

Craven County Commercial Outdoor Shooting Range Facility Ordinance

Section 1. Purpose

This Ordinance is intended to regulate the establishment and operation of commercial outdoor shooting range facilities (COSRF). Such recreational and training complexes, due to their potential noise impacts and safety concerns, merit careful review to minimize adverse effects on adjoining properties. This Ordinance does not otherwise apply to the general discharge of firearms in accordance with all other applicable laws or regulations.

(Ord. of 09-03-24, § 1)

Section 2. Intent

It is the intent of this Ordinance to accomplish the following:

- A. Permitting, registration, and compliance. New COSRFs shall only be established and operated in accordance with a valid permit issued by Craven County.
- B. Shot containment. Each COSRF shall be designed to contain bullets or shot on the range facility.
- C. Noise mitigation. Each COSRF shall be designed to minimize off-site noise impacts generated by the activities conducted on the range facility.

(Ord. of 09-03-24, § 2)

Section 3. Authority

This Ordinance is adopted under the authority of North Carolina General Statute (N.C.G.S.) 153A- 121 and Chapter 160D.

(Ord. of 09-03-24, § 3)

Section 4. Definitions

As used in this Ordinance, the following terms shall have the respective meanings ascribed to them:

Commercial: Engaging in the exchange of money, or goods with prescribed monetary value, for services or for membership in any partnership, firm, association, joint venture, corporation, trust, or institution or other legal entity, which allows the holder thereof to receive services.

Commercial Outdoor Shooting Range Facility (COSRF): A commercial facility, including individual shooting ranges, structures, parking areas, and other associated improvements, designed for the purpose of providing a place for the discharge of various types of firearms in open air, and which also engages in the exchange of money, or goods with prescribed monetary value, for services. COSRF does not include incidental target practice areas on private property.

Firearm: A weapon, including pistols, rifles, and shotguns, capable of firing a projectile using an explosive charge as a propellant.

Person: Any individual, corporation, association, club, firm, or partnership.

Shooting range: An area designed and improved to encompass shooting stations or firing lines, target and tactical areas, berms and baffles.

Structure: Any manmade improvement, whether temporary or permanent, which is intended for human habitation or use, whether temporary or permanent. "Structure" shall include but not be limited to dwellings or homes (including manufactured or mobile homes); schools, churches, assembly places, parks, campgrounds, athletic or playing fields, and storage tanks for gases or liquids.

(Ord. of 09-03-24, § 4)

Section 5. Applicability

This Ordinance is applicable to all COSRFs not in existence as of the date of adoption of this ordinance. The provisions of this ordinance shall apply throughout the County except in areas subject to municipal planning and development regulation jurisdiction.

(Ord. of 09-03-24, § 5)

Section 6. Performance Standards

The following performance standards shall apply to all COSRFs:

A. Shot containment. COSRFs shall be designed to contain all the bullets, shot, or any other debris on the range facility.

B. Noise mitigation. COSRFs shall be designed to avoid creating impulsive sound so as to cause a noise disturbance across a real property boundary or on a public space or right-of-way as per Section 24-22 titled "Prohibited Acts" of the Code of Ordinances.

(Ord. of 09-03-24, § 6)

Section 7. Development Requirements

A. Setbacks. Notwithstanding the performance standards of Section 6, all areas of a COSRF shall be located a minimum of two hundred (200) feet from any property line, road, or right-of-way easement.

B. Warning signs. Warning signs meeting National Rifle Association (NRA) guidelines for shooting ranges shall be posted at one hundred-foot intervals along the entire perimeter of the COSRF.

C. Distance from structures. All shooting ranges shall be located at least one-fourth (¼) mile or one thousand three hundred twenty (1,320) feet from any structure.

The distance requirements of this Section may be waived by property owners affected thereby, as evidenced by a written and executed waiver recorded in the Craven County Registry and binding upon the successors in title to such property owners.

