BCC Mtg. Date: December 3, 2019



October 22, 2019

Phil Diamond
Orange County Comptroller
P.O. Box 38
Orlando, FL 32802

Re: City of Orlando Ordinance No. 2019-51

Dear Comptroller Diamond:

Pursuant to section 171.044, Florida Statutes, the City Council of the City of Orlando, Florida adopted Ordinance No. 2019-51 annexing certain land into the corporate limits of the City of Orlando. The City is required to furnish a copy of the ordinance to the Orange County Chief Administrative Officer and the Orange County Clerk of Court, which has been done.

The enclosed copy is intended for the files of the Orange County Board of County Commissioners and not for recording in the Official Records.

Sincerely yours,

Derive aldridge
Denise Aldridge

City Clerk

Enclosure

Received by: Clerk of BCC

Community Environmental & Development Services Director Jon Welss
Planning Division Manager Alberto Vargas

CITY OF ORLANDO COUNCIL AGENDA ITEM

H10 2000

Items Types:

Hearings/Ordinances/2nd Read

District: 4
Contract ID:

Exhibits: Yes

Grant Received by City?: No

For Meeting of:

October 21, 2019

From:

Document Number:

On File (City Clerk): Yes

Draft Only: No

Subject:

Ordinance No. 2019-51 annexing the subject property, assigning the Office Low Intensity Future Land Use designation, and assigning initial zoning of Low Intensity Office-Residential with Specially Planned Area Overlay district for Orange/Michigan Special Plan to property at 2900 S. Delaney Street.(Economic Development)

Summary:

Ordinance No. 2019-51 will annex to the City of Orlando the property at 2900 S. Delaney Street, assign Office Low Intensity (OFFICE-LOW) as Future Land Use designation and initial zoning of Low Intensity Office-Residential with Specially Planned Area Overlay district for Orange/Michigan Special Plan (O-1/SP). The property locates north of Oak Estates Drive, east of South Orange Avenue, South of E. Pineloch Avenue and West of S. Osceola Avenue, and comprised of approximately 0.34 acres. Annexation is being requested to allow for the future development of townhomes.

The Municipal Planning Board recommended approval of the annexation (ANX2018-10022) the GMP amendment to assign Office Low Intensity (OFFICE-LOW) as future land use designation (GMP2018-10039) and the initial zoning of Low Intensity Office-Residential with Specially Planned Area Overlay district for Orange/Michigan Special Plan (O-1/SP) (ZON2018-10035) on August 20, 2019. The First Reading of the Ordinance was heard on October 7, 2019 at the City Council meeting.

Fiscal & Efficiency Data: See attached.

Recommended Action:

Adopted the attached ordinance number 2019-51 and authorized the Mayor and City Clerk or Major Pre Tempore and City Clerk to execute on behalf of the City upon final review and approval by the City Attorney.

Agenda Item attachment(s) on file in the City Clerks Office.

Note: All agenda items must be in the City Clerk's office by Noon Friday, six(6) business days prior to the regular Monday City Council meeting.

Contact: Yolanda Ortiz; Planner I; yolanda.ortiz@orlando.gov; 407-246-3792 and Melissa C. Clarke

Approved By:

Department

Budget Outside Routing Approval City Clerk **Date and Time** 10/10/2019 9:53 AM

10/10/2019 9:53 AM 10/10/2019 11:02 AM

City Council Meeting: 10-21-19

Item: 12-2 Documentary: 1910211202

ATTACHMENTS:			
Name:	Description:	Type:	
Exhibit A Legal Description 2900 S Delaney St.pdf	Exhibit A Legal Description	Backup Material	
LOCATION MAP 2900 S Delaney Street.pdf	Exhibit B Location Map	Backup Material	
EXHIBIT C- FLU MAP 2900 S Delaney St.pdf	Exhibit C FLU Map	Backup Material	
C) EXHIBIT D- ZONING MAP 2900 S Delaney St.pdf	Exhibit D Zoning Map	Backup Material	
ORD2019-51 2900 S. Delaney Street ANX- GMP-ZON.pdf	Ordinance 2019-51	Backup Material	
CAI Fiscal Impact Statement- 2900 S Delaney Street.pdf	FIS Delaney	Fiscal Impact Statement	

[&]quot;Enhance the quality of life in the City by delivering public services in a knowledgeable, responsive and financially responsible manner."

