep State government operating. Details on the Senate and House budget proposals, which include sales tax redistribution and economic development proposals, are attached to the report.

**Fiscal & Administrative**

**Exempt Builder's Inventory ([HB 168 – Hager, Millis, Brody and Collins](#))** would enact exemptions from local property taxes for: (1) commercial properties for the increase in value due to subdivision and other improvements made by the builder, with the exception of buildings erected on the property, for up to five years; and (2) residential properties for the increase in the

value of single family homes and duplexes that are held for sale by a builder, including the value of buildings, for up to three years. While eligible properties would receive exemptions from property taxes, local governments would still be required to provide services for these properties including fire and police.

HB 168 also broadens the definition of a “builder” by repealing the requirement that requires licensure as a general contractor under G.S. 87-1. HB 168 is effective for taxes imposed for taxable years beginning or after July 1, 2016, and it applies to subdivision of or other improvements made on or after July 1, 2015. HB 168 was reported favorably out of Senate Finance on 7/21 and will be calendared for a future Senate Appropriations/Base Budget Committee meeting prior to Senate floor debate.

HB 168 has been gaining attention in statewide media. When the bill was presented to the House Finance Committee, it was stated that the bill would lead to the construction of over 500 new houses across the State in 2016 that wouldn’t otherwise be built, thereby generating \$35 million in economic activity and creating more than 2,000 jobs. On the other side of the equation, the loss of local government property tax revenue is estimated at between \$53 million and \$66 million annually. Due to the net loss of \$18 million to \$31 million in revenue for local governments, opinion pieces have been published in the [Charlotte Observer](#), [Fayetteville Observer](#), [Salisbury Post](#) and [Asheville Citizen-Times](#) casting doubt on the advisability of the proposed exemptions.

**Repeal Business License Fees ([HB 739 – Brawley](#))** repeals authority for cities to charge a regulatory user fee to businesses that are located in cities, which would repeal local authority to charge specific regulatory user fees. That local authority is being considered by some cities as a replacement for the privilege license tax, which is the target of the sponsor. HB 739 passed the House and was referred to Senate Rules. Representative Brawley has agreed to work with the NC League of Municipalities and City of Charlotte on compromise language.

## **Regulatory Reform**

**Local Government Regulatory Reform Act 2015 ([HB 44 – Conrad, Lambeth, Hanes and Terry](#))** is now in a House-Senate committee of conference. Sections of interest to the City are notification to property owners prior to beginning local government construction projects, conversion of travel lanes to bike lanes, riparian buffer reform, and county control of development. City staff is working with the NC League of Municipalities and other local governments to minimize the unintended consequences to local governments from these sections.

**Regulatory Reform Act of 2015 ([HB 765 – McElraft](#))** is now in a House-Senate committee of conference. Sections of interest to the City include a new requirement for local governments undertaking water, wastewater and storm water construction to consider the use of all piping materials, which has been sought by PVC piping manufacturers. While the section requires local governments to “consider” all piping materials, the language will require local governments to document these decisions thereby adding another layer of bureaucracy to such decisions. HB 765 also substantially amends recycling requirements of discarded computer equipment and televisions by repealing the manufacturer’s fee that funds drop off centers for discarded

equipment but maintains the mandate that prohibits from dumping the equipment in landfills. The fiscal impact to the City of repeal of the manufacturer's fee is estimated at greater than \$100,000. City staff is working with the NC League of Municipalities and other local governments to minimize the unintended consequences to local governments from these sections.

### **Environmental & Planning**

**Outdoor Advertising ([HB 304 – Hager, Collins, J. Bell and Hanes](#) / [SB 320 – Brown, Rabon and Tarte](#))** preempts local authority with respect to the location, height and size of relocated signs and conversion to changeable message signs and replaces these with statewide standards. The legislation appears to open the door to relocating outdoor advertising from industrially zoned areas to commercially zoned areas and allowing such signs to be higher and larger than those allowed under existing local ordinance. HB 304 received serial referrals to House Commerce and Finance Committees, and SB 320 received serial referrals to Senate Commerce and Finance Committees.

