

ORDINANCE NO. 2023-xxxx

**AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 172,
CITY OF ORANGE BEACH ZONING ORDINANCE,
THREE T'S RESTAURANT & WAREHOUSE
CONDITIONAL USE APPROVAL
(#0304-CU-23)**

FINDINGS:

1. The following proposed amendment to the City of Orange Beach Zoning Ordinance has been heard and considered by the Orange Beach Planning Commission in Public Session after the required public advertisement period.
2. The City Council of the City of Orange has held the required Public Hearing after the required public advertisement period concerning the proposed amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGE BEACH, ALABAMA, AS FOLLOWS:

1. That the Zoning Ordinance of the City of Orange Beach as previously amended is hereby further amended to allow conditional use of property located at 25431 Canal Road zoned General Business (GB) for the purpose of constructing a commercial development consisting of a 7,200-SF restaurant and 20,800-SF warehouse, pursuant to the application #0304-CU-23 on file with the Department of Community Development;
2. That approval of this major modification is contingent upon the conditions recommended by staff and Planning Commission as follows:
 - a. Provision of a right-in, right-out driveway onto Canal Road instead of a full-movement driveway;
 - b. Provision of written confirmation from the solid waste collection service provider stating approval of the proposed dumpster location;
 - c. Adherence to Section 10.02 of the Zoning Ordinance disallowing metal exterior siding;
 - d. Proper shielding of exterior lights so as not to adversely impact the residential properties to the east and west;
 - e. Acquisition of an ALDOT Turn-Out Permit prior to site permitting; and
 - f. Finished floor elevations of the proposed buildings must be a minimum of one foot above the centerline of the adjacent street, or an administrative waiver must be obtained from the Community Development Department prior to site permitting.
3. That all ordinances or parts of ordinances in conflict are, to the extent of such conflict, repealed; and
4. That this Ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED THIS 21st DAY OF MARCH, 2023.

Renee Eberly
City Clerk

The City Clerk of the City of Orange Beach, Alabama hereby certifies that the foregoing ORDINANCE 2023-xxxx was posted on _____ in the following three

(3) public places:

Orange Beach City Hall _____

Orange Beach Post Office _____

Orange Beach Public Library _____

Renee Eberly, City Clerk