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BCC Mtg. Date: December 3, 2019

ORDINANCE NO. 2019-51

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY ORLANDO. FLORIDA. ANNEXING CORPORATE LIMITS OF THE CITY CERTAIN LAND GENERALLY LOCATED NORTH OF OAK ESTATES DRIVE, EAST OF SOUTH ORANGE AVENUE, SOUTH OF E. PINELOCH AVENUE AND WEST OF S.OSCEOLA AVENUE, AND COMPRISED OF 0.34 ACRES OF LAND, MORE OR LESS. AND AMENDING THE CITY'S BOUNDARY DESCRIPTION; AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN **DESIGNATE** THE **PROPERTY** AS **OFFICE-LOW** INTENSITY ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS: DESIGNATING THE PROPERTY AS THE LOW INTENSITY OFFICE RESIDENTIAL WITH THE SPECIALLY PLANNED AREA OVERLAY DISTRICT FOR ORANGE AND MICHIGAN SPECIAL PLAN AREA ON THE CITY'S OFFICIAL ZONING MAPS: PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND **PROVIDING** USE AND ZONING MAPS; SEVERABILITY, CORRECTION **OF** SCRIVENER'S ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE DATE.

WHEREAS, on August 12, 2019, the City Council of the City of Orlando, Florida (the "Orlando City Council"), accepted a petition for voluntary annexation (hereinafter the "petition") bearing the signatures of all owners of property in an area of land generally located north of Oak Estates Drive; east of S. Orange Avenue, south of E. Pineloch Avenue, and west of S. Osceola Avenue, comprised of approximately 0.34 acres of land and being precisely described by the legal description of the area by metes and bounds attached to this ordinance as Exhibit A (hereinafter the "property"); and

WHEREAS, the petition was filed with the Orlando City Council pursuant to section 171.044, Florida Statutes; and

WHEREAS, at its regularly scheduled meeting of August 20, 2019, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"), considered the following applications relating to the property:

- Annexation case number ANX2018-10022 requesting to annex the property into the jurisdictional boundaries of the city; and
- Growth Management Plan (hereinafter the "GMP") case number GMP2018-10039 requesting an amendment to the city's GMP to designate the property as Office-Low Intensity on the City's official future land use map; and

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 Zoning case number ZON2018-10035 requesting to designate the property as the "Low Intensity Office-Residential District" with the Specially Planned Area Overlay district for Orange and Michigan Special Plan Area (O-1/SP) on the City's official zoning maps (together, hereinafter referred to as the "applications"); and

WHEREAS, based upon the evidence presented to the MPB, including the information and analysis contained in the "Staff Report to the Municipal Planning Board" for application case numbers ANX2018-10022, GMP2018-10039, and ZON2018-10035 (entitled "Item #1 – 2900 Delaney Street"), the MPB recommended that the Orlando City Council approve said applications and adopt an ordinance or ordinances in accordance therewith; and

WHEREAS, the MPB found that application GMP2018-10039 is consistent with:

- The State Comprehensive Plan as provided at Chapter 187, Florida Statutes (the "State Comprehensive Plan"); and
- The East Central Florida 2060 Plan adopted by the East Central Florida Regional Planning Council pursuant to sections 186.507 and 186.508, Florida Statutes (the "Strategic Regional Policy Plan"); and
- 3. The City of Orlando Growth Management Plan, adopted as the city's "comprehensive plan" for purposes of the Florida Community Planning Act, sections 163.3164 through 163.3217, Florida Statutes (the "GMP"); and

WHEREAS, the MPB found that application ZON2018-10035 is consistent with:

- 1. The GMP; and
- 2. The City of Orlando Land Development Code, Chapters 58 through 68, Code of the City of Orlando, Florida (the "LDC"); and

