



# Conditional Use Permit Application

Motor Vehicle Sales or Rental Lot

P.O. Box 1479, Pelham, Alabama 35124 | 205.620.6411

permits@pelhamalabama.gov

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APPLICANT: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

BUSINESS TYPE: \_\_\_\_\_

BUSINESS NAME: \_\_\_\_\_

All used motor vehicle businesses, as well as new motor vehicle businesses that wish to engage in the purchase, sale, lease or exchange of motor vehicles weighing over 16,000 pounds, 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:

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ADDITIONAL REQUIREMENTS FROM APPENDIX A; ARTICLE XXV, SECTION 11:

1. The lot of record must be a minimum of one-half acre (21,780 square feet) in order to operate a motor vehicle sales lot.
2. A suitable building of a permanent nature, not less than 3,000 square feet of interior floor space, shall be maintained on the premises for a business/sales office, and shall meet all requirements of the current building code as adopted by the City of Pelham.
3. In order for there to be an automotive repair shop on the same property as a motor vehicle sales lot, the sales lot must offer new motor vehicles for sale, be a minimum lot size of one acre (43,560 square feet), and it must be separately licensed to do so.
4. The motor vehicle dealer must maintain an on-site inventory of at least 30 vehicles.

5. An off-street pavement setback from public thoroughfares shall be maintained for the safety of prospective buyers viewing displayed vehicles. The setback shall be a minimum of five feet from the parking lot pavement to the right-of-way or, on corner lots, five feet from the parking lot pavement to the right-of-way along both rights-of-way. Within this setback area, a landscaped strip of at least five feet wide, which shall not include a sidewalk or trail, shall be located between the vehicular area and the public right-of-way, except where driveways cross the property line.
6. Vehicles, signs, banners, tents, or other items shall not be stored, parked, displayed, or otherwise placed on public rights-of-way at any time.
7. Grounds shall meet, or be improved to comply with, the following minimum requirements upon that portion of the land to be used for display and/or offering for sale of motor vehicles:
  - a. Parking spaces for inventory shall be not less than nine feet by 20 feet for each new and/or used motor vehicle.
  - b. Improved ground shall contain a gravel base of not less than four inches covered by a minimum of two inches of asphalt, concrete or other approved hard topping.
  - c. The finished grade of such improved grounds shall be not less than 12 inches or more than 36 inches above the grades of the street adjoining the premises.
  - d. Required parking spaces for customers shall be designated separately from those areas used to display automobiles for sale.
  - e. An adequate turn-around area shall be provided to discourage vehicles backing out into traffic from the sales lot.
8. The placement of vehicles for display must be of a professional nature, such as no upside-down cars.
9. Disabled or damaged vehicles shall not be permitted to remain in an exterior location unless screened from public view. Screened areas shall only be allowed in areas to the side or the rear of the principal structure of the business. Screening fences shall be provided on any property line that abuts any right-of-way and any adjoining property.
10. Audio amplification systems, including, but not limited to, telephone loudspeakers or paging systems, shall be located to ensure that they cannot be heard on adjacent properties.
11. Other types of existing businesses requesting to operate a motor vehicle sales or rental lot shall not be permitted to utilize existing designated required parking spaces for that existing business for a motor vehicle sales or rental lot. Any existing business requesting license or zoning for a motor vehicle sales or rental lot shall meet all of the criteria described herein.
12. The applicant shall submit to the city engineer and/or the zoning official written detailed site plans and landscaping plans for the property to be used including method proposed for improvement, drainage, parking and display areas, driveways for ingress and egress, signage and buildings to be built or existing buildings to be used in the operation of the business. Off-street parking spaces, site plans, landscaping and buffers, and signage shall be in accordance with the requirements for the applicable zoning district in which the property use is located.
13. The applicant shall prepare a plan and inventory for the safe storage of flammable or hazardous materials to be stored or used on the property. The plan shall provide for the prevention, containment, recovery, and mitigation of spilled fuel or other hazardous material. The inventory shall be submitted to the city prior to the building permit approval, listing the type, quantity, and location of these materials. The inventory shall be kept current pursuant to direction provided by the city.

Where permitted, motor vehicle sales and rental lot businesses shall comply with Article XIII Motor Vehicle Sales and Rental Lots of Chapter 5 Business Licenses, Taxes and Regulations of the ordinances of the City of Pelham (Ordinance No. 135-227, adopted December 2, 2019), as may be amended, and shall be further subject to the regulations herein. The granting of a motor vehicle sales lot license shall be contingent upon obtaining all applicable zoning approvals and permits, and upon compliance with all further business license provisions (business license requirements, approval and revocation procedures are outlined in Ordinance No. 135-227, adopted December 2, 2019).

Chapter 8 Article III Sec. 8-33 | Allowing inoperative, lost, stolen, etc., vehicles to remain on property in excess of seven days prohibited;

a) No person in charge or control of any property within the city or its police jurisdiction, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially dismantled, non-operating, wrecked, junked or discarded vehicle to remain on such property longer than seven days consecutively; and no person shall leave any such vehicle on any property within the city for a longer time than seven days consecutively; except that this article shall not apply with regard to a vehicle in an enclosed building; a vehicle on the premises of a business enterprise operated in a lawful place and manner when necessary to the operation of such business enterprise; or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the city; or to vehicles in a duly licensed junk yard. (

b) Any vehicle which is either lost, stolen, abandoned, partially dismantled, non-operating, wrecked, junked or discarded and allowed to remain on any property within the city or its police jurisdiction for a period longer than seven days consecutively is hereby declared to be a health and safety hazard and a public nuisance.

\_\_\_\_\_  
SIGNATURE OF APPLICANT

\_\_\_\_\_  
APPLICATION DATE

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OFFICE USE ONLY

SUBMITTAL DATE: \_\_\_\_\_

P&Z RECOMMENDATION:    \_\_\_ YES    \_\_\_ NO

DATE: \_\_\_\_\_

CITY COUNCIL APPROVAL:    \_\_\_ YES    \_\_\_ NO

DATE: \_\_\_\_\_

PERMIT #: \_\_\_\_\_