**Subdivision Ordinance / Land Development Changes ([HB 721 – Bryan, Stam, Bishop and Bradford](#))** reforms local government performance guarantee practices. Representative Bryan worked with the NC League of Municipalities and City of Charlotte on technical amendments to HB 721 to minimize the possibility of unintended consequences to local land development practices. HB 721 amendments passed by the Senate were concurred by the House.

### **Public Safety**

**Rental Registration ([HB 530 – Brawley](#))** proposes substantial changes to the statutes enacted in 2011 allowing local governments to inspect buildings and structures and enact rental registration programs. HB 530 impacts the City's rental registration program in the following ways:

- Prohibits mandatory registration of all rental properties. City currently requires all owners to register their properties so that CMPD can inform them of when crime occurs on the property, regardless of whether any of their properties meet the crime or disorder thresholds enumerated in the legislation. Without a database of rental properties and owners, the City will not be able to comply with its own requirement that all owners or managers be notified of crimes that occur on their properties. HB 530 allow registration only for rental units that are in the top 4% of a locally adopted crime or disorder index.
- Prohibits local governments from imposing criminal penalties for noncompliance. Violation of the local ordinance is classified as a misdemeanor, which is only charged as a last resort for flagrant violators. By charging a misdemeanor, it triggers the judiciary to adjudicate the end result and affords due process to both the City and the owner or manager of the property.
- Requires local governments to establish an appeals board for owners of rental units to appeal actions taken against the owner by local governments. The City had such an appeals board in place that was abolished in favor of having the judiciary adjudicate such matters.

- Requires local governments to “... assist the landlord in addressing criminal activity, including testifying in court in a summary ejectment action or other matter to aid in evicting a tenant who has been charged with a crime.”

HB 530 was reported favorably from House Local Government and has serial referrals to the House Regulatory Reform and Finance Committees. The City is working with the primary sponsor Representative Brawley in tandem with other affected cities and the NC League of Municipalities.

**Regulate Transportation Network Companies ([SB 541 – Rabon and McKissick](#))** implements a statewide regulatory regimen for transportation network companies and drivers administered by the Department of Motor Vehicles in place of the current system of no regulation enacted in 2013. SB 541 addresses liability insurance requirements. SB 541 allows airport operators and transportation network companies to enter into agreements for the appropriate use of airport facilities. SB 541 requires that all drivers pass a “criminal background check”, including clearance through the Multi-State / Multi-Jurisdiction Criminal Records Locator and National Sex Offender Registry, before they start driving for the transportation network company. SB 541 passed the Senate and will be heard in House Transportation on Tuesday 8/4.

### **City Requested Legislation**

**Stormwater Management ([HB 141 – Jeter, Cotham, Cunningham, Bradford, Bryan, Carney, Earle and R. Moore](#))** authorizes municipalities in Mecklenburg, Wake, Durham, Forsyth and Guilford Counties to utilize the statutory authority extended to Mecklenburg and Wake Counties in 2014 to implement flood damage reduction techniques that result in improvements to private property. HB 141 passed the House and was referred to Senate Rules.