WHEREAS, sections 3 and 4 of this ordinance are adopted pursuant to the "process for adoption of small-scale comprehensive plan amendment" as provided by section 163.3187, Florida Statutes; and

WHEREAS, the Orlando City Council hereby finds that:

1. As of the date of the petition, the property was located in the unincorporated area of Orange County; and

88	2.	As of the date of the petition, the property is contiguous to the city within the
89		meaning of subsection 171.031(11), Florida Statutes; and
90		
91	3.	As of the date of the petition, the property is reasonably compact within the
92		meaning of subsection 171.031(12), Florida Statutes; and
93		
94	4.	The petition bears the signatures of all owners of property in the area to be
95		annexed; and
96	_	Approvation of the property will not recult in the greation of analyses within the
97	ົ່ວ.	Annexation of the property will not result in the creation of enclaves within the
98		meaning of subsection 171.031(13), Florida Statutes; and
99	6	The property is located wholly within the boundaries of a single county; and
100 101	0.	The property is located wholly within the boundaries of a single county, and
101	7	The petition proposes an annexation that is consistent with the purpose of
102	/.	ensuring sound urban development and accommodation to growth; and
103		ensuming sound diban development and accommodation to growth, and
105	8	The petition, this ordinance, and the procedures leading to the adoption of
106	0.	this ordinance are consistent with the uniform legislative standards provided
107		by the Florida Municipal Annexation and Contraction Act for the adjustment of
108		municipal boundaries; and
109		Than open boardanes, and
110	9.	The petition proposes an annexation that is consistent with the purpose of
111		ensuring the efficient provision of urban services to areas that become urban
112		in character within the meaning of section 171.021, Florida Statutes; and
113		, , , , , , , , , , , , , , , , , , , ,
114	10	The petition proposes an annexation that is consistent with the purpose of
115		ensuring that areas are not annexed unless municipal services can be
116		provided to those areas; and
117		
118	W	HEREAS, the Orlando City Council hereby finds that this ordinance is in the
119	best intere	est of the public health, safety, and welfare, and is consistent with the
120	applicable	provisions of Florida Statutes, the State Comprehensive Plan, the Strategic
121	Regional F	Policy Plan, and the City's GMP and LDC.
122		
123	NC	OW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY
124	OF ORLA	NDO, FLORIDA, AS FOLLOWS:
125		
126	SECTION 1. ANNEXATION. Pursuant to the authority granted by section	
127	171.044, Florida Statutes, and having determined that the owner or owners of the	
128	property have petitioned the Orlando City Council for annexation into the corporate limits	
129	of the city, and having determined that the petition bears the signatures of all owners of	
130	property in the area proposed to be annexed, and having made the findings set forth in	

this ordinance, the property is hereby annexed into the corporate limits of the City of Orlando, Florida, and the boundary lines of the City are hereby redefined to include the property. In accordance with subsection 171.044(3), Florida Statutes, the annexed area is clearly shown on the map attached to this ordinance as Exhibit B .
SECTION 2. CITY BOUNDARIES. Pursuant to section 171.091, Florida Statutes, the charter boundary article of the city is hereby revised in accordance with this ordinance. The city clerk, or designee, is hereby directed to file this ordinance as a revision of the City Charter with the Florida Department of State. The city planning official, or designee, is hereby directed to amend the city's official maps in accordance with this ordinance.
SECTION 3. FLUM DESIGNATION. Pursuant to section 163.3187, Florida Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land Use Map designation for the Property is hereby established as "Office-Low Intensity" as depicted in Exhibit C to this ordinance.
SECTION 4. AMENDMENT OF FLUM. The city planning official, or designee, is hereby directed to amend the city's adopted future land use maps in accordance with this ordinance.
SECTION 5. ZONING DESIGNATION. Pursuant to the LDC, the zoning designation for the property is hereby established as the "Office-Low Intensity" district with the Specially Planned Area overlay district for Orange and Michigan Special Plan Area (denoted on the city's official zoning maps as the "O-1/SP" district), as depicted in Exhibit D to this ordinance.
SECTION 6. AMENDMENT OF OFFICIAL ZONING MAP. The city zoning official, or designee, is hereby directed to amend the city's official zoning maps in accordance with this ordinance.
SECTION 7. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.
SECTION 8. SCRIVENER'S ERROR. The city attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the city clerk.
SECTION 9. DISCLAIMER. As provided by subsection 166.033(5), Florida Statutes, issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and

