



BATH COUNTY PLANNING COMMISSION AGENDA

**BATH COUNTY COURTHOUSE
Room 115– 6:00 P.M.
Monday, March 27, 2023**

1. Call to Order
2. Acknowledge Public in Attendance
3. Public Comment – Matters Unrelated to the Agenda
4. Additions and Corrections to Agenda
5. Public Hearing(s):

Timothy and Megean Moran (TM #83-0-13) – Rezoning application – Application to rezone approximately 12.20 acres from B-2 General Business to A-2 General Agriculture. Property is currently used as agriculture and residential, not business. Purpose of rezoning to maintain existing character, use and views of the property. Property located at 381 Old Greenhouse Road, Hot Springs, Virginia, also known as “The Yard”, situate in the Valley Springs Magisterial District.
6. Chairman’s Report
7. Staff Report
8. Old Business:

VDOT – Discussion with Susan Hammond, VDOT, with regard to questions as they pertain to draft Transportation chapter of the Comprehensive Plan update, along with other matters.
9. New Business:
10. Approve Minutes of February 27, 2023 meeting
11. Adjourn



BATH COUNTY PLANNING COMMISSION SUMMARY

AGENDA TITLE: Timothy and Megean Moran (TM #83-0-13) - Rezoning application - Application to rezone approximately 12.20 acres from B-2 General Business to A-2 General Agriculture. Property is currently used as agriculture and residential, not business. Purpose of rezoning to maintain existing character, use and views of the property. Property located at 381 Old Greenhouse Road, Hot Springs, Virginia, also known as "The Yard", situate in the Valley Springs Magisterial District.

SUBJECT/PROPOSAL/REQUEST: Rezoning

STAFF CONTACT(S): Ms. Sherry Ryder, County Planner/Zoning Administrator

AGENDA DATE: 3-27-2023

ACTION TO BE TAKEN: yes

BACKGROUND: Application has been made for rezoning Tax Map #83-0-13, which comprises approximately 12.2 acres. The properties is currently zoned B-2 General Business with a request to be rezoned to A-2 Agricultural General.

The purpose of rezoning is to use the property for agriculture purposes (garden, horses, etc.) They would like to preserve the views and current use of land, which is residential and agriculture.

The property currently has open fields, woodland, an accessory dwelling along with the main home, commonly known as "The Yard". The adjoining properties are zoned R-2 Residential, B-2 General Business, A-2 Agricultural General and R-5 Planned Unit Development.

Important factors to consider in making a rezoning determination include:

- (1) Whether the proposed zoning is consistent with the comprehensive plan;

- (2) Consider the zoning and actual land uses of the abutting or nearby properties;
- (3) Consider any change in the character of the area since the existing zoning was established;
- (4) Consider rezoning actions of similarly situated properties; and
- (5) Consider the impacts of the proposed zoning on the existing neighborhood.

The proposed zoning would be a down zoning. The zoning would not be prohibited. The property is located within a designated growth area. There is availability of public water and sewer. The proposed zoning would protect the historic character of the property.

INFORMATION: The property is located within a designated growth area.

RELEVANT SECTION(S):

Bath County Land Use Regulations 603.00, et seq

Comprehensive Plan: Page 11-26 (i)

Return to:
First Title & Escrow
12825 Shadow Oak Lane
Fairfax VA 22033

Instrument No.

13-08Date: 1/4/2013

Prepared By: Tracy Bryan Horstkamp, Esquire
44081 Pipeline Plaza, #100, Ashburn, VA 20147
Phone: 703.669.4935 VA Bar #39623

Return to: First Title & Escrow, Inc.
12825 Shadow Oak Lane, Fairfax, VA 22033

Title Insurer: Unknown to Preparer

Tax Id. No: 83-13

Grantees Address: 3140 Windsong Dr., Oakton, VA 22124

Consideration: \$0.00

Exempt from recordation tax pursuant to Virginia Code Section 58.1-811(A)(12).

--- DEED ---

THIS DEED is made this 27th day of December, 2012, by and between **TIMOTHY JOSEPH MORAN, TRUSTEE** and **MEGEAN ELIZABETH MORAN, TRUSTEE, TRUSTEES OF THE TIMOTHY JOSEPH MORAN AND MEGEAN ELIZABETH MORAN JOINT LIVING TRUST**, as Grantor, and **TIMOTHY JOSEPH MORAN** and **MEGEAN ELIZABETH MORAN**, husband and wife, as Grantees.

WITNESSETH:

That for and in consideration of estate planning purposes, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby grant and convey, in fee simple, with General Warranty and English Covenants of Title, unto the Grantees, as tenants by the entirety with the common law right of survivorship, the following described property, with improvements thereon, located in the County of Bath, Virginia (the "Property"):

All that certain tract or parcel of land, together with the buildings and improvements thereon and the privileges and appurtenances thereunto belonging, situate, lying and being in the Valley Springs Magisterial District of Bath County, Virginia, containing in the aggregate 12.206 acres, more or less and shown and designated as "The Yard", containing 11.326 acres, more or less, Parcel A, containing 0.152 acres, more or less, and

Parcel B, containing 0728 acres, more or less, all as shown on a plat made by Vess Surveying, Inc., entitled "Boundary Survey of 'THE YARD', Valley Springs Magisterial District, Bath County, Virginia", surveyed June 18, 2002, revised September 13, 2002, and of record in the Office of the Clerk of the Circuit Court of Bath County, Virginia, in Plat Cabinet 1, Slide 161.

And being the same property conveyed unto the Grantor by Deed dated February 23, 2012 and recorded February 28, 2012 as Instrument Number 120000107, among the aforesaid land records. That portion of the aforementioned Trust agreement providing the Trustee's Power of Sale is attached hereto as Exhibit "A", and is incorporated by reference herein.

This conveyance is made subject to easements, conditions and restrictions of record insofar as they may lawfully affect the Property.

WITNESS the following signatures and seals:

Timothy Joseph Moran, Trustee (SEAL)
Timothy Joseph Moran, Trustee

Megean Elizabeth Moran, Trustee (SEAL)
Megean Elizabeth Moran, Trustee

STATE OF Virginia :
COUNTY OF FAIRFAX :

The foregoing instrument was acknowledged before me this 27th day of December, 2012, by Timothy Joseph Moran, Trustee and Megean Elizabeth Moran, Trustee.

My Commission expires: 12-31-2013
Notary Registration No.: 124323

Barbara A. Reilly
NOTARY PUBLIC



Return to
Timothy A. Evers
12000 Shadow Oak Lane
Fairfax, VA 22031

Exhibit A

TRUST AGREEMENT

This Trust Agreement made as of the 11th day of December, 2012, by and between TIMOTHY J. MORAN and MEGEAN E. MORAN, both of Fairfax County, Virginia (hereinafter "Grantors"), and TIMOTHY J. MORAN and MEGEAN E. MORAN (hereinafter "Trustees"), as follows:

ARTICLE I.

Creation of Trust

Grantors have conveyed, transferred, assigned and delivered to Trustees the property described in Schedule "A" attached hereto and incorporated herein by this reference, receipt of which is hereby acknowledged by Trustees. Grantors, or the survivor of them, reserve the right to make additions to this Trust from time to time, including proceeds of life insurance policies and bequests under either of Grantors' Wills. Trustees will hold such property and all substitutions therefor and additions thereto as the "Trust Estate" in and upon the uses and trusts, with the powers and authority and upon the terms and conditions herein set forth. This Trust may be known as The "MORAN FAMILY TRUST", a/k/a, the "TRINITY TRUST."

ARTICLE II.

Provisions Governing Trust Benefits

2.1 During the lifetime of Grantors (or the survivor of them) Trustees shall apply or distribute any trust income or principal as Grantors (or the survivor of them) may direct. If either Grantor is unable to so direct then the other Grantor may direct the Trustees in this regard. If neither Grantor is able to so direct, the Trustees may expend income or principal as they may

such property shall vest in the surviving Grantor.

ARTICLE IV.

Effect of Disclaimer

If the surviving Grantor exercises a qualified disclaimer (as defined in IRC Code Section 2518) following the death of the Co-Grantor, then upon exercise of said disclaimer, the surviving Grantor shall no longer have any power or authority (i) to direct the Trustees to distribute income or principal of the Trust as otherwise provided in Section 2.1, and (ii) to amend or revoke the Trust Agreement, or add or withdraw assets therefrom, as otherwise provided in Article III. Provided, however, that the disclaiming Grantor shall remain a beneficiary of the Trust, entitled to distributions in accordance with the standards set forth in Section 2.1.

ARTICLE V.

Trustee Powers and Miscellaneous Provisions

5.1 In addition to the powers conferred by law, and all powers herein granted, Trustees shall have the following powers and authority:

(a) To hold, manage and control the Trust Estate, to collect all the rents, issues, income and profits therefrom, to pay all taxes, insurance charges, necessary repairs and other proper expenses connected therewith; and, with full power, to borrow money and to mortgage and convey from time to time such parts or any of the Trust Estate as in Trustees' judgment and discretion may be expedient and advantageous to do, without liability on the part of any lender of money to see to the application of the proceeds of any loan, the proceeds of any such loan to be held upon the uses and trusts herein specified.

(b) To retain and to continue to keep the Trust Estate or any portion thereof, in the manner in which it may exist or be invested as of the date of this Trust Agreement (or the date of the surviving Grantor's death), and Trustees shall not be held responsible for any loss of principal or of income that may occur by reason of the retention of such property or investment; to change and alter

investments and to invest and reinvest and keep the Trust Estate invested in such property, real or personal, productive or non-productive, including but not limited to stocks, bonds, notes, mortgages, business enterprises, partial interests as tenants in common in real estate and personalty, partnership interests, life insurance policies, and annuities, as Trustees may deem suitable for this Trust, without being limited to the classes of investments in which Trustees are or may be authorized by any Statute or Rule of Court to invest trust funds.

(c) To sell at public or private sale for cash or upon such terms as Trustees shall determine, any part or all of the securities and property, real or personal, held or acquired by Trustees under the terms hereof without the necessity for prior authority or subsequent ratification by any Court, and in consummation of such sale or sales to execute, acknowledge and deliver any and all deeds and to assign, set over, transfer and deliver said securities so sold in absolute estate, unto the purchaser thereof, who shall not be required to see to the application of the purchase money, said purchase money to be held upon the uses and trusts herein specified.

(d) To borrow money, to pay taxes, to refinance mortgages, to enlarge or make new investments, or to accomplish any other purposes in the administration and management of this Trust; to compromise and settle all claims in favor of or against the Trust Estate.

(e) To mortgage, lease, renew, or modify existing leases in and to any real property that at any time may form part of the Trust Estate under such terms and conditions and for such period as Trustees shall deem best, even though such period may or will extend beyond the duration of the Trust Estate.

(f) To participate in any reorganization, consolidation or merger of any corporation whose stocks or obligations may be held or acquired by Trustees and to vote any corporate stock belonging to this Trust; to execute proxies to one or more nominees; and to register all stocks, securities and other property in the name of Trustees or Trustees' nominees.

(g) To exercise subscription rights and options pertaining to any such property; to purchase securities at a premium or discount without being required to amortize any part of the income thereof as a sinking fund to retire or absorb such premium; to determine whether stock dividends, profits or losses on property of whatsoever nature shall be charged or credited to principal or income.

(h) To determine whether items should be charged or credited to income or principal or allocated between income and principal, in such manner as he may, in his sole discretion, deem equitable and fair under all the circumstances,

without regard to how such items are treated for federal estate or income tax purposes, including the power to amortize or fail to amortize any part or all of any premium or discount and to treat any part or all of the profit resulting from the maturity or sale of any asset, whether purchased at a premium or a discount, as income or principal or apportion the same between income and principal.

(i) To make distribution upon the termination of this Trust, in kind or in cash, or partly in kind and partly in cash, and the determination of Trustees as to the fairness, equality and value of any such division, apportionment or distribution shall be conclusive upon all persons entitled to receive any share or shares of the Trust Estate. Notwithstanding any other provision of this Trust Agreement, Trustees are also authorized, but not required, to distribute any items of tangible personalty constituting part of the Trust to persons designated by Grantors in any letter of instructions delivered to Grantors' Personal Representatives or Trustees, or found among Grantors' papers. The persons who may be so designated to receive items shall not be limited to the beneficiaries hereunder. If a beneficiary hereunder is also designated by Grantors to receive items of personalty, and Trustees exercise the authority to distribute hereby granted, then the distributed items will be in addition to, and not a part of, the shares due said beneficiary pursuant to other provisions of this Trust Agreement.

(j) If any beneficiary hereunder is a minor, Trustees may pay income or principal (including in kind distributions of personalty or realty) to said minor, or to his natural guardian without requiring qualification according to law, or may require the due appointment of a guardian, pursuing in each case the course which Trustees deem to be in the best interest of the minor. Trustees are also authorized to select a person to serve as custodian for such minor and to distribute the property to such custodian for said minor pursuant to the Uniform Transfers to Minors Act, as amended (or similar legislation). Trustees shall not be held liable for any damages which may result from such selection or distribution which was made in good faith. Trustees shall be entitled to full credit and protection for all amounts distributed in the discretion hereby given.

(k) If any beneficiary entitled to income or principal of the Trust Estate shall be a minor or shall be or become mentally or physically disabled, Trustees, in Trustees' sole discretion, shall have the right to pay or apply such income for the benefit of such beneficiary instead of directly to such beneficiary.

(l) To retain the services of any person, firm or corporation as investment advisor in connection with the investment and reinvestment of any money or property forming at any time a portion of the Trust Estate, and to retain the services of agents and attorneys, when such services are deemed necessary to the proper administration of the Trust Estate, to pay such persons reasonable

compensation and to charge the same against principal or income or partly against principal and partly against income as Trustees shall in Trustees' absolute discretion determine to be appropriate.

(m) To abandon (or donate to charity) any real estate or personal property, including partnership interests, which, in the sole and absolute discretion of the Trustees, should no longer be regarded as an asset of this Trust.

(n) To hold, manage, invest and account for separate trust funds or shares provided for herein, or separate parts thereof, as one or more consolidated funds, for convenience of investment and administration.

(o) To register any property in the name of its nominee or nominees, without qualification or description, or to hold the same unregistered or in such other form that title shall pass by delivery.

(p) To pay all lawful taxes, including income taxes, all charges and other expenses properly incident to the management of the Trust Estate (or incident to Grantors' Estates) out of principal or income as Trustees, in Trustees' discretion, shall determine; to make returns for all federal and state taxes; and to settle and compromise any and all claims which may from time to time arise in connection therewith.

(q) To purchase life insurance on the life of any individual in which any beneficiary hereunder may have an insurable interest; to pay any premiums on any such life insurance policy held hereunder; to exercise with respect to said insurance policies held hereunder from time to time all options, rights, elections and privileges exercisable with respect to said policies; to designate and change the beneficiaries thereunder (provided, however, that Grantors may not be designated as a beneficiary); to modify, exchange, surrender or cancel any such policies of insurance; to borrow upon and pledge any such policy in connection with a loan; to convert said policies into different forms of insurance; and to elect methods of settlement with respect thereto.

(r) To make a joint purchase with, or to make a sale at less than fair market value to, any beneficiary hereunder; to make loans without interest or at less than market rate interest to any beneficiary hereunder; and to enter into any other transaction or agreement whether or not of a commercial nature with any beneficiary hereunder which Trustees may determine to reflect what would be the wishes of Grantors.

(s) To employ domestic servants and pay any other expenses incident to the maintenance of a household for the benefit of any one or more of the

beneficiaries hereunder, as Trustees may determine, and to provide for the personal care and comfort of any one or more of the beneficiaries hereunder in any manner whatsoever.

