

Use Permit No. 19-00005, Indoor Shooting Range

3200 Magruder Blvd [LRSN 6000997] and 36 Research Drive [LRSN 6000996]
Hampton, VA 23666

Conditions**1. Issuance of Permit**

The Use Permit applies only to the property identified as "Proposed Parcel for Rezoning" on that certain plat entitled, "Rezoning Exhibit of the Property of the Economic Development Authority of the City of Hampton, Virginia and Eagle Land LLC," prepared by ATCS and dated 05/13/19 and attached here as Exhibit A, and is not transferable to another location.

2. Security

A Security Plan governing the operation of the range shall be provided to the Community Development Department for review by the Police Division, Division of Fire and Rescue, and other such departments as may be applicable. The Security Plan must be reviewed and approved by the Hampton Police Chief or his designee, the Fire Chief or his designee, and the Director of Community Development or his designee prior to the issuance of a Certificate of Occupancy.

The Security Plan shall include at least the following components:

- A. Security cameras shall be provided outside and inside the building for monitoring the property. If the Hampton Police Division suspects that criminal activity has occurred on premises, surveillance video shall be made available for review by authorized personnel of the Hampton Police Division.
- B. Operational "Range Rules," including procedures to ensure appropriate supervision and safety of patrons and range employees.
- C. Plans for provision of appropriate security personnel and devices such as alarms, location and protection of entrances and exits, and lighting.

3. Range Design and Operation

- A. Safety. The shooting range shall be designed, constructed, and operated such that projectiles cannot penetrate the walls, floor, or ceiling, including but not limited to the use of appropriate backstops.
- B. Noise Control. The shooting range shall be designed, constructed and operated such that (i) noise stemming from the shooting range is neither plainly audible inside the confines of a dwelling unit nor plainly audible more than 100' feet from the property line of the shooting range, and (ii) noise is appropriately attenuated for patrons and employees inside the range, including but not limited to the use of appropriate sound-absorbing building materials.

- C. Hazardous Wastes/Lead. The shooting range shall be designed, constructed, and operated such that handling of hazardous wastes and lead is compliant with state and federal law, including but not limited to regulations promulgated by the U.S. Department of Labor Occupational Safety & Health Administration.
- D. All shooting range activities, including but not limited to discharging firearms, archery, and axe throwing, shall occur within the wholly enclosed building.
- E. Consumption of alcoholic beverages shall not occur within the active shooting range areas, including those areas where the following activities are occurring: discharging firearms, archery, and axe throwing.

4. Compliance with all Applicable Laws

This Use Permit may be terminated for any violation of applicable federal, state, or local law.

5. Nullification

- a. The use permit shall automatically expire and become null and void under any of the following conditions:
 - i. If, in the case of new construction, the building has not been erected, with doors, windows, roof covering and exterior finish materials in place within two (2) years of the issuance of the use permit;
 - ii. No building permit to construct the authorized improvements has been issued within twelve (12) months of the date of approval by the city council, or if no building permit is required, if the use is not established within twelve (12) months of the date of approval by the city council; or
 - iii. Once the property may be occupied, if the property is not used for the permitted purpose for a continuous two-year period unless otherwise specified in the zoning ordinance. In making this determination the city may consider such matters as the issuance of a building permit, a business license, utility connections and such related factors.

6. 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 14 of the Hampton Zoning Ordinance (as amended).