74	does not create any liability on the part of the municipality for issuance of the permit if		
75	the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a		
76	state or federal agency or undertakes actions that result in a violation of state or federal		
77	law. In accordance with subsection 166.033(5), Florida Statutes, it is hereby made a		
78	condition of this ordinance that all other applicable state or federal permits be obtained		
79	before commencement of the development.		
80	F		
81	SECTION 10. EFFECTIVE DATE. This ordinance is effective upon adoption,		
82	except for sections one and two, which take effect on the 30 th day after adoption, and		
183	sections three, four, five and six, which take effect on the 31st day after adoption unless		
84	this ordinance is lawfully challenged pursuant to subsection 163.3187(5), Florida		
85			
186	Statutes, in which case sections three, four, five and six shall not be effective until the		
187	state land planning agency or the Administration Commission issues a final order		
	declaring this ordinance "in compliance" as defined at sections 163.3184(1)(b) and		
188	163.3187(5)(d), Florida Statutes.		
189	DONE, THE FIRST PUBLIC NOTICE, in a newspaper of general circulation in		
190	, , , , , , , , , , , , , , , , , , , ,		
191	the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this		
192			
193	DONE THE FIRST DEADING by the City Council of the City of Orlands		
194	DONE, THE FIRST READING, by the City Council of the City of Orlando,		
195	Florida, at a regular meeting, this, day of, 2019.		
196	DONE THE GEOONE BURLIO NOTICE is a server of second circulation in		
197	DONE, THE SECOND PUBLIC NOTICE, in a newspaper of general circulation in		
198	the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this		
199	13 day of <u>OCTOBET</u> , 2019.		
200	DONE THE GEOGRAP DEADING A DUBLIC HEADING AND ENACTED ON		
201	DONE, THE SECOND READING, A PUBLIC HEARING, AND ENACTED ON		
202	FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City		
203	Council of the City of Orlando, Florida, at a regular meeting, this 2(day of		
204	<u>остовел</u> , 2019.		
205 206	BY THE MAYOR OF THE CITY OF		
207	ORLANDO, ENORIDA:		
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209	Bulle Wyle		
210	Mayor		
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219 220 221	ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA:
222	Derise aldridge
223 224	City Clerk
225	Denise Aldridge
226 227	Print Name
228	
229 230	APPROVED AS TO FORM AND LEGALITY
231	FOR THE USE AND RELIANCE OF THE
232 233	CITY OF ORLANDO, FLORIDA:
233 (Kelisa Clarke
235	Assistant City Attorney
236 237	Molissa Clarke
238	Print Name
239 240	**[Remainder of page intentionally left blank]**

City Council Meeting: 10-21-19Item: 12-2 Documentary: 1910211202



VERIFIED LEGAL DESCRIPTION FORM

1

The following legal description has been prepared by	
Teresa Chadwich	
and submitted to the City Planning Division for verifica- tion.	
27 Chadwich	
Signature	
Date (0-24-19)	
Application Request (Office Use Only)	File No.
	ANX2018-10022
Annexation 2900 S. Delaney Street	GMP2018-10039
	ZON2018-10035

Legal Description Including Acreage (To be typed by Applicant):