(t) To permit any one or more of the beneficiaries hereunder, as Trustees may determine, to occupy any real property and to use any tangible personal property forming part of the Trust Estate on such terms as Trustees may determine, whether for rent, rent-free, in consideration of payment of taxes, insurance, maintenance or ordinary repairs, or otherwise.

(u) To delegate any duties or powers, discretionary or otherwise, to a co-Trustee, or any other person or institution, for such periods and upon such terms and conditions as may be designated in an acknowledged written instrument delivered to such co-Trustee, other person or institution; and if such duties or powers are delegated to a co-Trustee, the Trustee(s) so delegating such duties or powers shall have no further responsibility with respect to the exercise of such duties or powers so long as such delegation remains in effect.

(v) To the extent permitted by law, to allocate to principal account or to income account, or in part to each, any money or other property received, and to charge to either of such accounts, or in part to each, any expense paid or loss incurred, as Trustees shall deem equitable (with or without regard to whether such expense paid or loss incurred has been or may be deducted from income, from principal, or in part from each, or from both, in any tax returns filed with respect to any income, estate, inheritance, transfer or succession taxes or death duties, whether imposed by federal, state or any other authority), and, without limiting the generality of the foregoing, to determine whether, and, if so, to what extent, (i) premiums on securities acquired at a premium shall be amortized, (ii) account shall be taken of discount in the case of securities acquired at a discount, (iii) receipts from and disbursements in connection with wasting investments (including oil and gas properties) shall be allocated to or charged against principal account or income account, or (iv) income from real property or tangible personal property shall be withheld as a reserve for depreciation, depletion or obsolescence.

(w) To exercise any rights of election or other rights which may from time to time be available under or in respect of the provision of the Internal Revenue Code or of any other tax law, and, without limiting the generality of the foregoing, to (i) claim expenses of administration as deductions for estate, inheritance or income tax purposes, (ii) select valuation dates and fiscal years, and (iii) arrange for extensions of time for filing returns or payment of any tax. Trustees may exercise any such right even though it may affect the value of a beneficiary's share or result in additional liabilities for this Trust, and no

WITNESS the following signatures and seals, all as of the day and year first above written.

Witness:

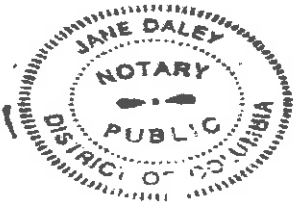
[Signature]
[Signature]

Tim Moran (SEAL)
TIMOTHY J. MORAN

Megean E. Moran (SEAL)
MEGEAN E. MORAN

District of Columbia
SS:

The foregoing instrument was acknowledged before me this 11th day of December, 2012 by Tim Moran and Megean Moran



[Signature]
Notary Public
My Commission Expires: 7/3/2014
Reg. No.: _____

INSTRUMENT #130000008
RECORDED IN THE CLERK'S OFFICE OF
BATH COUNTY ON
JANUARY 4, 2013 AT 11:21AM

M. WAYNE WINEBRINER, CLERK
RECORDED BY: ATL

Instrument No.
02-1117
Date 11/6/02

Delivered 11/6/02
C/O John C. Singleton
Warm Springs, VA 24484

BOOK 187 PAGE 134

THIS DOCUMENT PREPARED BY:
Richard M. Livingston, Esq.
Tax Map No. Pending

Plat Transferred to
cabinet 1 slide 161

THIS DEED, made this 8th day of October, 2002, by and between **MARITAL TRUST UNDER THE WILL OF DANIEL H. H. INGALLS**, deceased, by Daniel H. H. Ingalls, Jr., John F. Richards, and Sarah I. Daughn, Trustees, party of the first part, Grantor; **MANOR HOUSE PROPERTIES, LTD.**, party of the second part, Grantee; and **JOANNE P. INGALLS**, party of the third part, Grantor;
5565 West Jewell Avenue, Lakewood, CO 80232

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part, acting by and through its Trustees as aforesaid, does hereby grant and convey, with Special Warranty of Title, unto the said party of the second part, the following described real estate, to-wit:

All that certain tract or parcel of land, together with the buildings and improvements thereon and the privileges and appurtenances thereunto belonging, situate, lying and being in Valley Springs Magisterial District, Bath County, Virginia, containing in the aggregate 12.206 acres and shown and designated as "The Yard", containing 11.326 acres and Parcel A, containing 0.152 acres, and Parcel B, containing 0.728 acres, all as shown on a plat made by Vess Surveying, Inc., entitled "Boundary Survey of 'THE YARD', Valley Springs Magisterial District, Bath County, Virginia", surveyed June 18, 2002, revised September 12, 2002 and of record in the Clerk's Office of the Circuit Court of Bath County, Virginia, in Plat Cabinet 1, at Slide 160 and recorded with a deed dated September 19, 2002, from The Homestead, L.C., a Virginia limited liability company, to Marital Trust under the Will of Daniel H. H. Ingalls, deceased, of record in the said Clerk's Office as Instrument No. 02-1107.

The property designated on the said plat as "THE YARD", containing 11.326 acres is the same property conveyed to Daniel Henry Holmes Ingalls (Daniel H. H. Ingalls) and Phyllis Day Ingalls, husband and wife, with the right of

LAW OFFICES
PETTY, LIVINGSTON
DAWSON & RICHARDS
A PROFESSIONAL
CORPORATION
736 CHURCH STREET
SUITE 1200-1203
ALLIED ARTS BUILDING
LYNCHBURG, VA 24504

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survivorship, by Daniel H. H. Ingalls and First National Trust and Savings Bank, of Lynchburg, Virginia, Executors and Trustees under the Will of Rachel H. Ingalls, deceased, by deed dated August 28, 1967, of record in the Clerk's Office of the Circuit Court of Bath County, Virginia, in Deed Book 78, at page 198. Phyllis Day Ingalls died May 22, 1982 thus vesting title to the said property in Daniel H. H. Ingalls by virtue of the survivorship provisions in the said deed. Thereafter, Daniel H. H. Ingalls married Joanne P. Ingalls. Daniel H. H. Ingalls died July 17, 1999, testate, survived by his said wife, Joanne P. Ingalls, and by the terms of his Last Will and Testament dated April 16, 1997 and a Codicil thereto dated July 30, 1998, admitted to probate before the Clerk of the Circuit Court of Bath County, Virginia, on August 13, 1999, said Will being recorded therein in Will Book 19, at page 263 and the said Codicil being recorded therein in Will Book 19, at page 273, and specifically in Article III of said Codicil, he devised the said property to Daniel H. H. Ingalls, Jr., Sarah I. Daughn, and John F. Richards, Trustees of the Marital Trust created under said Article III of the Codicil dated July 30, 1998, and granted to said Trustees those powers set forth in Section 64.1-57 of the Code of Virginia, which include the power to sell real estate. Said Trustees qualified as such before the Bath County Circuit Court on August 13, 1999, and are serving in said capacity.

The said Parcel A, containing 0.152 acres and the said Parcel B, containing 0.728 acres, are the same properties conveyed to Marital Trust under the Will of Daniel H. H. Ingalls, deceased, by The Homestead, L.C., a Virginia limited liability company, by the aforesaid deed dated September 19, 2002, of record in the aforesaid Clerk's Office as Instrument No. 02-1107.

The properties hereby conveyed are conveyed subject to all valid and existing conditions, easements, restrictions and reservations of record and now binding thereon.

Joanne P. Ingalls, party of the third part, no longer lives in the said property designated as "The Yard" and joins herein for the purpose of conveying to the party of the second part any and all right, title and interest which she may have in the said property and to direct the said Trustees to sell the said property as provided for in Article III, Section 2, of the said Codicil dated July 30, 1998.

WITNESS the following signatures and seals:

 [SEAL]
DANIEL H. H. INGALLS, JR., Trustee

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 JOHN F. RICHARDS, Trustee

[SEAL]


 SARAH I. DAUGHN, Trustee

[SEAL]


 JOANNE P. INGALLS

[SEAL]

STATE OF RHODE ISLANDCITY/COUNTY OF PROVIDENCE TO-WIT:

The foregoing deed was acknowledged before me this 10th day of OCTOBER,
 2002, by SARAH I. DAUGHN, Trustee.

My commission expires: August 7, 2005

 Notary Public


STATE OF VIRGINIA,

CITY OF LYNCHBURG,

TO-WIT:

The foregoing deed was acknowledged before me this 11th day of OCTOBER,
 2002, by JOHN F. RICHARDS, Trustee.

My commission expires: April 30, 2003

 Notary Public


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STATE OF CALIFORNIA,

TO-WIT:

CITY/COUNTY OF NEVADA

The foregoing deed was acknowledged before me this 10 day of Oct.
2002, by DANIEL H. H. INGALLS, JR., Trustee.

My commission expires: _____



Notary Public

STATE OF VIRGINIA

TO-WIT:

CITY/COUNTY OF BATH

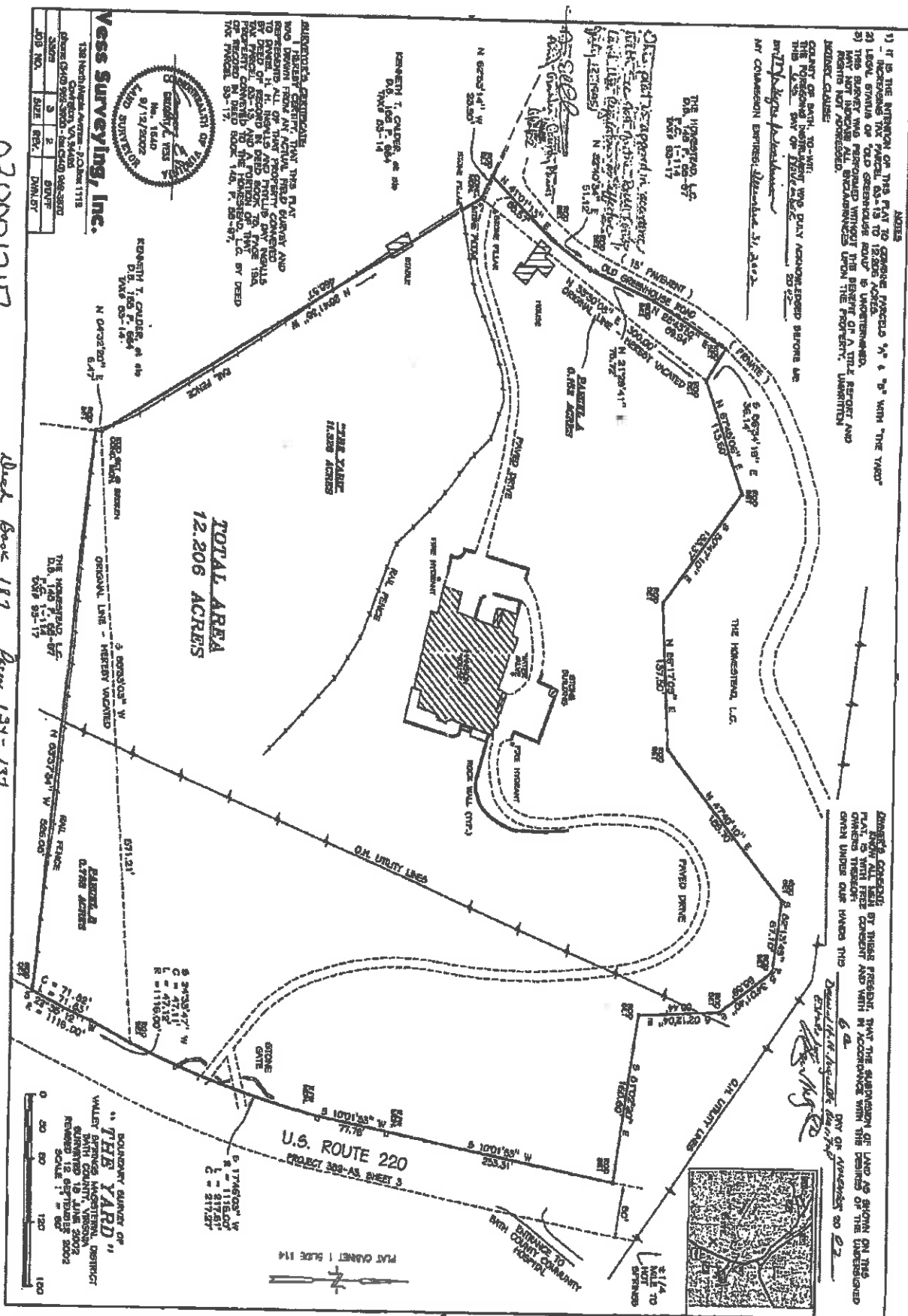
The foregoing deed was acknowledged before me this 14th day of OCTOBER
2002, by JOANNE P. INGALLS.

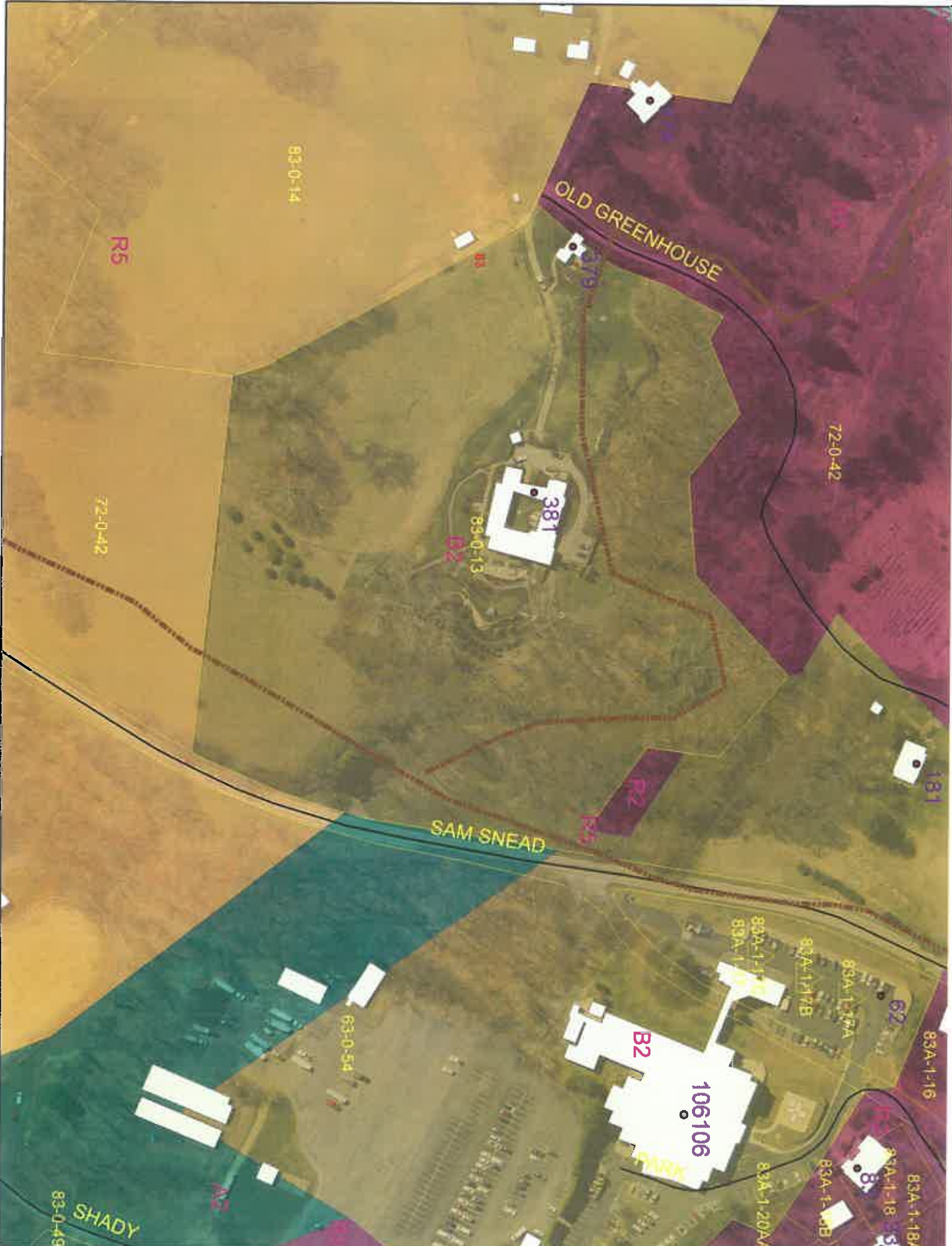
My commission expires: 12/31/02

Notary Public

RML/ks

INSTRUMENT #020001217
RECORDED IN THE CLERK'S OFFICE OF
BATH COUNTY ON
NOVEMBER 6, 2002 AT 12:14PM
\$785.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$392.50 LOCAL: \$392.50
DARLENE W. CARPENTER, CLERK
BY: Annette J. Adams (DC)