**COMPARISON OF HOUSE AND SENATE BUDGET PROPOSALS  
HB 97, EDITIONS 5 AND 7**

Key Sections	House	Senate
HB 97 Bill Text	<a href="#">Edition 5 Bill Text</a>	<a href="#">Edition 7 Bill Text</a>
HB 97 Committee Report	<a href="#">Committee Report</a>	<a href="#">Committee Report</a>
FY 2016 General Fund Expenditures	\$22.1 billion	\$21.5 billion
FY 2017 General Fund Expenditures	\$22.4 billion	\$21.5 billion
Earmarking of Year-End Revenues	\$200 million to rainy day fund \$200 million to repairs and renovations fund (Page 1 of Committee Report)	\$500 million to rainy day fund \$155 million to repairs and renovations fund (Page 1 of Committee Report)
Tax Reform (impacting State General Fund)	Not addressed	\$72.7 m tax reduction (FY16) \$421.1 m tax reduction (FY 17) (Page 1 of Committee Report) State Franchise Tax Rate Reduction (Section 32.15 of Budget) Individual Income Tax Rate Reductions and Itemized Deduction Changes (Section 32.16 of Budget)
Medicaid Reform	House prefers to deliberate this issue <u>outside</u> the budget process House passed <a href="#">HB 372, 2015 Medicaid Modernization</a> on June 23	Senate prefers to deliberate this issue <u>inside</u> the budget process Senate included Medicaid Reform in budget bill (Section 12H.24 of Budget)
	Both chambers support "... planning and reform of the Medicaid program to shift utilization risk from the State under a capitated model."	
Sales Tax Redistribution	See Page 4	
Film and Entertainment Grant Fund	\$40 million each year (L-2 of Committee Report)	\$10 million each year (L-2 of Committee Report)
Historic Preservation Tax Credit	Incorporates HB 152 passed by House (Section 32.3 of Budget)	Not addressed

**COMPARISON OF HOUSE AND SENATE BUDGET PROPOSALS  
HB 97, EDITIONS 5 AND 7**

<b>Key Sections</b>	<b>House</b>	<b>Senate</b>
Municipal Service Districts (MSDs)	Not addressed	Creates process for registered voters residing within MSDs to petition and vote as to whether to abolish districts 15% of registered voters living within a district is sufficient to place question on the ballot Property owners residing outside the district would not be eligible to vote in such a referendum (Section 15.16B, page 325 of Budget)
Compensation	2% for members of the Teachers and State Employees, Legislative, and Judicial Retirement Systems (Section 30.21 of Budget)	Reserves \$34 million to adjust salaries in response to labor market demand (L-1 of Committee Report)
\$215.8 million Highway Fund Transfer to General Fund for Highway Patrol	Maintains transfer (Page 1 of Committee Report)	Ends transfer (Page 1 of Committee Report, K-4 of Committee Report)
LYNX Blue Line Extension \$25 million State share for construction	Maintains funding (Page 532 of Recommended Base Budget for Transportation)	Maintains funding (Page 532 of Recommended Base Budget for Transportation)
State Maintenance Assistance Program for transit agencies	Maintains funding (Page 532 of Recommended Base Budget for Transportation)	Maintains funding (Page 532 of Recommended Base Budget for Transportation)
Statewide Public Transportation Grants	\$1 million more each year (K-2 of Committee Report)	\$1 million more each year (K-2 of Committee Report)
Powell Bill Program	Funding reduced by nearly \$7.7 million starting in the second year of the biennium FY 2017 due to lower motor fuels excise tax revenues; \$1 million fiscal impact to City in FY 2017 (K-1 of Committee Report)	Repeals statutory formula tying funding to 10.4% of motor fuels tax revenues Appropriates additional funding of \$1.2 million in FY 2016 and \$3.7 million in FY 2017 (K-1 of Committee Report, Section 29.17D of Budget)
Governor's Bond Proposal	Appropriates \$50 million as a debt service reserve if the Governor's proposed transportation bond proposal is passed by voters (K-6 of Committee Report)	Not addressed