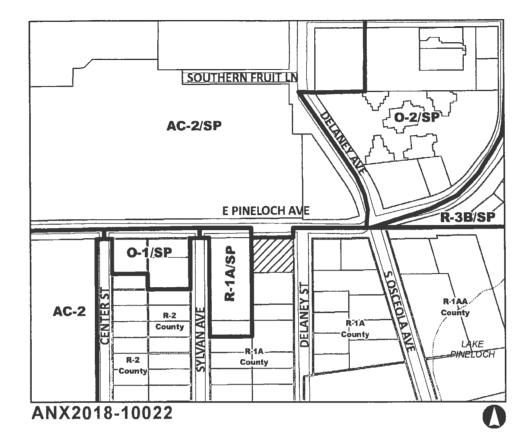
LEGAL DESCRIPTION

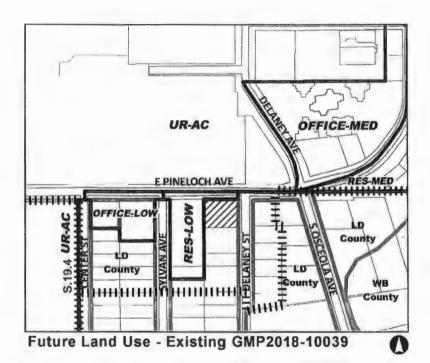
LOTS 1 AND 2, BLOCK A, FOREST PINES, AS RECORDED IN PLAT HOOK O, PAGE 67, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

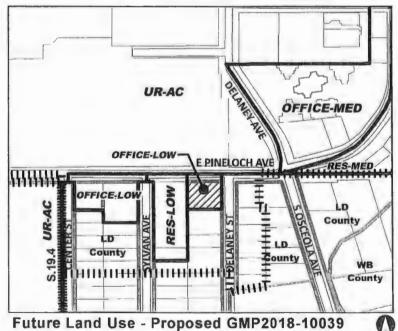
COMMENCE AT THE NORTHWEST CORNER OF LOT 1, BEING A POINT ON THE SOUTH RIGHT OF WAY LINE OF PINELOCH AVENUE (50.00' RIGHT OF WAY) AND THE POINT OF BEGINNING:

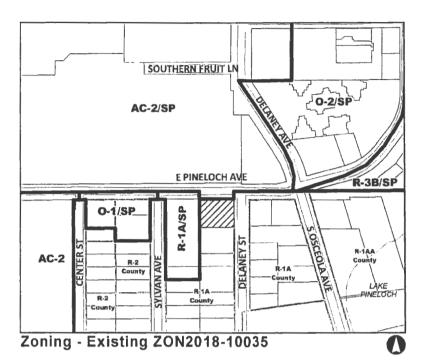
THENCE N88'31'24"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 135.01 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF DELANEY STREET (60.00' RIGHT OF WAY); THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE PROCEED SO'15'05"E ALONG THE SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 110.07 FEET TO THE SOUTH BOUNDARY LINE OF SAID LOT 2; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE PROCEED 380'31'30"W ALONG SAID SOUTH BOUNDARY LINE A DISTANCE OF 139.01 FEET TO THE WEST BOUNDARY LINE OF SAID LOT 2; THENCE DEPARTING SAID SOUTH BOUNDARY LINE OF SAID LOT 2; THENCE DEPARTING SAID SOUTH BOUNDARY LINE PROCEED NO'15'07"W ALONG SAID WEST BOUNDARY LINE A DISTANCE OF 110.07 FEET TO THE POINT OF BEGINNING.

LOCATION MAP- 2900 S. Delaney Street











Orlando Sentinel

Published Daily ORANGE County, Florida

State Of Florida County Of Orange

Before the undersigned authority personally appeared Aracelis Crespo / Marella Green, who on oath says that he or she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published at the ORLANDO SENTINEL in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of 11150-Public Hearing Notice, October 21, 2019 at 2:00 p.m., Ordinance Number 2019-51 was published in said newspaper in the issues of Oct 06, 2019; Oct 13, 2019.

Affiant further says that the said ORLANDO SENTINEL is a newspaper Published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, in said ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Aracelis Crespo / Marella Green

Marella Heen

Name of Affiant

Sworn to and subscribed before me on this 14 day of October, 2019, by above Affiant, who is personally known to me (X) or who has produced identification ().