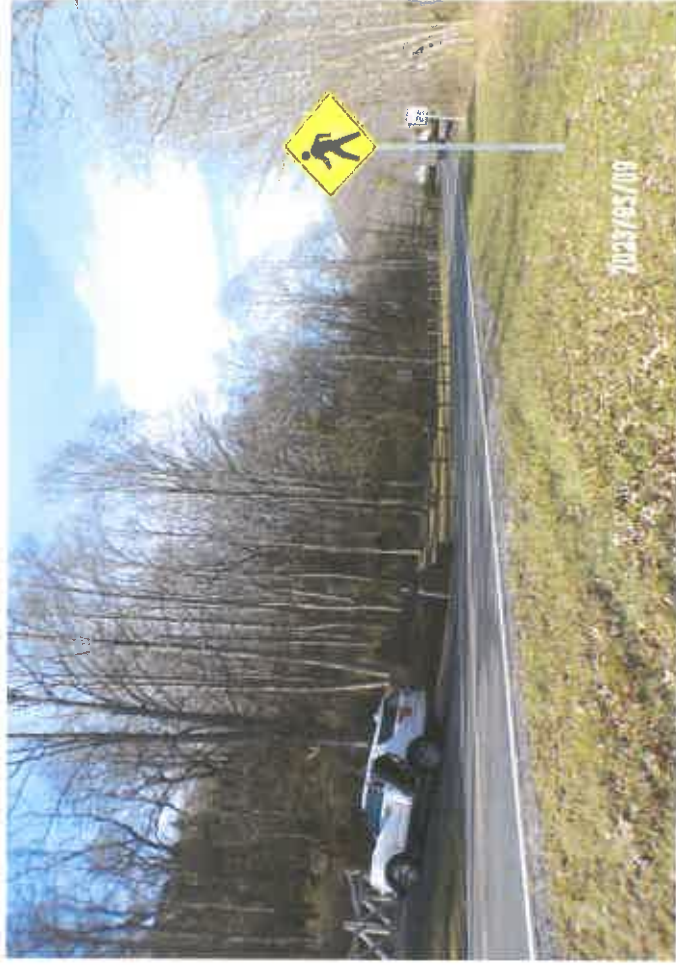




Rt. 220 Driveway



Rt. 220 North



Rt. 220 South



Across Street View to Property

Field Adjoining Property



Pt. 220 North



Pt. 220 South



Across Road

Across Road to north



Planning and Zoning

2/9/2023 – 3/8/2023

Tax Maps

- Progress is continually being made on updating tax maps.
- Updated orthoimagery from VDEM has been received and should be added to GIS tax map this month

Zoning/Planning Issues

- Comprehensive Plan – work on updating data, etc continues
- Received updates to the Transportation Chapter of the Comprehensive Plan Update - - Susan Hammond, VDOT, will be at the March 27, 2023 Planning Commission meeting to answer questions relative to the draft chapter, as well as pending VDOT projects
- Followed up on complaints for trash – working towards compliance
- Noise Ordinance public hearing was held and recommended to Board of Supervisors for adoption – Board should set a date for that public hearing at their March 14th meeting
- Capital Improvement Plan – Public Hearing was held by Planning Commission and recommendation sent to Board of Supervisors
- Planning Commission will have a Public Hearing on the Short Term Rental at their April 24, 2023 meeting
- Application for Rezoning to be heard by the Planning Commission at March 27th meeting to rezoned property from B-2 to A-2
- Housing survey has been put out – copies are available and it is on the website – input is needed and encouraged by all
- Met with Animal Control regarding complaint of dead poultry – complainant was advised accordingly

Miscellaneous

- Attended Bath County Board of Supervisors meeting
- Attended Planning Commission meeting
- Attended LEPC meeting
- Attended VATI conference call
- Meetings and calls regarding property disputes and property line

- Legal advice obtained regarding pending application after correspondence received by another attorney regarding the application
- Received request for verification on piece of property for potential conservation easement
- Worked on census update – BAS – sent info along to CSPDC for assistance

Permits and Fees

YTD permits issued 2023	27
Permits issued this month	8
Monthly:	
Construction	5
Kennel Permit	1
Subdivision	1
E&S	1
Fees collected	\$65.00



TRANSPORTATION

CHAPTER 7

Transportation

Transportation is a word that means different things to different people. To most individuals, it means a car; to the truck driver or bicyclist it means roads; to a child it means sidewalks; to the elderly or handicapped it means buses or lift-equipped vans; to the pilot it means airports; to the trainmaster it means railroads; but, to everyone it means a link. Transportation is the thread that links people with places. Moving people around and through Bath County is an important issue and decision-makers will rely on this transportation element for guidance in making future transportation decisions which will affect not only how people are transported but also how public dollars are to be spent.

In addition, transportation plays an important role in influencing growth patterns. The creation or improvement of roads can open land to development, change travel routes in ways that immediately change individual land use decisions, and eventually can redirect land use patterns. Because of this close interrelationship, the transportation element must be developed and reviewed in terms of its consistency with other elements of the comprehensive plan, especially the land use element.

EXISTING TRANSPORTATION FACILITIES

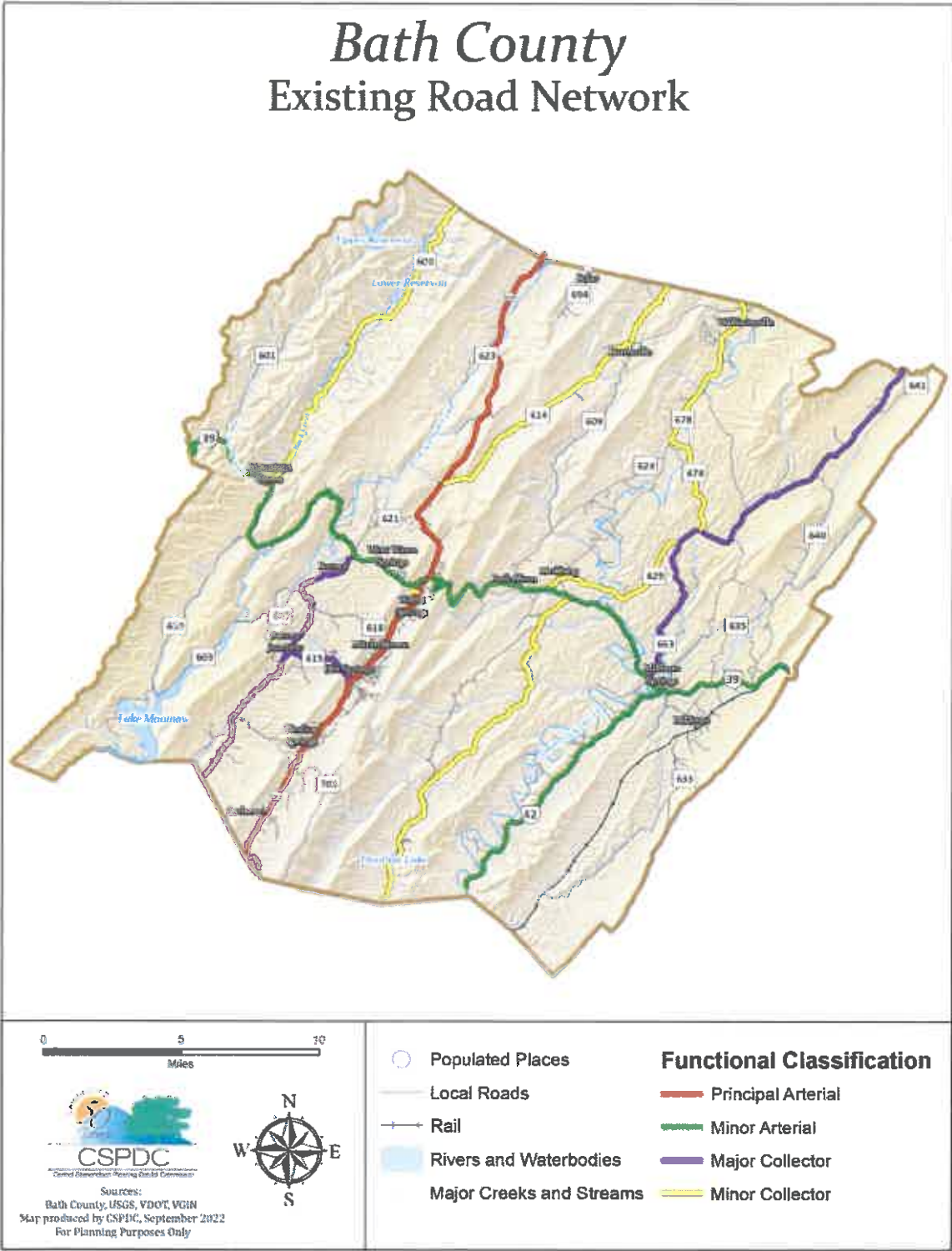
Bath County is served by a number of primary and secondary roadways, a general aviation airport, private taxi and limousine services, and several motor freight carriers. This section will inventory the location, condition, and usage of the County's existing transportation facilities to provide a foundational understanding of the community's transportation needs and the improvements that could address those needs.

Roadways

The Virginia Department of Transportation (VDOT) classifies major roads in the state by the way they function within the road network. The functional classification system is the process by which streets and highways are grouped into classes, or systems, according to the part that any particular road or street plays in serving the flow of trips through a highway network. A roadway's functional usage is based on mobility and accessibility. Mobility is measured in respect to the ability of traffic to pass through a defined area in a reasonable amount of time. Accessibility is measured in terms of the road systems capability to provide access to and between land use activities within a defined area (Refer to Map 7.1).

VDOT uses the functional classification system to determine federal-aid highway program funding eligibility, applicable geometric design standards of the VDOT Road and Bridge Design Manual, determining maintenance payment amounts that a locality will receive if the locality has responsibility for road maintenance, access management features, highway performance monitoring system federal reporting, secondary street acceptance requirements, as well as

Map 7.1



National Highway System (NHS) facility performance standards determined by Federal Highway Administration (FHWA). Functional classifications applicable to Bath County are as follows:

Primary Roads – Primary roads are generally routes providing service which is relatively continuous and of relatively high traffic volume, long average trip length, high operating speed, and high mobility importance. Every United States (U.S.) numbered highway is a primary road, as well as numbered State highways below 600.

The primary roads in Bath County can be further classified as minor arterials. Minor arterials normally perform the tasks of linking cities and large towns, helping developed areas of the state stay within a reasonable distance of arterial highways, providing service to corridors with trip lengths and travel density greater than those served by collectors or local roads, and providing for relatively high overall speeds, with minimum interface to through movement.

The primary roads in Bath County are:

U.S. Route 220 – Bath County’s main north-south highway. It provides a direct connection to Covington, Clifton Forge, and Interstate 64 to the south, and to Highland County and northeastern West Virginia to the north.

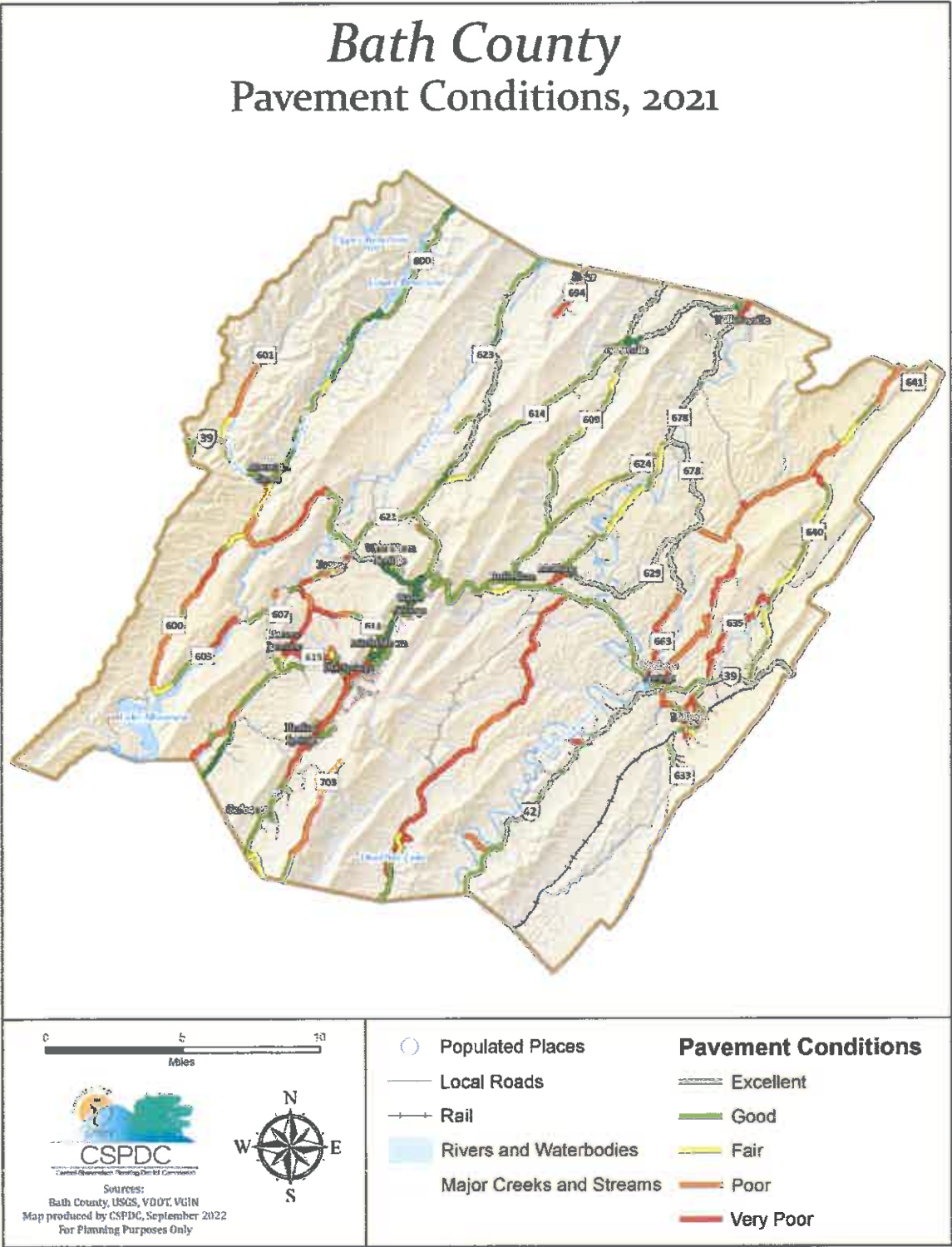
State Route 39 – The County’s major east-west highway. It passes through Brattons Bridge, Bath Alum, West Warm Springs, and Mountain Grove, and provides access to Lexington, Route 11, and Interstate 81 to the east and Marlinton, West Virginia, and U.S. Route 219 to the west.