**COMPARISON OF HOUSE AND SENATE BUDGET PROPOSALS  
HB 97, EDITIONS 5 AND 7**

Key Sections	House	Senate
Key Transportation Program Enhancements	Additional \$43.5 million recurring funds in FY 2016 for Strategic Transportation Investments, which is offset by \$22 million recurring reduction in FY 2017; Additional non-recurring funds of \$42.5 million in FY 2016 and \$120.5 million in FY 2017 for Contract Resurfacing program; Additional non-recurring funds of \$10.6 million in FY 2016 and \$30.1 million in FY 2017 for Ports Authority modernization; (K-2, K-4 and K-6 of Committee Report)	Additional \$167.2 million recurring in FY 2016 and \$171.9 million recurring in FY 2017 for Strategic Transportation Investments; Additional \$50 million recurring each year for Bridge Program; Additional \$35 million recurring each year for Pavement Preservation; Additional \$35 million recurring each year for Ports Authority modernization; (K-2, K-4 and K-6 of Committee Report)
Division of Motor Vehicle Fees	Across the board adjustments in Division of Motor Vehicles fees result in \$76.1 million in FY 2016 and \$172.2 million more in FY 2017 Effective January 1, 2016 (Section 29.30 of Budget, K-4 of Committee Report)	Across the board adjustments in Division of Motor Vehicles fees result in \$29.18 million in FY 2016 and \$76.99 million more in FY 2017 Effective January 1, 2016 (Section 29.30 of Budget, K-3 of Committee Report)
Motor Fuels Tax Rate	Raises rate for diesel fuel from 35 cents to 36 cents per gallon Lowers rate for all other fuels from 35 cents to 33 cents per gallon Lowers revenues available for transportation by \$30.5 million in 2016 and \$28.7 million in 2017 Changes effective 1/1/2016 (Section 29.29 of Budget)	Not addressed
Strategic Transportation Investment Act Amendments	Requires use of “peak average daily traffic data in the Congestion formula” which favors rural areas, and tends to move program away from a “data-driven” approach (Section 29.3 (a) of Budget)	Not addressed

**COMPARISON OF HOUSE AND SENATE BUDGET PROPOSALS  
HB 97, EDITIONS 5 AND 7**

Sales Tax Redistribution	House (HB 97, Edition 5)	Senate (HB 97, Edition 7)
State or Local Source of Revenue	House did not make any changes to current sales and use tax laws in its budget proposal	Maintains as Local Source of Revenue
Distribution Methods		FY 2016 – 75% Point of Collection / 25% Per Capita (Current Method) FY 2017 – 60% Point of Collection / 40% Per Capita FY 2018 – 45% Point of Collection / 55% Per Capita FY 2019 – 30% Point of Collection / 70% Per Capita FY 2020 – 20% Point of Collection / 80% Per Capita
Net new revenues for State from sales tax base expansion		FY 2016 – \$122.3 million FY 2017 – \$242.9 million FY 2018 – \$292.0 million FY 2019 – \$341.4 million FY 2020 – \$385.6 million
Net new revenues for local governments from sales tax base expansion		FY 2016 – \$49.7 million FY 2017 – \$100.1 million FY 2018 – \$120.6 million FY 2019 – \$141.5 million FY 2020 – \$162.4 million
Coefficients / Adjustment Factors		Eliminated
Distribution Methods between Cities and Counties		No change from current law
City Hold Harmless		No change from current law
Transit Sales Tax		Benefits from local sales tax base expansion; otherwise, no change from current law
Earmarking of New Revenues		Counties must use net proceeds from per capita allocation for public education and community colleges No restrictions cited for cities
Local Sales Tax Cap		Caps local sales tax rates at 2.5%, except for Durham and Orange Counties who are at 2.75%; Mecklenburg is already at cap of 2.5%

