



**BATH COUNTY PLANNING COMMISSION  
AGENDA**

**BATH COUNTY COURTHOUSE  
ROOM 115 – 6:00 P.M.  
Monday, September 28, 2020**

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):  
None.
6. Chairman's Report
7. Staff Report
8. Old Business:
  - (a) Input on Industrial Hemp Processors and Industrial Hemp Dealers for draft ordinances  
*Continued to October 26, 2020*
9. New Business:
  - (a) Review zoning on Virginia Hill that has a current zoning of M-1 – consider if rezoning is appropriate
10. Approve Minutes of August 24, 2020 meeting
11. Adjourn

## **Planning and Zoning**

**8/5/2020 – 9/2/2020**

### **Tax Maps**

- Progress is being made on updating tax maps. Monthly updates will continue to be posted to the county website's GIS.
- The paper map of the County has been picked up and is available for distribution.

### **Meetings**

- Attended Planning Commission meeting
- Attended Board of Supervisors meeting
- Attended Covid-19 safety training

### **Zoning/Planning Issues**

- Received zoning complaints. Site visits have taken place with correspondence sent or being sent. Complaints consist mainly of trash and inoperable vehicles.
- Replied to two FOIA requests.
- Correspondence with VDOT regarding driveway wash out – VDOT will be fixing the portion that is within their right of way.

### **Miscellaneous**

- Site visit with Planning Commission member to hemp grower in Burnsville
- Work on updating the comprehensive plan will continue
- The Planning Commission will continue discussion on ordinances for hemp – grower, processor and dealer - at their September, 2020 meeting. Working with County Attorney on draft for hemp processor and hemp dealer.
- Census 2020 - Virginia having a 85.6% response rate.
- A Census representative will be set up in Hot Springs outside of the firehouse on September 21, 2020 from 11:00 a.m. – 4:00 p.m. as a last effort to help folks that haven't been able to fill out the census information.

- Incorporated revised business license ordinance into Chapter 14 of the County Code
- Reviewed covenants and restrictions on existing subdivision for upcoming rezoning with property owner. Spoke with individual if there would be any possibility of having a playground in the open space are of the rezoning. Also, received correspondence from applicant to be forwarded to Board of Supervisors regarding the rezoning. Met with adjoining property owner with comments and concerns regarding the rezoning.
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**Permits and Fees**

YTD permits issued 2020 .....	104
Monthly:	
Construction .....	13
Fees collected .....	\$0.00



## Guynn, Waddell, Carroll & Lockaby, P.C.

- Attorneys at Law -

Jim H. Guynn Jr. Jeremy E. Carroll Christopher S. Dadak Mark C. Popovich  
Susan A. Waddell Michael W.S. Lockaby Julian F. Harf

September 21, 2020

VIA EMAIL

Bath County Planning Commission  
c/o Sherry Ryder, Planning Director

Re: Hemp Processing Facilities

Ladies and Gentlemen:

I wanted to write you a letter updating you on the status of my work on the industrial hemp processing ordinance. As I discussed with you at your last meeting, I wanted to canvass other ordinances in Virginia relating to the same issues. Unfortunately, we seem to be among the first in Virginia, if not the first, to develop performance standards directly relating to industrial hemp processing, warehousing, and similar businesses. While this is an exciting place to be, it also means that there are few templates to draw from. While there are some ordinances from localities in the western part of the country where hemp and marijuana are completely legal, the state law in these states that enables zoning is different. So this requires quite a bit of legal analysis to work out what is allowed in Virginia, and what is valuable to keep from these ordinances in terms of standards.

This also has required studying what these facilities are, and their scope and operations. While I am generally familiar with farming in Virginia and have friends in the industry I normally consult, these facilities are brand new here and no one knows a lot about them in this part of the country. Accordingly, this is requiring quite a bit of study.

All this is to say that I do not have draft text available for your review at your September meeting. I apologize for this. I wanted to make sure that you understood that the task was more difficult than I had initially envisioned, and that I am working assiduously on it and hope to have draft language in time for the October meeting.