State Route 42 – Passing through Nimrod Hall, Millboro Springs, and Brattons Bridge, it serves the southeastern quadrant of the County. Route 42 provides access to U.S. Route 60 and Interstate 64 to the south and Staunton and Interstate 81 to the north.

Secondary Roads – Secondary roads are those with average traffic volumes, trip lengths, and operating speeds. Secondary roads also collect and distribute traffic between local roads and primary roads and serve as a link between land access and mobility needs. There are more than 243 miles of secondary roads in Bath County providing access to housing, jobs, medical facilities, and shopping. VDOT does all maintenance of Bath County Roads, including snow removal. Secondary facilities are maintained in an acceptable manner by including needed maintenance and repair projects in the State’s Six Year Improvement Program (SYIP).

The secondary roadways in Bath County, like the primary roads, can be further classified into groups of major collectors and minor collectors. Major collectors typically perform the job of providing service to any county seat not on an arterial system and to larger towns not directly served by higher systems, linking the former to nearby larger towns or routes of higher classification, and serving the more important intra-economy travel corridors. Minor collectors, generally spaced at intervals consistent with population density, perform the following tasks: collecting traffic from local roads and bring all developed areas within a reasonable distance of a collector road, providing service to the remaining smaller communities, and linking local traffic generators with their rural hinterland.

Map 7.2



Roadway Maintenance and Pavement Conditions

VDOT currently maintains all of Bath County's primary and secondary roads. VDOT rates pavement conditions of VDOT-maintained roads from Very Poor to Excellent based on the age and condition of the pavement. Map 7.2 displays the County's current pavement conditions.

As seen in Map 7.2, pavement conditions vary widely across Bath County. Approximately 59.5% of Bath County's primary and secondary roads are in Excellent or Good condition, while 30.9% are in Poor or Very Poor condition. The remaining 9.6% is in Fair condition. Many of the roads deemed to be in Poor condition are concentrated south of Mountain Valley Road (Route 39) along Bolars Draft Road (Route 600), Richardson Gorge Road (Route 603), and Douthat State Park Road (Route 629). In addition, much of Deerfield Road (Route 629) heading toward Deerfield is also in Poor condition.

The Poor condition of Sam Snead Highway (Route 220) between Hot Springs and Healing Springs may be the most notable finding because this is the most populated part of the County and therefore it is the most heavily traveled road in the County. However, the majority of Bath County's most heavily traveled roads including Sam Snead Highway north of Hot Springs, Cowpasture River Highway (Route 42), and Mountain Valley Road (Route 39) are in Good or Excellent condition.

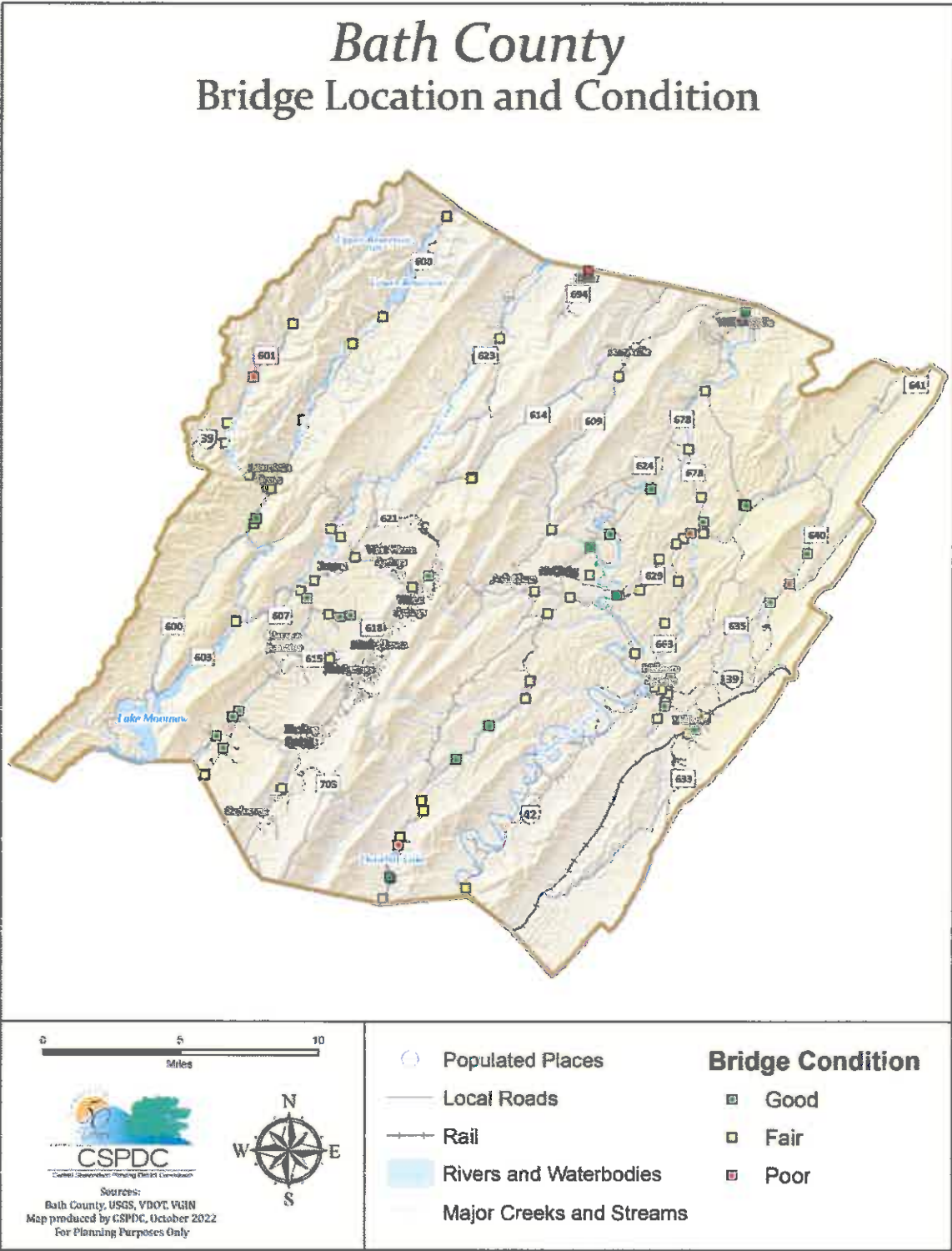
Bridges

Bath County currently has 95 bridges located within the County limits. Map 7.3 displays the location and condition rating of each bridge and culvert. Based on structural safety inspections, VDOT rates the condition of each bridge and culvert to ensure facilities are properly maintained and to identify bridges that need to be repaired, rehabilitated, or replaced. Each bridge and culvert are assigned a general condition rating from 0 (Failed Condition) to 9 (Excellent Condition) based on the structural integrity and condition of the deck, substructure, and superstructure. As of 2021, 27 (28.4%) of Bath Counties bridges were considered to be in Good condition, 62 (65.3%) were in Fair condition, and 6 (6.3%) were in Poor condition. The majority of the bridges in Poor condition are found along smaller highways on the outskirts of the County.

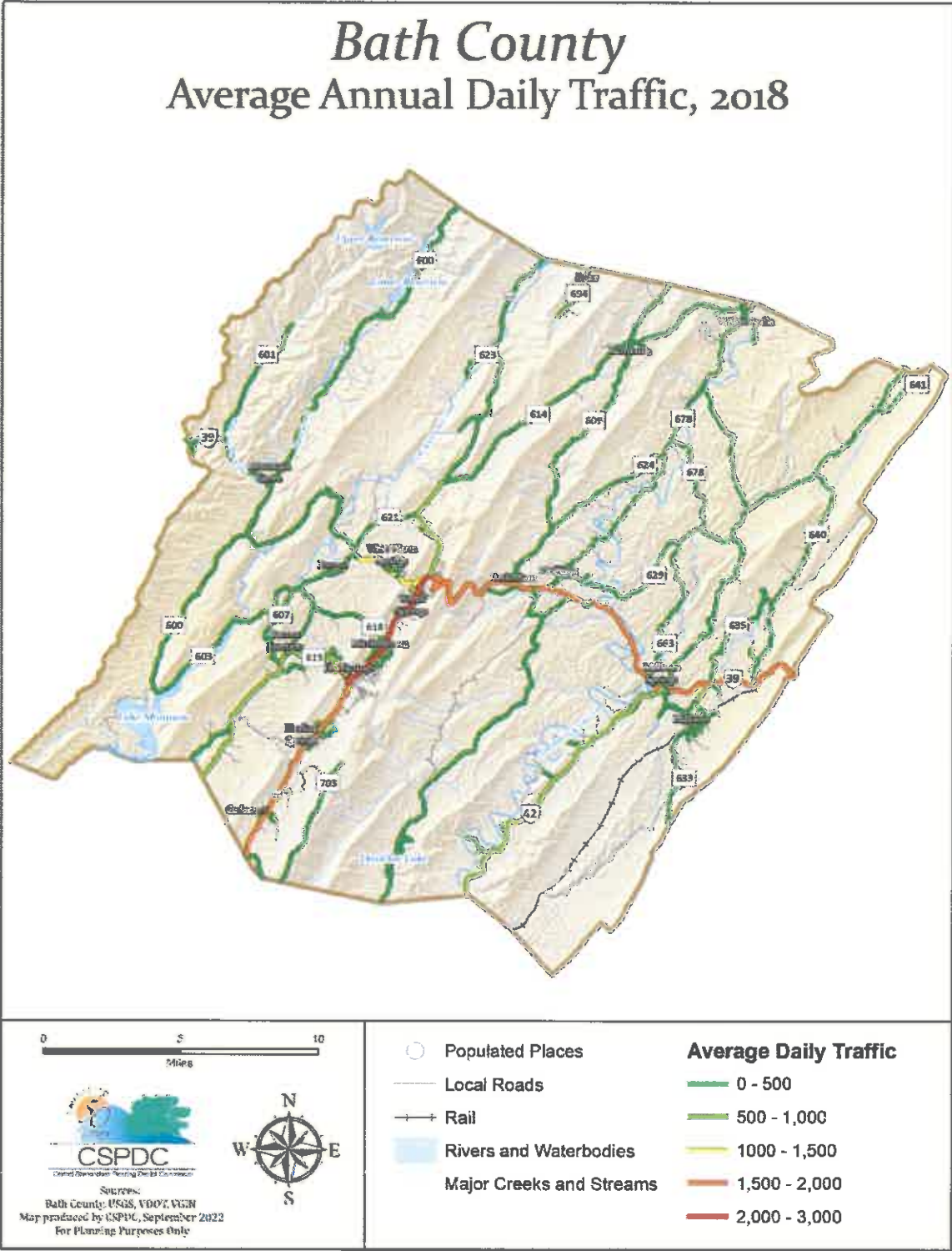
Traffic Volume

Map 7.4 displays the average daily traffic (ADT) volume for Bath County's roadway network. The ADT characterizes the County's travel patterns and how the existing roadway network is utilized by tracking the average number of vehicles that drive each road segment in a day.

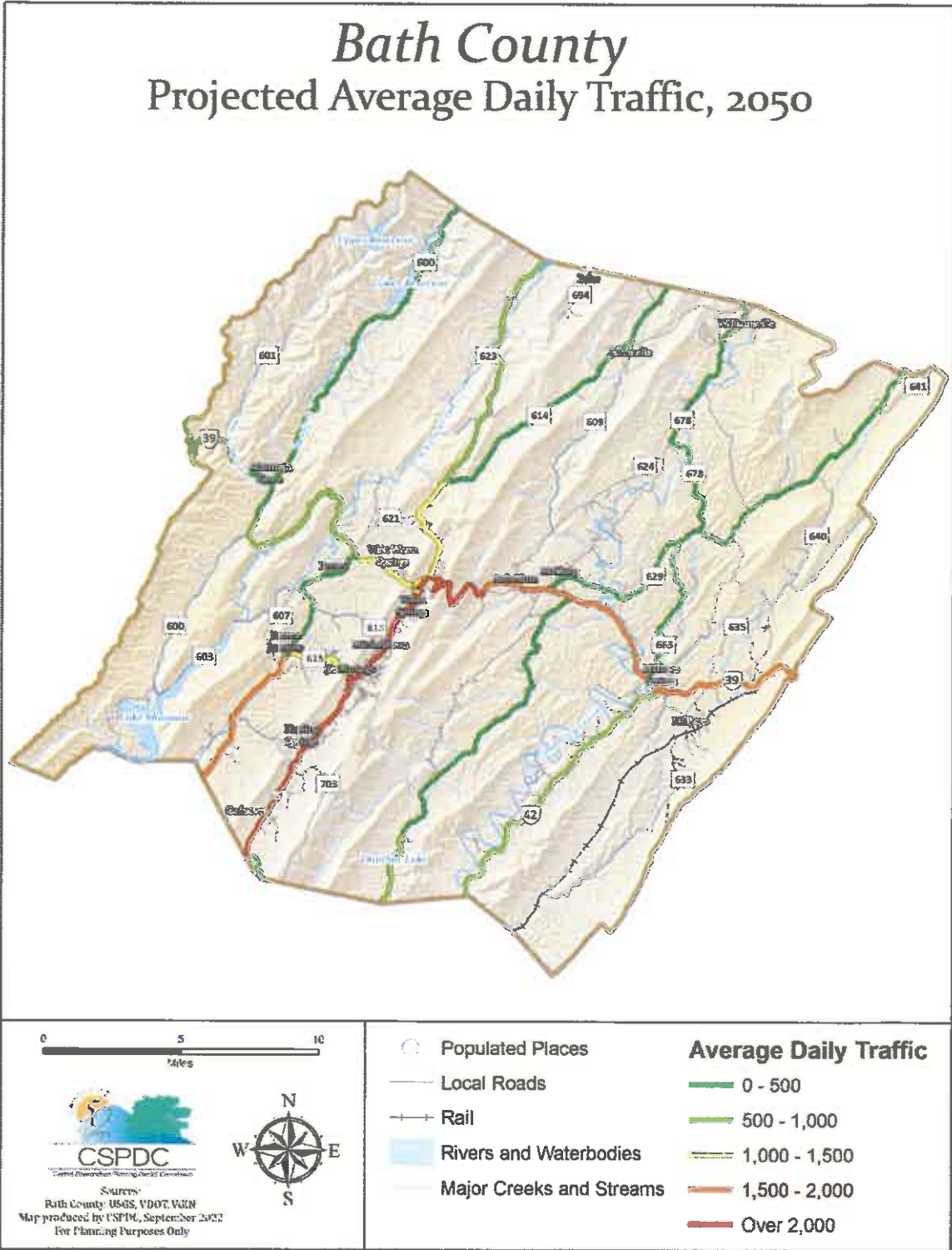
Map 7.3



Map 7.4



Map 7.5



The majority of Bath County Roads, including all secondary roads experience less than 1,000 trips per day. The only roads with more than 1,000 trips per day were Mountain Valley Road east of the Jackson River Turnpike, Sam Snead Highway south of Mountain Valley Road, and several connecting roads in and around Hot Springs and Warm Springs. These traffic patterns generally correspond to the County's most densely populated areas, but the heavier traffic is also driven by the connection these roads provide to I-64 and more urbanized areas outside of the County.