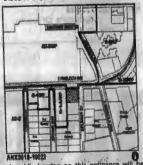
Signature of Notary Public

CHERYL ALLI
MY COMMISSION # FF940044
EXPIRES November 30 2019
Florida Notary Service.com

Name of Notary, Typed, Printed, or Stamped

Notice of Proposed Enectmin

ON Monday, October 21, 2019, the Orlando City Council will consider proposed Ordinance 2019-51, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, ANNEXING TO THE CORPORATE LIMITS OF THE CITY CERTAIN LAND GENERALLY LOCATED NORTH OF DAK ESTATES DRIVE, EAST OF SOUTH ORANGE AVENUE, SOUTH OF E. PINELOCH AVENUE AND WEST OF S.OSCEOLA AVENUE, AND COMPRISED OF 0.34 ACRES OF LAND, MORE OR LESS, AND AMENDING THE CITY'S BOUNDARY DESCRIPTION; AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN TO DESIGNATE THE PROPERTY AS PLAN TO DESIGNATE THE PROPERTY OF THE CITY'S OFFICE-LOW INTENSITY ON THE CITY'S MAPS; OFFICE-LOW INTENSITY ON THE CITY'S
OFFICIAL FUTURE LAND USE MAPS;
DESIGNATING THE PROPERTY AS THE LOW
INTENSITY OFFICE RESIDENTIAL WITH THE
SPECIALLY PLANNED AREA OVERLAY
DISTRICT FOR ORANGE AND MICHIGAN
SPECIAL PLAN AREA ON THE CITY'S OFFICIAL
COMING ZONING MAPS; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE AND ZONING MAPS; PROVIDING FOR SEVERABILITY, CORRECTION FRRORS SCRIVENER'S DISCLAIMER, AND AN EFFECTIVE DATE.



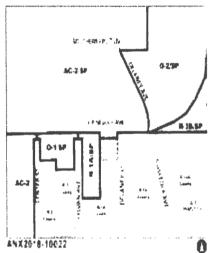
A public hearing on this ordinance will held during Council's regular beginning at 2:00 p.m., in Council Chambers, 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida, Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. If a person decides to appeal any decision made by Council with respect to any matter considered at the hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The proposed ordinance and a complete Jegal description by metes and bounds of the area proposed for annexation may be inspected by the public at the Office of the City Clerk located on the 2nd floor of Orlando City Hall, 400 S. Orange Avenue, Orlando, Elorida. Qualified persons with disabilities needing auxiliary aid or service, or other assistance, so they can participate equally in this meeting should contact the Office of the City Clerk at (407) 246-2251 as soon as possible but no later than 48 hours before the meeting.

056454238

10/6, 10/13/2019

Notice of Proposed Enactment

ON Monday, October 21, 2019, the Orlando City Council will consider proposed Ordinance 2019-51, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA ANNEXING TO THE CORPORATE LIMITS OF THE CITY CERTAIN LAND GENERALLY LOCATED NORTH OF OAK ESTATES DRIVE, EAST OF SOUTH ORANGE AVENUE, SOUTH OF E. PINELOCH AVENUE AND WEST OF S.OSCEOLA AVENUE, AND COMPRISED OF 0.34 ACRES OF LAND, MORE OR LESS, AND AMENDING THE CITY'S BOUNDARY DESCRIPTION, AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN TO DESIGNATE THE PROPERTY AS OFFICE-LOW INTENSITY ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS; DESIGNATING THE PROPERTY AS THE LOW INTENSITY OFFICE RESIDENTIAL WITH THE SPECIALLY PLANNED AREA OVERLAY DISTRICT FOR ORANGE AND MICHIGAN SPECIAL PLAN AREA ON THE CITY'S OFFICIAL ZONING MAPS: PROVIDING AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE AND ZONING MAPS; PROVIDING FOR SEVERABILITY, CORRECTION SCRIVENER'S ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE DATE



A public hearing on this ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in Council Chambers, 2nd floor, Orlando City Half, 400 S. Orange Ave., Orlando, Florida, Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. If a person decides to appeal any decision made by Council with respect to any matter considered at the hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes