

Conditions

Use Permit Application No. 22-00023

Communication Tower
Crown Castle USA Inc.
534 E Mercury Blvd
Hampton, VA 23663

1. Issuance of Permit

The Use Permit applies only to 534 E Mercury Blvd [LRSN: 12001708], and is not transferable to another location.

2. Site Design

The structure shall be constructed in substantial conformance with the plan packet entitled "T-MOBILE ANCHOR SITE CONFIGURATION" prepared by Tower Engineering Professionals, and dated November 7, 2022 ("The Site and Equipment Plan"). Changes to the plans may be made to accommodate environmental, engineering, architectural, topographic, or other development conditions, or site plan approval requirements, as required by law and subject to the approval of the Director of the Department of Community Development.

3. Height

The overall tower height shall be no more than 140'.

4. Tower Accessibility

Vertical access to the tower shall be designed to prevent access from the ground by the general public.

5. Compliance with Applicable Laws

Prior to issuance of building permit and construction of tower, the tower site and tower must comply with all applicable local, state, and federal regulations as it related to compliance with the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC). Evidence of such compliance shall be submitted to the Director of the Department of Community Development or his designee prior to issuance of a building permit. Furthermore, this Use Permit may be terminated for violation of any applicable federal, state, or local law.

6. Public Safety

At no time may any equipment associated with the communication tower produce interference with the City of Hampton Public Safety Radio System. Any interference will be rectified by the tenant or carrier within 30 days of written notice by the City of Hampton.

7. Removal of Tower

Should the tower cease to operate for a period of twenty-four (24) consecutive months, the use permit shall be considered nullified as set forth in condition #8

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below, and the tower shall be considered abandoned and must be removed by the responsible party.

8. Nullification

The use permit shall automatically expire and become null and void under any of the following conditions:

- a. No building permit to construct the authorized improvements has been issued within twelve (12) months of the date of the approval by City Council
- b. The Use Permit shall become null and void if the facility is not used for the permitted use for a period of twenty-four (24) consecutive months

9. Revocation

Notwithstanding any condition or provision of this use permit to the contrary, the use permit may be revoked for violation of any terms or conditions of the use permit as set forth in Chapter 20 of the Zoning Ordinance.