To understand how travel patterns are expected to change over time, VDOT projects average daily traffic volume over the next 25 to 30 years. As seen in Map 7.5, traffic is generally expected to maintain the same pattern with the heaviest traffic flowing on Sam Snead Highway and Mountain Valley Road. However, despite the County's declining population, daily traffic on most of Bath County's major roads is projected to gradually increase.

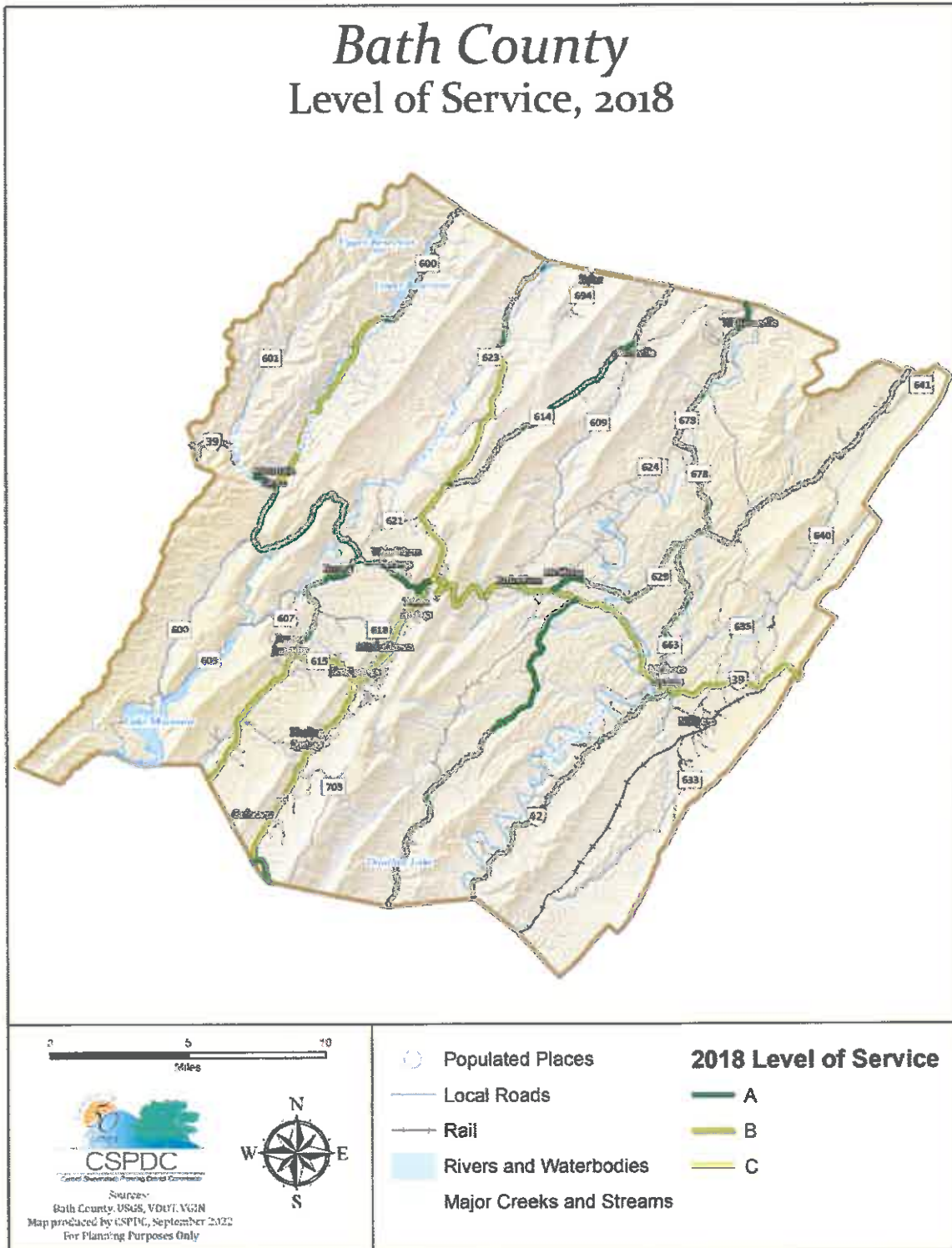
Level of Service

Maintaining acceptable levels of service (LOS) on roadways is essential to preserving and enhancing interregional mobility, increasing transportation efficiency, and coordinating transportation and land development. Levels of service are qualitative measures describing operating conditions of roadways and are given designations from A through F, with A representing the best operating conditions and F the worst. Level of service C is the generally accepted minimum operating standard for rural primary roadways. Under LOS C conditions, a driver is able to maintain the set speed limit, stopping only for stop signs or signals. When proceeding through a stop sign or green light, the driver is able to return to the set speed limit without delay. A driver may occasionally slow down for cars entering the roadway from intersecting streets or driveways, however, the majority of the trip can be completed without impedance.

Due to the combination of rolling and mountainous terrain throughout Bath County, the level of service conditions for mountainous terrain were used for this analysis. The maximum daily traffic numbers also assume that ten percent (10%) of all traffic will occur during the peak travel hours and that, due to terrain, 60 percent of the roadway segments are no passing zones.

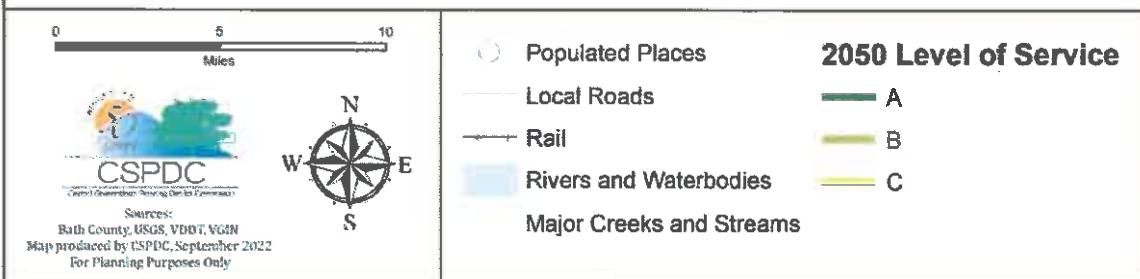
Based on the most recent traffic counts supplied by VDOT, the existing roadway network in Bath County generally provides a good level of service for motor vehicle transport (See Map 7.6 and Map 7.7). With the exception of two segments of Sam Snead Highway (U.S. Route 220), all primary and secondary roads in Bath County currently maintain a LOS of B or better. The only two segments that currently have a LOS of C are two short sections of the Sam Snead Highway as it connects downtown Hot Springs to the Omni Homestead and intersects with Mountain Valley Road.

Map 7.6



Map 7.7

Bath County Projected Level of Service, 2050



Based on the 2050 average daily traffic forecasts seen in Map 7.5, VDOT can project the expected LOS in the future, thereby identifying roads that may need additional capacity to meet future demand. Map 7.7 displays Bath County's expected Level of Service in 2050.

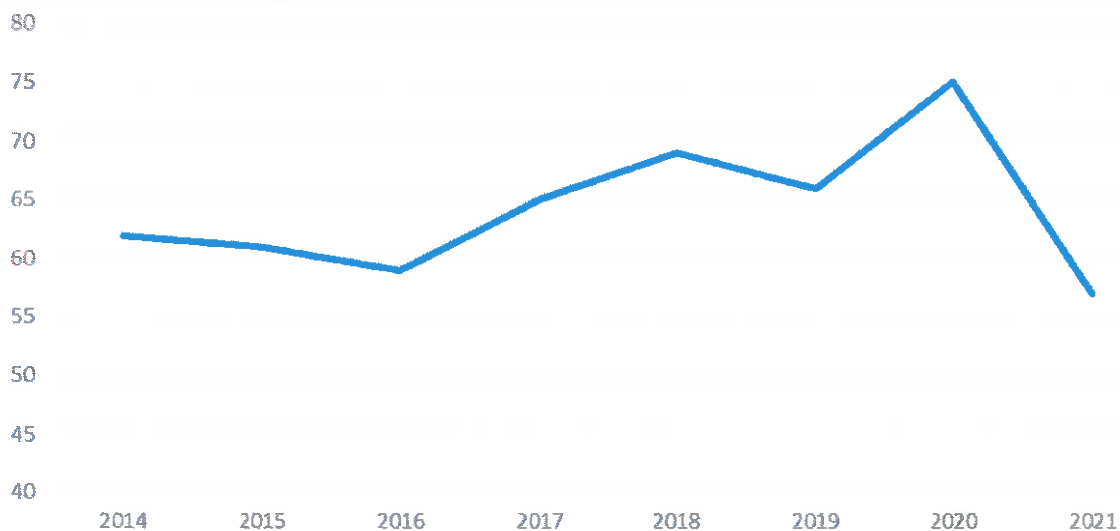
Comparing Map 7.6 to Map 7.7 shows that the County's LOS in 2050 is not expected to change significantly. Even with the expected growth in ADT, Bath County's existing roadway network has sufficient excess capacity to accommodate the additional traffic without causing measurable traffic issues. The only expected changes to LOS are the Sam Snead Highway between Mountain Valley Road and the County's southern border (LOS of B to C) and Cowpasture River Highway (Route 42) south of Millboro Springs (LOS of A to B). Bath County will need to continue monitoring its travel patterns. However, roadway capacity and traffic congestion are not expected to be pressing transportation needs in the near future.

Safety Analysis

A crash analysis was performed to understand Bath County's safety needs and problem areas. VDOT's motor vehicle crash data was used to analyze the number, location, type, and severity of all vehicular crashes that have occurred in Bath County in the last eight years.

Between 2014 and 2021, there were 514 vehicular accidents in Bath County. In a typical year, Bath County experiences between 60 and 70 vehicular crashes with an average of 64.3 crashes per year. During the early stages of the COVID-19 pandemic, there was an increase vehicular crashes, as there were 75 crashes within the county limits in 2020. Thankfully, crashes decreased in 2021 with 57 crashes in 2021, the least of any year in the analysis (Figure 7.1).

Figure 7.1: Vehicle Crashes in Bath County, 2014-2021



Mapping where Bath County's vehicular crashes occur reveals that incidents generally correspond with the County's traffic patterns along major corridors. Bath County's two busiest

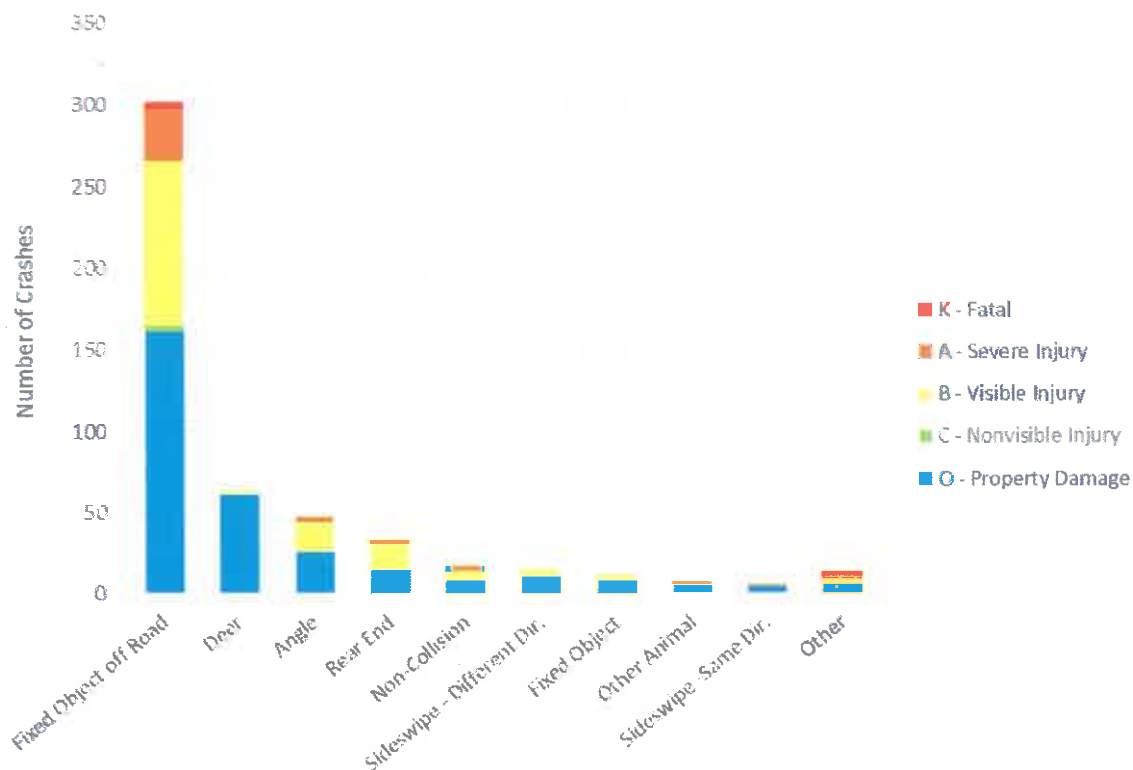
highways – Sam Snead Highway south of Warm Springs and Mountain Valley Road east of Warm Springs – accounted for 216 (42%) of all of Bath County’s crashes in the last eight years. Map 7.8 shows that the highest concentration of crashes in the County occurred on Sam Snead Highway between Warm Springs and Healing Springs. This also included three of the County’s six fatal crashes.

Other roads with concentrations of crashes include:

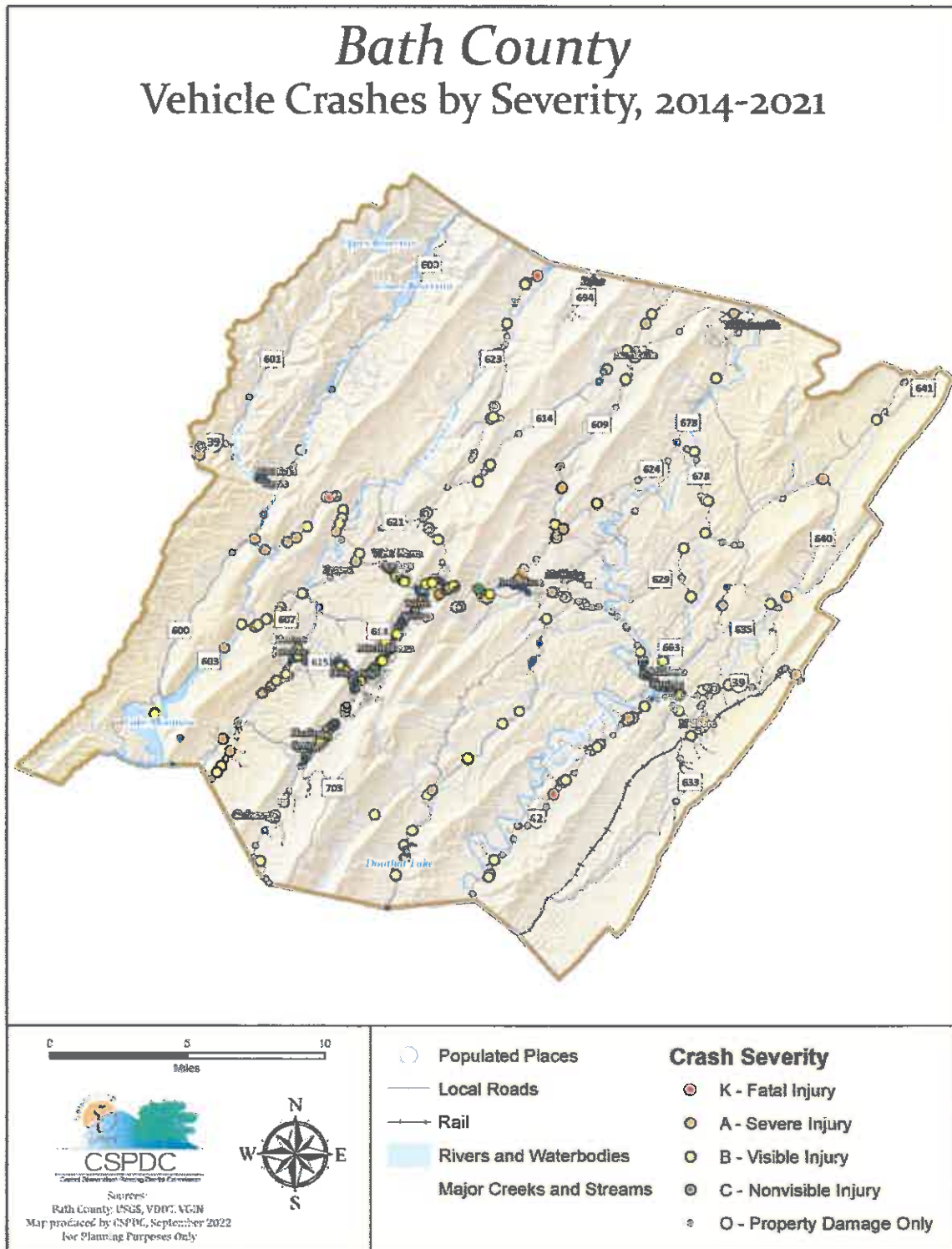
- Mountain Valley Road West of Warm Springs – 41 crashes (8.0%)
- Cowpasture River Road (Route 42) – 39 crashes (7.6%)
- Sam Snead Highway north of Warm Springs – 33 crashes (6.4%)
- Jackson River Turnpike – 22 crashes (4.3%)

Figure 7.2 breaks down Bath County’s crashes by severity and crash type. Collisions with fixed objects off the road were by far the most common type of crash accounting for almost 60% of crashes since 2014. This highlights the rural nature of Bath County’s roadways, as many of these crashes occurred going around curves through winding mountainous roads. Collisions with Deer and Angled collisions with other vehicles were the next two most common types of crashes accounting for 63 (12.3%) and 47 (9.1%) of Bath County’s crashes respectively.

Figure 7.2: Crashes by Severity and Type, 2014-2021



Map 7.8



Airports

Bath County is currently served by Ingalls Field, a commercial airport atop Warm Springs Mountain. Ingalls Field has a main runway and a crosswind runway. The main runway is 5,601 feet in length and is 100 feet wide. It can accommodate all but the largest aircraft including those of the size and weight of a DC-9 and smaller. The crosswind runway is currently a grass runway accommodating gliders and light aircraft. The airport has a full instrument landing approach and has also obtained global positioning approach capability. Although there is no scheduled commercial airline service to the airport, general aviation and charter services are provided.

Currently, the airport is publicly owned by the Bath County Airport Authority. The airport was previously owned by the Ingalls Field Airport Authority, which was formed in 1978 by the Counties of Bath and Alleghany, the City of Covington, and the Town of Clifton Forge. In late 1994, all members of the Authority except Bath County withdrew, changing ownership over to the Bath County Airport Authority.

Rail

The only operating railroad in Bath County is the Buckingham Branch Railroad track, with CSX retaining overhead trackage rights. The railroad traverses the southeastern portion of the County passing through Millboro. The line lies adjacent to the Millboro Industrial Park and extends westward through Clifton Forge and Covington and into West Virginia. It extends eastward through Staunton and Charlottesville, ending at the Richmond rail terminal. The segment that passes through Bath County is part of the Richmond and Alleghany Division; its operational division goes from Richmond, through Charlottesville, to Clifton Forge.

Although the Buckingham Branch Railroad line carries both freight and passenger traffic, there are no terminals or stations in Bath County. Freight traffic along the line averages between three and five million gross tons per mile of track per year.

Amtrak's "Cardinal" passenger train operates along the line three times a week as it travels between New York City and Chicago via Philadelphia, Washington, D.C., Cincinnati, and Indianapolis. The passenger station nearest to Bath County is in Clifton Forge, a small town about five miles south of the Bath County line. In 2019, ridership on the "Cardinal" averaged close to 109,000 passengers a year with approximately 2,190 of those passengers ticketed to Clifton Forge. The Cardinal is the only route available through this station.

CSX, the previous owner, began to consider discontinuing the Mountain line, which is now the Buckingham Branch Railroad line, in 1989 and decided to either sell or abandon it by 1992. Local communities along the line felt strongly that the line was important to their future economic development. Consequently, the Greater Shenandoah Valley Development Commission was formed to negotiate purchase of the line. Buckingham Branch has since reevaluated the economic impact of keeping the line running and at this time the line is still in operation.

Bicycle and Pedestrian Facilities

Bath County is graced with beautiful mountains, wooded areas, and an abundance of outdoor recreational facilities. Hiking is available throughout the County and is an important part of the tourist industry for the area. The County has very limited on-street pedestrian facilities. The only sidewalks are found in and around the Hot Springs commercial area along Main Street and connecting the Omni Homestead to downtown and the surrounding neighborhood. The County has no dedicated on-road bicycle facilities.

Public Transportation

Presently, Bath County has no public transportation services. Some shuttling services for the elderly and disabled are provided by the Bath County Senior Center in Warm Springs and the Valley Program for Aging Services. Alternative transportation modes are challenging to provide due to the rural nature of the County, with residents living in small communities or isolated rural areas.

PLANNING ASSUMPTIONS

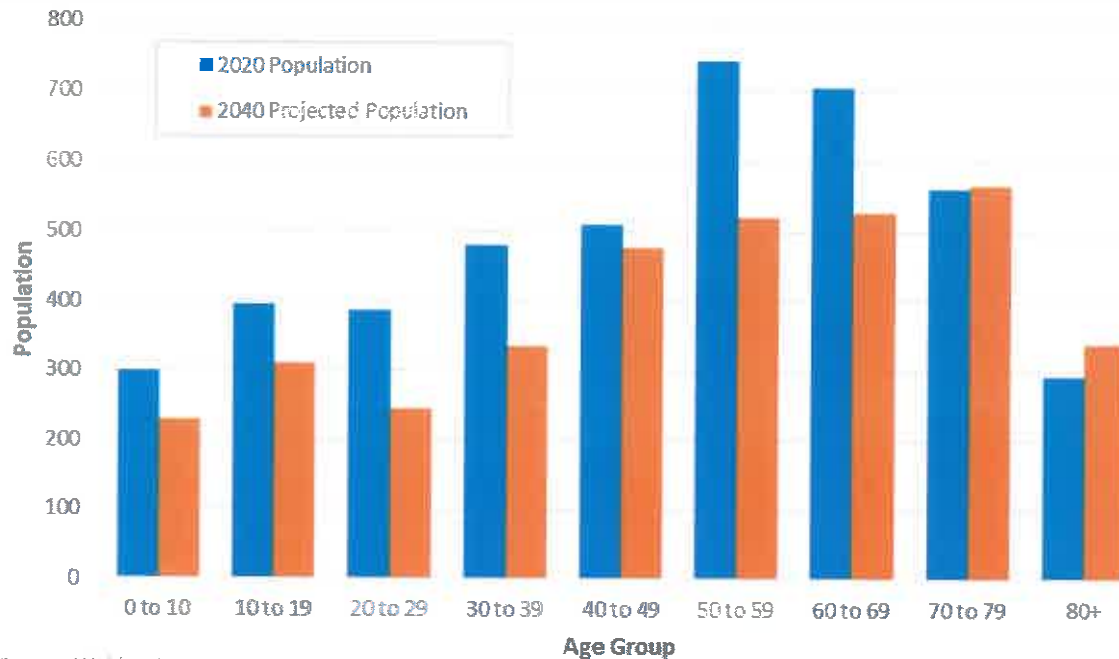
Population and Demographic Changes

Between 2010 and 2020, the County's population decreased by eleven percent, compared to the six percent decrease seen between 2000 and 2010. According to the Weldon Cooper Center Bath County's population is projected to remain relatively similar over the next few years, only decreasing by 0.7 percent by 2025. However, between 2025 and 2045, the County's population is expected to continue to decline by approximately 10 percent per decade. By 2045, Bath County's population is projected to be 3,327 people, 20.9 percent lower than it was in 2020. Consequently, Bath County's roadway network capacity is not likely to be threatened in the near future.

Weldon Cooper Center projections show the County's population continuing to age. As seen in Figure 7.3, residents over 70 years old is the only age group not expected to decline over the next 20 years. At the time of the 2020 Census, 19.5 percent of the population were over 70 and older. By 2040, elderly adults are anticipated to increase to around 25.5 percent of the population.

Meeting the transportation and mobility needs of this aging population will continue to be a challenge for the County for the next 20-30 years. The elderly, along with persons with disabilities, often need assistance with transportation, access to health care, financial advising, assistance with home maintenance, and other social services. Not only is there a need to help this population live independently for as long as possible, but transit demand should also be addressed. As further detailed in the Needs Assessment section of this chapter, there is no public transportation for the County, although there are limited shuttling and demand response services.

Figure 7.3: Projected Population Change by Age Group Between 2020 and 2040



Source: Weldon Cooper Center

Employment and Commuting Characteristics

Over 75 percent of working residents are employed within the County, resulting in about two-thirds of the workers having a commute of 25 minutes or less. Approximately 18 percent travel outside the County to their respective workplaces, most of which are in Allegheny County. The remaining workers travel outside of the state to their place of employment. According to the 2019 American Community Survey, the average commute time is 23 minutes.

With the presence of natural hot springs as a tourist attraction, a large number of jobs in the County are concentrated in tourism, most notably with The Omni Homestead Resort in Hot Springs. Other large employment sectors include manufacturing, educational services, health care, social assistance, and utilities. Other large employers within the County are Augusta Lumber, Bluegrass Woods, Bath County Community Hospital, Bath, Allegheny, and Rockbridge Counties Electrical Cooperative (BARC), and Dominion Power. These industry sectors, employers and the number of jobs they provide have not changed significantly since the adoption of the 2014 Comprehensive Plan and the County does not anticipate significant changes in the coming years.

Community Facilities

Schools and Institutions: Bath County Public Schools consists of two elementary schools (grades K-7), one high school (grades 8-12), and one career and technical center, and there are no

foreseen school additions for the County. Thus, the elementary schools, located in the eastern and southern portions of the County, will not need to see expansion of roadway networks. Bath County High School and the Mertz Career and Technical Center, housed within the high school, are centrally located in the County. Similar to the elementary schools, no network expansion is needed, but a congestion issue along that segment of U.S. 220 does need to be considered and is addressed in the Needs Assessment section of this chapter.

Water and Sewer: Bath County is served by three water companies and one wastewater company. The Bath County Public Service Authority, The Homestead Water Company, and Millboro Water Association provide water services, and additionally Bath County Public Service Authority provides wastewater services. There are a small number of proposed changes to the current system in the central and eastern parts of the County, as detailed and mapped in the Public Utilities chapter. These proposed changes provide extensions to the existing infrastructure for both sewer and waterlines. Current systems are encountering several challenges, namely age and contamination. The proposed extensions of the current systems are not to serve new development in the County, but are needed to take current residents off septic systems and put them on the public system.

Land Use

The County does not anticipate major changes to its current land uses and does not plan to make changes to the zoning map as a result of the 2022 Comprehensive Plan update.

Within the general land use categories, developments occurring in the County fall into one of the following categories: Industrial Development, Commercial Development, Residential Development, and Mixed Use. The County continues to have a strong preference for development that complements its natural setting. Given the County's gradual population decline in recent decades, rapid growth is not expected. New development will generally be concentrated in the growth areas identified in Map 11.4. As documented in the Land Use chapter, concentrating new development activity around village centers and along major corridors will serve to facilitate growth while preserving the County's rural character.

This continuation of existing low-intensity land uses will not require the addition of new vehicular capacity or traffic control in the roadway network.

Summary

With little to no changes anticipated in population, employment, schools, municipal infrastructure, land use or zoning, the County does not anticipate a need to expand the roadway network. Mobility, especially for the elderly and disabled, and roadway safety continue to be a challenge and will be addressed in the Needs Assessment section of this chapter.

NEEDS ASSESSMENT

Current and Projected Performance and Conditions

To ensure that the existing transportation network is operating in an acceptable manner, the County monitors annual traffic volumes. Traffic counts combined with the roadway functional classification, provide the County with information necessary to determine existing levels of service, make informed decisions about needed roadway improvements, and identify potential service delivery problems before they occur. This is particularly useful when historical counts are available allowing for the projection of future traffic volumes based on past trends. Monitoring traffic count data also allows for the realistic assessment of the impact of proposed development on the existing transportation network.

Traffic counts alone do little to provide a clear picture of operational conditions of the transportation network. Level of service data can provide a fuller picture of current and future ground conditions. As discussed in the Inventory section of this chapter, there is a general good level of service for motor vehicle support in the County. In the future, level of service throughout the County shows the range of positive change, no change, or negative change (See Table 7.1 and Map 7.7). The majority of roadway segments are expected to maintain a LOS A or B.. Several sections of Sam Snead Highway (US 22) south of Warm Springs have or will have a LOS of C by 2050.

In addition to monitoring traffic volumes and level of service for capacity measurements, the County and VDOT are working to address existing and potential safety deficiencies. Certain intersections within the County have geometric deficiencies, including poor sight lines and absence of turn lanes, and need to be studied and improved in the future. The County identified several intersections in need of safety improvements, five of which were prioritized to pursue for inclusion in the SYIP.

Existing Transportation System and Future Land Use Policies

As previously detailed in the Planning Assumptions section of this chapter, modest population growth and development are expected in the next 30 years. There are no anticipated changes to the County's current land uses or zoning map. With such little change, the existing roadway network should continue to meet future capacity needs.

