

**ORDINANCE NO. 2012-1142**

**AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 172  
CITY OF ORANGE BEACH ZONING ORDINANCE –  
PHOENIX WEST II  
PLANNED UNIT DEVELOPMENT MODIFICATION  
(#1201-PUDA-11)**

**WHEREAS**, the following proposed amendment to the City of Orange Beach Zoning Ordinance has been heard and considered by the Orange Beach City Council in Public Session after the required public advertisement period.

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Orange Beach, Alabama, as follows:


**SECTION 1:**

That the Zoning Ordinance of the City of Orange Beach as previously amended is hereby further amended as the following modifications to (1) Brett Robinson to fund and construct signalized pedestrian crosswalk at state road 182 and Power Line road, subject to approval by ALDOT; and (2) Brett Robinson to dedicate an improved public beach access along the west side of the property as shown on the PUD master plan; to relocate public restrooms at an agreed upon location; all maintenance to be performed by Brett Robinson; restrooms to be open during daylight hours; and (3) Brett Robinson to dedicate an additional 20-foot, pervious, improved, public-vehicular access for City emergency and maintenance vehicles to be located along the east property line; (4) Brett Robinson to pay to the City an amount equal to the impact fee for a 358 unit condominium development (\$4,280 per unit) as required by Article VI, Section 42-507 of the Code of Ordinances of the City of Orange Beach, such amount totaling \$1,532,242 dollars shall be due at the time of issuance of the Certificate of Occupancy; and (5) Brett Robinson to donate \$500,000 to the Back Country Trail Foundation to be used to connect the signalized crosswalk to Rosemary Dunes for the use and benefit of the residents and visitors of Orange Beach.

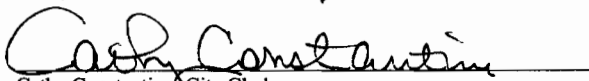
**SECTION 2:**

This Ordinance shall become effective immediately upon its adoption and publication as required by law.

**APPROVED and ADOPTED** this 3<sup>rd</sup> day of April, 2012.

  
Cathy Constantino, MMC  
City Clerk

The City Clerk of the City of Orange Beach, Alabama hereby certifies that the foregoing Ordinance 2012-1142 was posted on 4/16/2012 in the following three (3) public places:  
Orange Beach City Hall \_\_\_\_\_  
Orange Beach Post Office \_\_\_\_\_  
Orange Beach Public Library \_\_\_\_\_

  
Cathy Constantino, City Clerk