



Conditional Use Permit Application

CBD Shops

P.O. Box 1479, Pelham, Alabama 35124 | 205.620.6543

sproctor@pelhamalabama.gov

APPLICANT: _____ PHONE: _____

ADDRESS: _____ EMAIL: _____

BUSINESS TYPE: _____ BUSINESS NAME: _____

All CBD shops are required to obtain a conditional use permit issued by the Pelham City Council upon the recommendation of the Pelham Planning Commission. The permit shall be required prior to the issuance of a business license for said use and prior to occupancy of the premises regarding said use.

1. The Pelham Planning Commission shall hold a public hearing, notice of which will be given, for the consideration of the additional rules and regulations described above, and comments from the applicant(s) and other interested parties will be heard. After completing an applicable public hearing, the Pelham Planning Commission will vote on a recommendation to make to the Pelham City Council and then submit its recommendation and report.
2. The Pelham City Council will also hold a public hearing considering the additional rules and regulations described above, as well as any requested exceptions, and shall make the final decision regarding the granting of a permit and issuance of an applicable business license.

DESCRIPTION OF ALL SERVICES OFFERED: _____

ADDITIONAL REQUIREMENTS FROM APPENDIX A; ARTICLE XV, SECTION 14:

1. Purpose. The general purpose and intent of these regulations are to provide separation, development, and operational standards for CBD shops in the City of Pelham in order to regulate the sale of items containing industrial hemp levels of THC and to serve the public health, safety, and welfare of residents and businesses within the city.
2. Applicability. For the purposes of this section, the standards of this section apply to new establishments of CBD shops. An establishment is considered new when no previous CBD shop existed at that location for a period of 90 consecutive days or greater immediately preceding the filing date of an application for a permit under this section.
3. Discontinuance and termination. Any CBD shop, whether existing or subsequently granted under this section, that voluntarily discontinues active operation for more than 90 consecutive days; does not maintain a valid city business license for more than 90 consecutive days; or ceases to be licensed by the State of Alabama or any other applicable licensing authority, shall be considered a termination of the use and all privileges and rights held therein.
4. Definitions. As used in this section, the following words and phrases will have the following meanings:
 - a. Cannabidiol (CBD). Cannabidiol is a chemical compound from the species Cannabis Sativa L. of the family Cannabaceae.
 - b. Cannabidiol (CBD) product. A product to be consumed or applied originating from the species Cannabis Sativa L., excluding marijuana, derived from industrial hemp, with a tetrahydrocannabinol (THC) concentration of no more than 0.3 percent on a dry weight basis.
 - c. CBD shop. A free-standing business establishment for which more than 50 percent of the gross floor area is devoted to the display, sale, use, and storage of CBD products.

5. Locational requirements.

- a. No CBD shop (as described and detailed within this section) established after the date of this section shall be located within 2,500 linear feet of any other CBD shop. The method of measurement that shall be used is a straight line measured from the property line of the site of the proposed business to the closest property line that is already occupied by these businesses.
- b. No CBD shop shall be located within 500 feet of a residentially zoned district, as measured by a straight line from the property line of the site of the proposed business to the property line of the closest residentially zoned property.
- c. No CBD shop shall be located within 500 feet of a public building, public or private school, daycare center, nursery, preschool, park or playground, church, or place of worship, as measured by a straight line from the property line of the site of the proposed business to the property line of the property that is occupied by one of the uses.

6. Development and operational standards

- a. Hours of operation. The hours of operation shall be limited to the hours between 9:00 a.m. and 6:00 p.m.
- b. No more than 15 percent of the square footage of the windows and clear doors of an establishment used for retailing shall bear advertising or signs of any sort, and all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises.

7. Other requirements.

- a. All CBD shops are required to obtain a conditional use permit issued by the Pelham City Council upon the recommendation of the Pelham Planning Commission. The permit shall be required prior to the issuance of a business license for said use and prior to occupancy of the premises regarding said use.
 - i. The Pelham Planning Commission shall hold a public hearing, notice of which will be given, for the consideration of the additional rules and regulations described above, and comments from the applicant(s) and other interested parties will be heard. After completing an applicable public hearing, the Pelham Planning Commission will vote on a recommendation to make to the Pelham City Council and then submit its recommendation and report.
 - ii. The Pelham City Council will also hold a public hearing considering the additional rules and regulations described above, as well as any requested exceptions, and shall make the final decision regarding the granting of a permit and issuance of an applicable business license.
- b. No permit may be issued to authorize retailing at other than a fixed location. For example, retailing by persons on foot or from vehicles is prohibited.
- c. No permit may be issued to authorize retailing at a temporary or recurring temporary event. For example, retailing at flea markets and farmers' markets is prohibited.

REQUIRED ITEMS:

- SITE PLAN
- ARCHITECTURAL FLOOR PLAN
- \$300.00 FEE
- STATEMENT THAT THE USE MEETS ALL LOCATION REQUIREMENTS

SIGNATURE OF APPLICANT

DATE

OFFICE USE ONLY

SUBMITTAL DATE: _____

P&Z RECOMMENDATION: ____ YES ____ NO

DATE: _____

CITY COUNCIL APPROVAL: ____ YES ____ NO

DATE: _____

PERMIT #: _____