Table 7.1: Bath County Road Network

Facility Name/ Route ID	Segment From	Segment To	Functional Classification	2019 AADT	2050 AADT (Projected)	2019 LOS	2050 LOS (Projected)
VA-42N	ALLEGHANY CL	RTE 664	Minor Arterial	749	865	A	B
	RTE 664	RTE 655	Minor Arterial	749	865	A	B
	RTE 655	RTE 602 SOUTH	Minor Arterial	781	902	A	A
	RTE 602 SOUTH	RTE 39	Minor Arterial	781	902	A	A
VA-39E	WEST VIRGINIA SL	RTE 601	Minor Arterial	323	373	A	A
	RTE 601	RTE 600 EAST	Minor Arterial	323	373	A	A
	RTE 600 EAST	RTE 621	Minor Arterial	480	524	A	A
	RTE 621	RTE 687	Minor Arterial	480	554	A	A
	RTE 687	RTE 220 WEST	Minor Arterial	1,150	1,328	A	A
	RTE 220 EAST	RTE 630 WEST	Minor Arterial	1,608	2,069	B	B
	RTE 630 WEST	RTE 629 WEST	Minor Arterial	1,729	1,783	B	B
	RTE 629 WEST	RTE 678	Minor Arterial	1,729	1,783	B	B
	RTE 678	RTE 635	Minor Arterial	1,735	1,924	B	B
	RTE 635	RTE 640	Minor Arterial	1,735	1,926	B	B
	RTE 640	ROCKBRIDGE CL	Minor Arterial	1,735	1,926	B	B
US-220N	ALLEGHANY CL	RTE 647	Principal Arterial	2,018	3,922	B	C
	RTE 647	RTE 608	Principal Arterial	2,018	3,922	B	C
	RTE 608	RTE 658	Principal Arterial	2,018	3,922	B	C
	RTE 658	RTE 615	Principal Arterial	2,973	5965	C	C
	RTE 615	RTE 39	Principal Arterial	2,973	4,517	B	C

Facility Name/ Route ID	Segment From	Segment To	Functional Classification	2019 AADT	2050 AADT (Projected)	2019 LOS	2050 LOS (Projected)
US-220N	RTE 39	RTE 39 NORTH	Principal Arterial	848	3356	C	C
	RTE 39 NORTH	RTE 614	Principal Arterial	848	1078	B	B
	RTE 614	RTE 622	Principal Arterial	504	658	B	B
	RTE 622	RTE 623	Principal Arterial	504	658	B	B
	RTE 623	HIGHLAND CL	Principal Arterial	447	648	A	A
SC-692E	RTE 39 WEST	RTE 645	Minor Collector	172	199	A	A
SC-687N	ALLEGHANY CL	RTE 615	Major Collector	711	1,624	B	B
	RTE 615	RTE 618	Major Collector	280	323	A	A
	RTE 618	RTE 39	Major Collector	411	475	A	A
SC-678N	RTE 39	RTE 629 SOUTH	Major Collector	273	315	A	A
	RTE 629 SOUTH	RTE 629 NORTH	Major Collector	172	242	A	A
	RTE 629 NORTH	HIGHLAND CL	Minor Collector	165	191	A	A
SC-645N	RTE 619	RTE 692	Minor Collector	807	932	A	A
SC-629N	ALLEGHANY CL	DOUTHAT STATE PARK	Minor Collector	428	689	A	A
	DOUTHAT STATE PARK	RTE 683	Minor Collector	111	128	A	A
	RTE 683	RTE 39 SOUTH	Minor Collector	242	293	A	A
	RTE 39 NORTH	RTE 625	Minor Collector	250	290	A	A
	RTE 625	RTE 678 SOUTH	Minor Collector	68	79	A	A
	RTE 678 NORTH	RTE 640	Major Collector	104	179	A	A
	RTE 640	AUGUSTA CL	Major Collector	157	255	A	A
SC-606N	ALLEGHANY CL	SAM SNEAD HWY	Major Collector	395	456	A	A

Facility Name/ Route ID	Segment From	Segment To	Functional Classification	2019 AADT	2050 AADT (Projected)	2019 LOS	2050 LOS (Projected)
SC-619E	RTE 645	0.10 MI EAST RTE 645	Minor Collector	1,093	1,262	A	A
	0.10 MI EAST RTE 645	RTE 220 WEST	Minor Collector	1,093	1,262	A	A
SC-615E	RTE 687	RTE 644 WEST	Major Collector	875	1,334	B	B
	RTE 644 WEST	0.19 MI WEST RTE 220	Major Collector	984	1,137	B	B
	0.19 MI WEST RTE 220	RTE 220	Major Collector	1,304	1,506	B	B
SC-614N	RTE 220	2.5 MI NORTH RTE 220	Minor Collector	167	267	A	A
	2.5 MI NORTH RTE 220	RTE 609	Minor Collector	167	267	A	A
SC-609N	RTE 614	HIGHLAND CL	Minor Collector	57	66	A	A
SC-600N	RTE 39 NORTH	RTE 705	Minor Collector	269	311	B	B
	RTE 705	HIGHLAND CL	Minor Collector	269	226	A	A

Deficiencies and Future Improvements

Public Transit

Bath County is predominantly rural, with residents living in small communities as well as isolated rural areas. The rural nature of the County increases the difficulty of providing adequate transportation alternatives for all residents. A major issue is the provision of transportation-disadvantaged services. A resident who is transportation-disadvantaged is one who, due to physical or economic limitations, is unable to provide his/her own transportation.

There is no public transportation in Bath County, yet elderly, disabled, or economically disadvantaged residents must have some mode of transport to medical facilities, jobs, shopping, and other locations. A shuttle bus service between the homes of elderly residents and the Senior Center in West Warm Springs is currently in operation. In addition, the Valley Program for Aging Services (VPAS) is also available to provide demand response service to various medical facilities in the region.

System Maintenance

Although Bath County has a well-maintained primary roadway network, secondary roadways are often in poor condition and can present safety hazards. In particular, much of the secondary

roadway network is very narrow and has limited sight lines. The County continues to work with VDOT to improve the condition and safety of secondary roads through the Rural Rustic and Pave-In-Place programs. The 2011 Rural Long Range Transportation Plan (RLRTP) identified deficient secondary roadways. These projects are listed in Appendix A.

Safety/Intersections

The County has identified several intersections in need of further study and safety improvements. These projects were originally identified by the 2011 Rural Long Range Transportation Plan (RLRTP) and then selected as high priorities by County staff. The importance of these intersections was reinforced by more recent studies including the Rural Transportation Safety Hotspot Identification small area study.

- *Intersection of U.S. 220 at VA 615 (included in the VDOT FY23 Six Year Improvement program, see Table 7.2):* This intersection lacks adequate pedestrian infrastructure, creating safety risks for pedestrians and vehicular traffic. A small area study conducted in 2020 identified safety improvements and proposed intersection designs to improve pedestrian comfort and enhance overall safety at the intersection. Based on this study, improvements to this intersection were awarded SMART SCALE funding and have been incorporated into VDOT's Six-Year Improvement Program (SYIP). Construction is expected to begin in 2027. The improvements will increase safety by widening the existing sidewalks on along Main Street (Route 615), upgrade existing crosswalks to "continental" style crosswalks, and adding street lighting and pedestrian actuated crosswalk beacons.
- *Bath County High School Entrance and Exit.* The intersection of U.S. 220 at VA 682 (Charger Lane) currently faces safety and congestion challenges. As the only entrance and exit to the County's high school, the intersection sees increased traffic in the morning and afternoon. In addition to regular school traffic, the County also needs to address traffic during big events at the high school, like football games, graduations, etc. Overflow parking forces cars to park along the sides of the highway. This adds safety concerns for through traffic, as well as pedestrians getting to their cars. There is also an absence of safe pedestrian crossings around the intersection. Across the street from the high school there is a convenience/gas station, presenting a four-way intersection with two consistent traffic generators. The RLRTP recommends a safety study to evaluate issues and identify improvements.
- *Intersection of VA 39 (Mountain Valley Road) at VA 690 (Windy Cove Road):* VA 690 intersects VA 39 and VA 687 (Indian Draft Road); VA 687 also intersects with VA 39. VA 39 has a posted speed limit of 55 mph and the lack of turn lanes can hinder consistent traffic flow. This intersection also has limited sight distance on VA 678 traffic to westbound VA 39 traffic due to vertical alignment, as well as an unnecessary access point at VA 690. Crashes that have been recorded around this intersection have been

categorized as “Fixed Object, Off Road.” Improvements recommended to mitigate risks include installing turn lanes on VA 39 and, if feasible, flattening the westbound approach and eliminating the VA 690 access point.

- *Intersection of U.S. 220 (Sam Snead Highway) at VA 614 (Muddy Run Road):* Both directions of U.S. 220 have the challenge of limited sight distance due to a horizontal curve and vegetation. VA 614 also experiences limited sight distance to traffic on U.S. 220 due to horizontal alignment. As with VA 39, U.S. 220 has a 55 mph posted speed limit throughout the County and the lack of turn lanes presents challenges to through traffic. Crash incidents localized around this intersection have been categorized as “Fixed Object, Off Road.” Recommendations to mitigate safety challenges include removing vegetation along the west side of U.S. 220, installing turn lanes along U.S. 220, and reconstructing and realigning U.S. 220 and reconstructing the VA 614 approach as a 90-degree angle.
- *Ingalls overlook on VA 39:* Turning back onto VA 39 from the overlook site proves to be challenging due to limited sight distance. Approaching the overlook from the east, there are two sharp horizontal curves, as well as the overlook pull-off being on a horizontal curve. Between 2013 and 2018, there were 15 crashes within the 0.31 mile segment leading up to and following the overlook pull-off, with a majority being classified as “Fixed Object, Off Road.” Due to the high number of incidents, the CSPDC’s Rural Transportation Safety Hotspot Identification study completed in 2018 identified this area as a Potential Safety Improvement Segment. Recommended projects to improve the area include adding advance signal warning signs and cutting the mountain back that is adjacent to the curve to improve line-of-sight.

Non-Motorized Facilities

As mentioned in the Inventory section of this chapter, Bath County has very limited on-street pedestrian facilities, although the Hot Springs commercial area does have sidewalks. The County also lacks on-road bike facilities such as bike lanes or widened paved shoulders. Providing these facilities as part of on-going roadway maintenance or upgrades would benefit both residents and visitors, even attracting cycle tourists to experience Bath’s scenic beauty. Prioritizing pedestrian facilities in and around Bath County’s largest population centers such as Warm Springs and Hot Springs could provide an important recreation asset in addition to improving pedestrian safety in the County’s most congested areas.

Other Needs

In addition, limited access to interstate highways, commercial airports, and passenger rail service increase transportation costs for Bath County and discourage businesses from locating in the area. This becomes not only a transportation issue, but an economic development issue as well.

Summary

The County's current roadway network functions well and should continue to do so in the future due to low population growth and the lack of changes in land use. There is no anticipated need for significant expansion of the network. Improving safety and increasing mobility should move to the forefront of County transportation initiatives, as detailed in this chapter. Multi-modal deficiencies should be addressed as well. In addition to improving safety for all users, multi-modal facilities could benefit the County economy by attracting in more tourists to the area.

RECOMMENDATIONS

Priority Projects

The following list of priority projects were derived from the recommendations of several plans and studies including the 2011 Rural Long Range Transportation Plan (RLRTP), the 2019 Rural Crash Hotspot Analysis, and the CSPDC's 2018 Small Area Study of the intersection of U.S. Route 220 and VA Route 615. The recommended projects and studies from each of these studies were listed and prioritized based on how well they addressed the County's transportation needs (See Map 7.9). Cost estimates are in 2023 planning level cost estimate dollars.

1. U.S. 220 at VA 615 Pedestrian Improvements (included in the VDOT FY15 Six Year Improvement Program, see Table 7.2)

Deficiencies/Challenges:

- Location lacks adequate pedestrian infrastructure

Recommendations:

- Widening the existing sidewalks on along Main Street (Route 615),
- Upgrade existing crosswalks to "continental" style crosswalks
- Add street lighting and pedestrian actuated crosswalk beacons
- Construction is scheduled to be completed in 2027

Project Cost: \$560,769

2. Intersection of VA 39 (Mountain Valley Road) at VA 690 (Windy Cove Road) Safety Improvements

Deficiencies/Challenges:

- VA 39 lacks turn lanes to access VA 678
- Sight distance limited on VA 678 traffic to westbound VA 39 traffic due to vertical curve alignment; unnecessary access point at VA 690

Recommendations:

- Install turn lanes on VA 39
- Flatten VA 39 westbound approach and eliminate the VA 690 access point

Cost Estimate: \$2,700,000

- Includes the addition of a left and right turn lane on VA 39 to access VA 678, the necessary through lane transition to accommodate the left turn lane, flattening of the VA 39 westbound approach to improve line of sight, and the closing of the VA 690 access to VA 39

3. Intersection of U.S. 220 (Sam Snead Highway) at VA 614 (Muddy Run Road) Safety Improvements

Deficiencies/Challenges:

- Sight distance limited in both directions of U.S. 220 due to horizontal curve and vegetation
- Sight distance for VA 614 traffic is limited to traffic on U.S. 220 due to horizontal alignment
- U.S. 220 lacks turn lanes

Recommendations:

- Remove vegetation along the west side of U.S. 220
- Install turn lanes along U.S. 220
- Reconstruct and realign U.S. 220 and reconstruct the VA 614 approach as a 90-degree angle

Cost Estimate: \$3,000,000

- Includes the addition of a left and right turn lane on U.S. 220 to access VA 614, the realignment of U.S. 220 to improve line of sight and provide the necessary through lane transition to accommodate the left turn lane, the realignment of VA 614 to create a 90-degree intersection with U.S. 220 to improve line of sight

4. Ingalls Overlook on VA 39, East of U.S. 220 Safety Improvements

Deficiencies/Challenges:

- Location has poor sight distance for traffic entering/exiting overlook site
- Identified as a Top 100 Potential Safety Improvement Segment with a Target Safety Need designation by the 2019 Rural Crash Hotspot Analysis

Recommendations:

- Add advance signal warning signs
- Cut mountain back that is adjacent to the curve to improve horizontal line of sight

Cost Estimate: \$1,800,000

- Includes the installation of advance signal warning signs on VA 39 to serve the entrance/exit of the overlook and excavation along the south side of VA 39 to improve line of sight

5. Pedestrian Improvements on U.S. 220 from Hot Springs to Mitcheltown

Deficiencies/Challenges:

- The corridor connecting The Omni Homestead to the residential center of Micheltown lacks adequate pedestrian infrastructure

Recommendations:

- Add a sidewalk on the east side of U.S. 220 from Paul Snipe Drive in Micheltown to the entrance of Woody's Restaurant in Hot Springs (connecting to the existing sidewalk)

Cost Estimate:

Priority Studies for Future Evaluation

1. Bath County Community Trail Feasibility Study

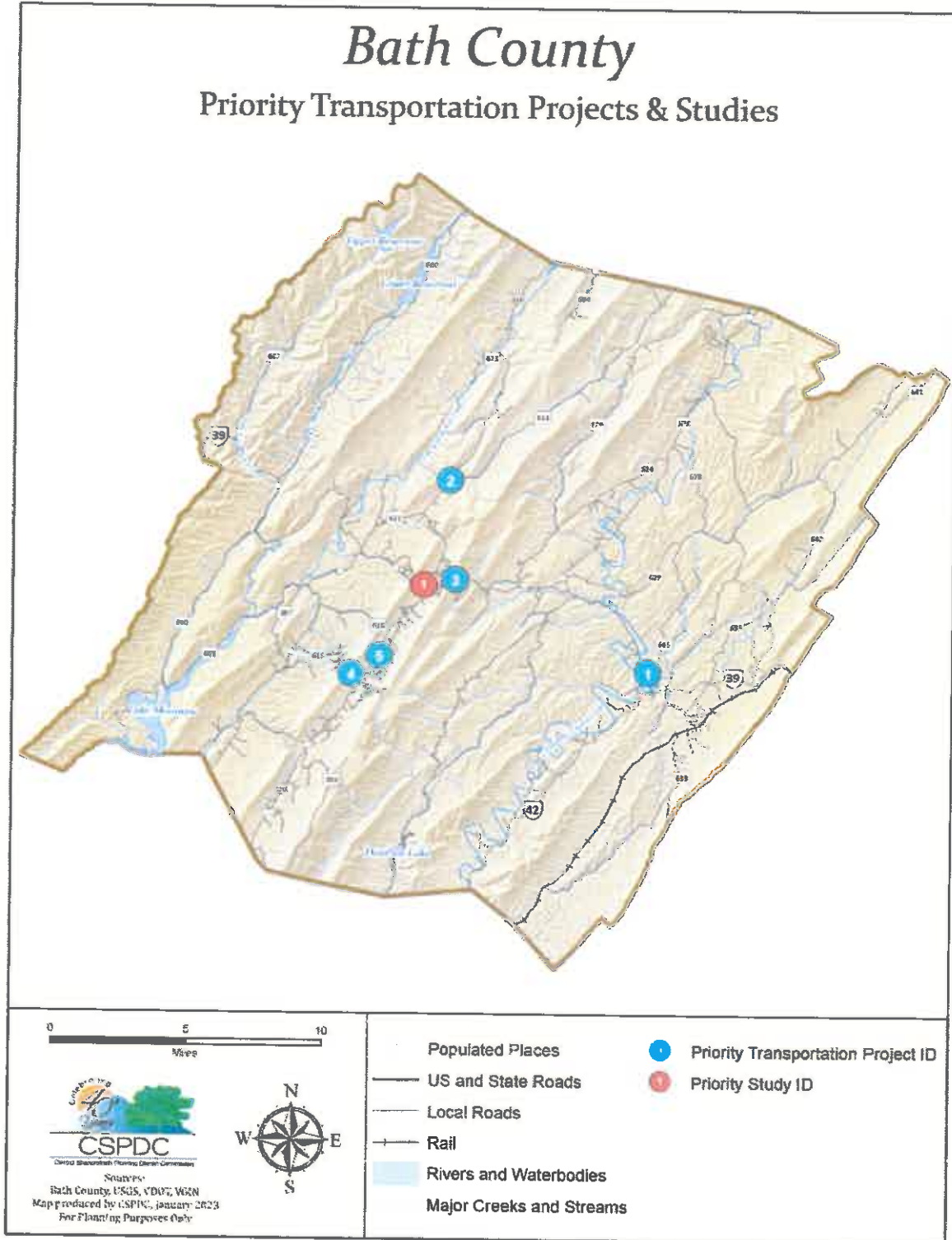
Deficiencies/Challenges:

- Lack of pedestrian infrastructure in Bath County's population centers, particularly Warm Springs.