(Ord. of 09-03-24, § 7)

Section 8. Operational Requirements

A. Hours of operation. COSRFs shall be allowed to operate between sunrise and sunset. On Sundays, shooting shall not commence before 12:30 p.m. Law Enforcement and Military Training are exempt from these restrictions on hours of operation for existing and new ranges.

B. Liability insurance. The permittee shall be required to carry a minimum of five hundred thousand dollars (\$500,000.00) of liability insurance. Such insurance shall name Craven County as an additional insured party and shall save and hold Craven County, its elected and appointed officials, and employees acting within the scope of their duties harmless from and against all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, arising in favor of a person or group's members or employees or third parties on account of any property damage arising out of the acts or omissions of the permittee, his/her group, club, or its agents or representatives. The County shall be notified of any policy changes or lapses in coverage.

(Ord. of 09-03-24, § 8)

Section 9. Procedure for Securing Approval for New Ranges

A. Permit application. An application for a permit to establish and operate a COSRF shall be submitted by the legal property owner(s) or owner's agent to the Craven County Planning Department. Such permit shall be secured prior to issuance of any other development approval by Craven County.

B. Fees. The application shall be accompanied by an application fee following the Craven County Schedule of Fees.

C. Required information. The applicant shall provide sufficient information as required by these provisions in order to properly evaluate the permit application. In addition, copies of any written agreements from the adjoining property owners and a certificate of insurance demonstrating compliance with the liability provisions shall accompany the permit application. Written approval from MCAS Cherry Point or Coastal Carolina Regional Airport shall also be required should the facility be located in either the Air Installation Compatible Use Zone or the Coastal Carolina Regional Airport Zoning.

D. Site plan. A professionally surveyed site plan for the entire COSRF, prepared by a registered land surveyor or engineer currently licensed and registered in the State of North Carolina by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors, which shows the following applicable information drawn to an appropriate scale, shall accompany the permit application:

1. Property lines for any parcel upon which the COSRF is to be located, north arrow, plan scale, date, and ownership information for the site;
2. Complete layout of each range, including, shooting ranges or firing lines, target areas, backstops, berms, and baffles;
3. Existing and proposed structures; occupied dwellings within one-fourth (1/4) mile (one thousand three hundred twenty (1,320) feet); roads, streets, or other access areas; buffer areas; and parking areas for the COSRF; and

4. Any other appropriate information related to the specific type of range(s) being proposed.

E. Action. Within ninety (90) working days of submittal of a complete application, the Planning Board shall take one (1) of the following actions:

1. Reject the application as incomplete; or
2. Approve the issuance of the permit; or
3. Deny the permit request.

In any case, the written findings to support the action taken shall be provided to the applicant.

F. Permit display. Permits shall be kept and displayed in a readily visible location on the COSRF and at all times be available for public inspection.

G. Permit transferability. A permit issued pursuant to this Ordinance shall expire upon transfer of a COSRF to a new owner or owners unless the Craven County Planning Department consents to the transfer of such permit.

(Ord. of 09-03-24, § 9)

Section 10. Discontinuance of Ranges

A. Abandonment and discontinuance. When a county-approved COSRF is discontinued without the intent to reinstate the range use, the property owner shall notify the County of such intent.

(Ord. of 09-03-24, § 10)

Section 11. Variances

A variance may be granted by the Planning Board pursuant to the provisions of Section 41-39 titled “Variances” of the Code of Ordinances.

(Ord. of 09-03-24, § 11)

Section 12. Enforcement, and Penalties

A. Enforcement and remedies. The Craven County Planning Department shall be responsible for the enforcement of this Ordinance and may address violations of this Ordinance pursuant to Section 41-91 titled “Enforcement” of the Code of Ordinances.

B. Penalties. Any act constituting a violation of the provisions of this Ordinance or a failure to comply with any of its requirements shall subject the offender to the provisions of Section 1-11 titled “General Penalty” of the Code of Ordinances.

(Ord. of 09-03-24, § 12)