## COMPARISON OF HOUSE/SENATE ECONOMIC DEVELOPMENT PROPOSALS

COMPONENT	HOUSE (HB 117)	SENATE BUDGET (HB 97)
<b>JDIG</b>		
<b>Modification of annual JDIG cap</b>	One-time modification – collapse 2013-15 fiscal biennium and 7/1/15 to 12/31/15 into single period; increase cap from \$30M to \$45M for that period	One-time modification – collapse 2013-15 fiscal biennium and 7/1/15 to 12/31/15 into single period; increase cap from \$30M to \$35M for that period (\$50M, if high-yield project <sup>1</sup> (HYP) is awarded) Persistent modification – increase \$15M cap to \$30M in years when a HYP is awarded a grant
<b>Cap availability periods</b>	Calendar year	Semi-annual periods (unused portion rolls forward until end of calendar year)
<b>JDIG extension</b>	1/1/20	1/1/18
<b>Rebranding</b>	Yes – Job Growth Reimbursement Opportunities – People Program	No
<b>Modification to pre-requisite findings</b>	Yes – EIC must find for tier 3 projects that the affected local governments have offered appropriate incentives	
<b>Modification to minimum job creation requirement</b>	Yes – increase tier 3 job creation minimum from 20 to 50 created eligible positions	Yes – increase tier 1 from 10 to 20, tier 2 from 20 to 50, tier 3 from 20 to 100, and Major Market Community <sup>2</sup> (MMC) from 20 to 200
<b>Reporting change</b>	One-time report: study factors contributing to termination of JDIG grants, examining other state efforts/remedies re: underperformance	Annual report change: adds to the annual report a tier-itemized list of unaccepted, offered awards and the total value of the offers
<b>Utility Account diversion change</b>	Yes – increase diversion to UA from tier 3 areas from 25% to 30%	Yes, as follows: <ul style="list-style-type: none"> <li>• Decrease diversion to UA from MMC areas from 25% to 15%</li> <li>• Decrease diversion to UA from tier 3 areas from 25% to 10%</li> <li>• Decrease diversion to UA from tier 2 areas from 15% to 5%</li> <li>• For HYP, diversion is eliminated during augmented award periods</li> </ul>

<sup>1</sup> A high-yield project is one in which the business will invest at least \$750M in private funds and create at least 2,000 new jobs.

<sup>2</sup> A major market community is a county in which the average weekly wage for all insured private employers in the county is one of the three highest in the State. Currently, the 3 major market communities are Wake, Mecklenburg, and Durham Counties.

## COMPARISON OF HOUSE/SENATE ECONOMIC DEVELOPMENT PROPOSALS

COMPONENT	HOUSE (HB 117)	SENATE BUDGET (HB 97)
<b>Multi-location modification</b>	No	Yes – use higher tier standards except for UA diversion where a tier 3/MMC project is also located in a tier 1/2 area and at least 66% of the created positions or benefits goes to the lower tier area, then use the UA diversion applicable to the lower tier area.
<b>Clawback modifications</b>	Yes – convert discretionary recapture provision to mandatory recapture provision if business fails to maintain operations for 150% of grant term	
<b>Employment level maintenance comparison modification</b>	Yes – changes the baseline from the year immediately preceding base period to the greater of employment at date of application or award	
<b>Create wage standard</b>	No	Yes – business must pay a percentage of average weekly wage for all insured private employers in the county equal to 100% for tier 1, 105% for tier 2, 110% for tier 3, and 120% for MMC.
<b>Term modification</b>	No	Yes – for HYP, limit is increased by 8 years during augmented award periods
<b>JDIG withholding calculation modification</b>	No	Yes – change from flat 75% to 80% for tier 1, 70% for tier 2, 60% for tier 3, 50% for MMC, and 100% for HYP during augmented award periods
<b>One NC</b>		
<b>Rebranding</b>	Job Growth Reimbursement Opportunities – Capital Program	No
<b>Local Match Modification</b>	No	Yes – change from flat 1:1 to a tiered 3:1 for tier 1, 2:1 for tier 2, 1:1 for tier 3, and 1:2 for MMCs
<b>SIDF</b>		
<b>Rebranding</b>	Site Acceleration Fund	No
<b>Funding</b>	\$20M from Job Catalyst Fund	\$13M GF appropriation
<b>Utility Account</b>		
<b>Use Modification</b>	Increase permissible uses from creating jobs to creating and retaining jobs	No