Recommendations:

- Evaluate the feasibility of developing a sidewalk network or multi-use community trail to improve pedestrian connectivity throughout the Warm Springs village center and provide a recreation asset for residents and visitors.

Map 7.9



Six-year Improvement Program

Additionally, the VDOT FY 2023 Six Year Improvement Program (SYIP) includes projects to improve the safety of Bath County's major intersections, pave previously unpaved roads, and pursue countywide transportation initiatives. As previously noted, the SYIP includes improvements to the intersection of Main Street (VA 615) and Sam Snead Highway (US 220) in downtown Hot Springs. In addition, the SYIP identified five unpaved roads that are expected to be paved through VDOT's Rustic Rural Road Program over the next several years. Finally, several county-wide surveys and services at various locations throughout the county are included to prepare for future improvements. Please see Appendix A for the list of Bath County transportation projects listed in the 2011 Rural Long Range Transportation Plan.

Table 7.2: VDOT FY 2023-2028 Six Year Improvement Program Projects in Bath County

	UPC	Description	Route	District	Road System	Estimate	Previous	FY23	FY24-28	Balance
(Values in Thousands of Dollars)										
Intersections Improvements	115125	#SMART20 HOT SPRINGS - US 220 & VA 615 INTERSECTION IMPROVEMENTS	0220	Staunton	Primary	\$561	\$327	\$0	\$0	\$0
Paving Unpaved Roads	120816	RTE 603, RURAL RUSTIC RD, RICHARDSON GORGE	0603	Staunton	Secondary	\$828	\$0	\$0	\$75	\$754
	110940	RTE 623, RURAL RUSTIC RD, POOR FARM RD	0623	Staunton	Secondary	\$37	\$37	\$0	\$0	\$0
	115797	RTE 637, RURAL RUSTIC RD, LOWER YARD	0637	Staunton	Secondary	\$96	\$21	\$10	\$70	(\$5)
	110942	RTE 655, RURAL RUSTIC RD, NIMROD DR	0655	Staunton	Secondary	\$176	\$150	\$16	\$10	\$0
	110941	RTE 670, RURAL RUSTIC RD, ROBERTS RD	0670	Staunton	Secondary	\$51	\$51	\$0	\$0	\$0
Countywide Initiatives	100202	COUNTYWIDE ENGINEERING & SURVEY	4005	Staunton	Secondary	\$5	\$20	\$0	\$0	(\$15)
	100299	COUNTYWIDE FERTILIZATION & SEEDING	4006	Staunton	Secondary	\$250	\$5	\$0	\$0	\$245
	100145	COUNTYWIDE TRAFFIC SERVICES	4007	Staunton	Secondary	\$5	\$6	\$0	\$0	(\$1)
	100351	COUNTYWIDE RIGHT OF WAY ENGR.	4008	Staunton	Secondary	\$5	\$5	\$0	\$0	\$0

TRANSPORTATION GOALS

1. Encourage development of safe, effective, and efficient roads, as well as bike and pedestrian trails that will shape and serve the future of Bath County.
2. Encourage greater utilization of existing and future transportation infrastructure to meet the social, economic, recreational, and environmental needs of Bath County.
3. Develop transportation plans and programs that respond to the needs of the elderly, disabled, and economically disadvantaged residents of Bath County.
4. Provide public information and encourage citizen involvement in the development of all transportation plans and programs for Bath County.
5. Increase public safety and improvements on all County roads.
6. New development should encourage creativity, a mix of uses, and connectivity through a variety of transportation means including roads, bicycle routes, and pedestrian trails.
7. Avoid the installation of traffic lights by constructing traffic circles to ensure that traffic in Bath County continues to flow smoothly and uninterrupted.

OBJECTIVES

- a) Maintain the existing primary and secondary road system at its current level or better, working with VDOT to ensure regularly scheduled maintenance and upgrades to meet existing and future traffic demand.
- b) All roads should be built to an appropriate scale
- c) Participation in the VDOT Rustic Roads program should be encouraged.
- d) Support VDOT policies and programs, which ensure the provision of adequate transportation infrastructure operating at acceptable levels of service and provide for the maintenance and improved safety of all public roads.

- e) Complete an evaluation of Bath County's existing transportation system including a needs assessment to address transportation of the elderly, disabled, and economically disadvantaged.
- f) Coordinate with VDOT to install centerlines, reflectors, and guardrails on local roads when they reach appropriate traffic thresholds.
- g) Encourage development that does not add more traffic to existing roads by implementing mixed-use zoning where appropriate and/or increased connectivity between compatible land uses.
- h) Institute a policy to ensure that developers, and not taxpayers, pay for the costs and impacts of development within the County.
- i) Support the marketing, maintenance, and development of existing air facilities and services to those facilities and encourage the development of additional air transportation services to meet demand.
- j) Support the maintenance and development of existing rail facilities and encourage the development of additional freight and passenger rail services to meet demand.
- k) Work with the IDA to promote or attract industries that need spur access to the industrial park.
- l) Consider designating Route 39 as a tourism corridor.
- m) Excessive vehicle speed and traffic should be controlled on County roads.
- n) Provide appropriate levels of enforcement and seek public input regarding trouble spots.
- o) A traffic calming program can be initiated seeking safer roads, vehicle speeds, and creative design.
- p) Add turnouts/truck lanes retrofitting existing roads with steep grades.
- q) Use roundabouts instead of stoplights where possible on both new development and existing roads.
- r) Add bicycle lanes to certain roads to incorporate recommendations of the CSPDC Bike Plan and leave other roads at existing widths, thus allowing for a variety of road types.
- s) Parking areas should be built in appropriate locations/scale and blend into the built environment and aesthetics.
- t) Work to ensure that Route 220 receives a "Scenic Byway" designation.

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**Bath County Planning Commission
Bath County Courthouse – Room 115
Monday, February 27, 2023 - 6:00 P.M.**

PLANNING COMMISSION MEMBERS PRESENT: Chairman John Loeffler, Vice-Chair John Cowden, Jason Miller, Monroe Farmer, Cynthia Rudnick

MEMBERS ABSENT:

PUBLIC IN ATTENDANCE: Austin Hall (press), Mike Bender (County Administrator), Mr. Lockaby (County Attorney), Robert Plecker (County Sheriff) Greg Pritt, Harold King, Carl Chestnut, Charlie Hamilton, Rocky Phillips, Tom Richardson, Michael Hamilton, Tracie Baldwin, Melinda Hooker

STAFF PRESENT: Sherry Ryder

CALL TO ORDER:

Chairman Loeffler called the Bath County Planning Commission meeting to order at 6:00 p.m.

ACKNOWLEDGE PUBLIC IN ATTENDANCE:

Chairman Loeffler welcomed everyone.

PUBLIC COMMENT—MATTERS UNRELATED TO THE AGENDA: None

ADDITIONS OR CORRECTIONS TO THE AGENDA: None

PUBLIC HEARING:

- **FY2023-28 Capital Improvement Plan request. Hearing to receive input on request submitted for FY 23-28 Capital Improvement Plan.**

Sherry Ryder: We have the 5-year request that were filled out by different departments, but we are only hearing this year's, up-coming Fiscal Year request. There were some that were moved around at our prior work session with the Board of Supervisors, from one fiscal year to another.

Bath County Service Authority

Sherry Ryder: Bart Perdu spoke to you about that and we will be keeping it on the list. I haven't heard from him today.

Mr. Bender: Bart Perdu had a conversation with the landowner and the landowner is not in any mood to sell the property anytime.

The Board discussed the need to be able to buy land, if or when it comes available. The State will soon be requiring the wastewater plants to have 24 hour operators. At this time Bath has 3 plants, but if they can get land in the Cedar Creek District, they can combine them into 1.

1). Wastewater Land Acquisition.

Overall average: B (High-priority projects that should be done as funding becomes available).

Hot Springs Fire Department

1). Replace Tanker 9

Greg Pritt: Both Harold King and I were surprised the BOS put our request for the following year on this year's list. Back when we requested this, it cost \$350,000. Now, \$550,000 will be borderline and may not be enough. If approved for \$550,000 and we sell our old 3,000-gallon tanker, we could take that money and off-set the cost. Pierce is coming out with a budget friendly option. Details are not available yet, but that could be an option and hopefully it will be under that \$550,000. Without getting a new tanker, we will be faced with the same problem, year after year, finding drivers for that thing. It's a straight drive. Only about 5 can actually drive it. The insurance company will be requiring members to get physicals comparable to CDL physicals, and when that happens, most of those that can drive will not be able to pass that physical.

Overall average: A- (Urgent, high-priority projects that should be done, if at all possible).

Millboro Fire Department

1). Replace Brush/Mini Tanker 26

Mr. King stated the price for this has gone up. The price given on the request form was from 18 months ago and has increased \$70,000 plus. The present tanker was the old one from Mountain Grove. It is unreliable and problematic and is used as a backup. He stated it is not something that is necessary at this time, the Hot Springs tanker is necessary.

Overall average: D (Low priority projects; desirable but not essential).

Bath County Public Schools

1). Bath County High School – Regrade ditch line on Rt. 220 in front of school.

Melinda Hooker stated the ditch was deep and is located to the left, looking from Rt. 220, of the renovations done on the Base Ball field. There is no guardrail fence and needs to be fixed.

Overall average: D (Low priority projects; desirable but not essential).

- **Noise Ordinance**

Chairman Loeffler: I open the Noise Ordinance for public comment.

Charlie Hamilton wants Sheriff Plecker to inform the abuser about the 3-complaint rule.

Carl Chestnut asked about the noise from the sawmill. They should not be able to run all night.

Mr. Lockaby informed attending public, the plant is under Industrial per the State Code and the County can not regulate the noise for them.

Tracie Baldwin stated she lives in the area and doesn't want the saw mill to start a night shift and run all night. She would like to sleep at night. The Sheriff's Office was called on the noise. Ms. Baldwin thought, the BOS at the time they started, stated they could not have a night shift.

Sheriff Plecker informed the Board that he went up there a few times and found the workers had left the blower on after they left. Plecker called the manager and had him come back from West Virginia to turn it off.

Mr. Lockaby asked Sherry to review the Board of Supervisors Minutes and see what had been stated. Perhaps the saw mill was under a CUP or something other.

Sherry Ryder: I will look to see if there is anything.

Sheriff Plecker asked Mr. Lockaby to clarify the decision on 60 dba on noise volume and asked where it was to be taken when going out to measure.

Chairman Lockaby stated it could be done from anywhere the Board wanted it to be from.

Sherry Ryder: I think it would be good from the point of complaint. Living room, bedroom, porch, etc.

Michael Hamilton was concerned about the "point of complaint" does this include if I am outside, in the field? I can complain about noise when I am no-where near my house?

Chairman Loeffler: Yes, if it isn't Ag based and you are annoyed. Best thing to do is get along with your neighbors.

Vice-Chair Cowden asked how would this ordinance affect businesses versus industrial, referring to noise.

Chairman Loeffler: I will now close the public comment.

Mr. Lockaby: Being a business does not make it industrial, obviously. He read the Code: This provision shall not apply to noise generated in connection with a business being performed on Industrial property.

Sherry Ryder: So, if you are a business having a party in an industrial zone, you are violating. However, if you are conducting business, you are not violating.

Vice-Chair Cowden: Who decides the Industrial part?

Sherry Ryder: Zoning.

Chairman Loeffler: Does anyone have any more question on the noise ordinance? Does anyone want to make a motion to send this on to the Board of Supervisors, with the red line changes?

Jason Miller: I make a motion to recommend to the Board of Supervisors for consideration.

Cynthia Rudnick: I second.

VOTE: 5-0

CHAIRMAN'S REPORT: None

STAFF REPORT:

Sherry Ryder: Report is included in the meeting packet. I will be glad to answer any questions.

OLD BUSINESS:

- **Short-Term Rentals**

Tom Richardson stated, on Short-Term Rentals, he was glad to see the requirement of only 2 people per bedroom taken out due to bunkbeds and families with small children. There were still some provisions that would be hard to control. He asked the attorney present, is it fair to impose these restrictions onto only short-term rental people and not onto long-term rentals and full time BnB's. Could that be challenged later?

Chairman Loeffler: John Cowden and I could tell you, the enforcements on what we do, as Inn keepers, are far greater than the Air BnB. We were asked to look into Short-Term Rentals by the previous Administrator and if the present Administrator ask us to look into Ordinances for full time BnB's, we will.

Mr. Lockaby, County Attorney, provided Mr. Richardson an answer on the classification of how rentals were determined.

Chairman Loeffler: We need to decide what month would be good for having the public hearing on Short-Term Rental.

Jason Miller: I move we set April 24, 2023 for the Public Hearing on Short-Term Rentals.

Vice-Chair Cowden: I second.

VOTE: 5-0

- **VDOT - Susan Hammond**

Sherry Ryder: Ms. Hammond will be here for next month's meeting.

The Board has questions on who and how the state got to their decision on the updated road quality section. Did that person come out to look? They also have questions on Rt. 633 and the places on Rt. 220. The County ditches are in need of cleaning out as well.

Sherry Ryder was asked about the grant on the work for Hot Springs's crosswalks and lights. She informed them it was in VDOT's 6-year plan.

NEW BUSINESS:

APPROVE MINUTES:

Chairman Loeffler: We have the Joint, BOS/PC Minutes of 01-23-2023.

Mr. Farmer: I move we approve the minutes. With the change, delete the word (couldn't), within statement by Sherry Ryder, page 2.

Cynthia Rudnick: Second.

VOTE: 4-0-1 (Jason Miller was absent). Minutes passed.

Chairman Loeffler: We have the Continued, Planning Commission Minutes of 01-23-2023.

Cynthia Rudnick: I make a motion to approve the Continued Meeting Minutes.

Mr. Farmer: Second.

VOTE: 4-0-1 (Jason Miller was absent). Minutes passed.

ADJOURN

Jason Miller: I move we adjourn.

Vice-Chair Cowden: Second.
VOTE:4-0

Chairman John Loeffler

Date