Should you have any questions, please do not hesitate to contact me.

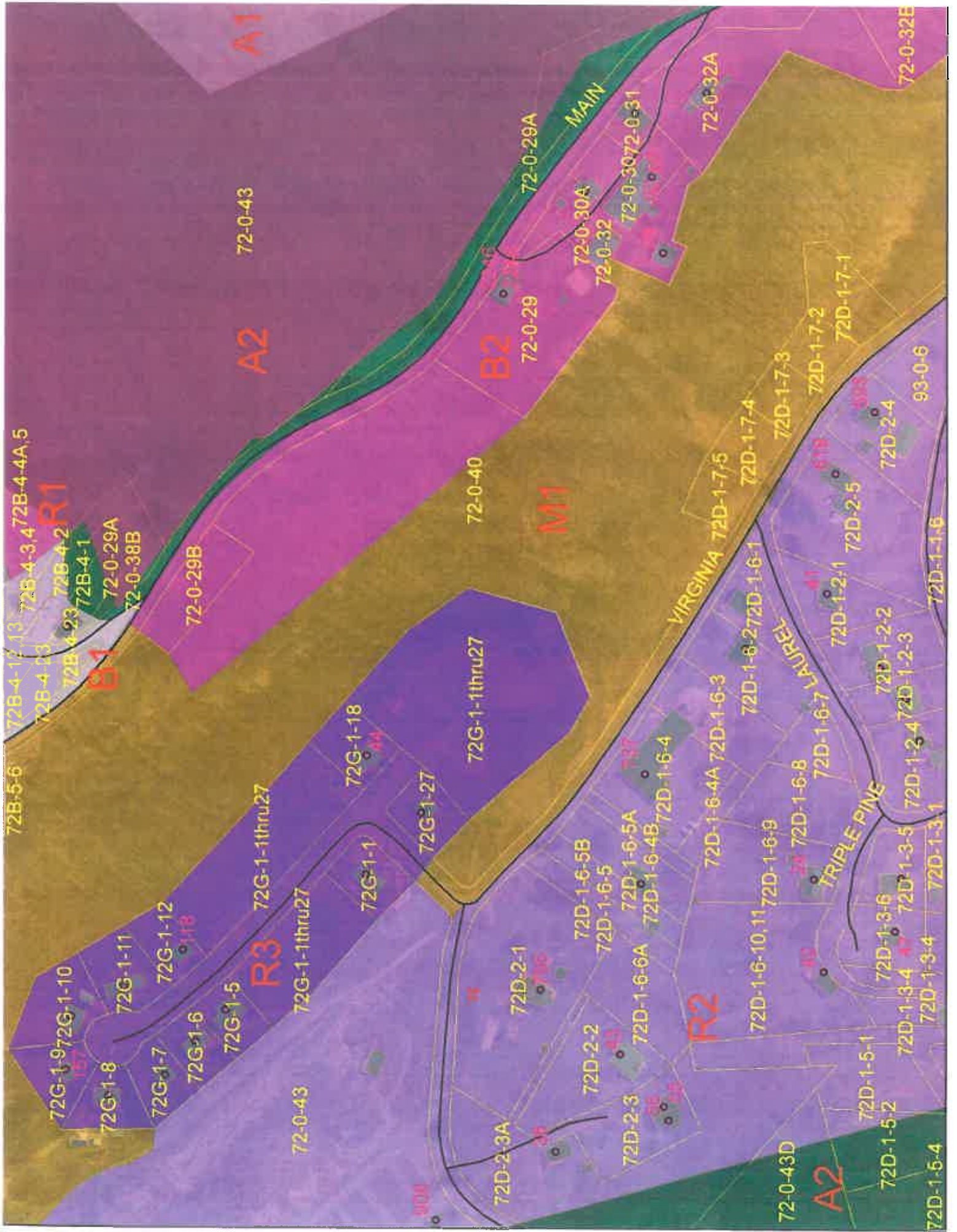
Very truly yours,

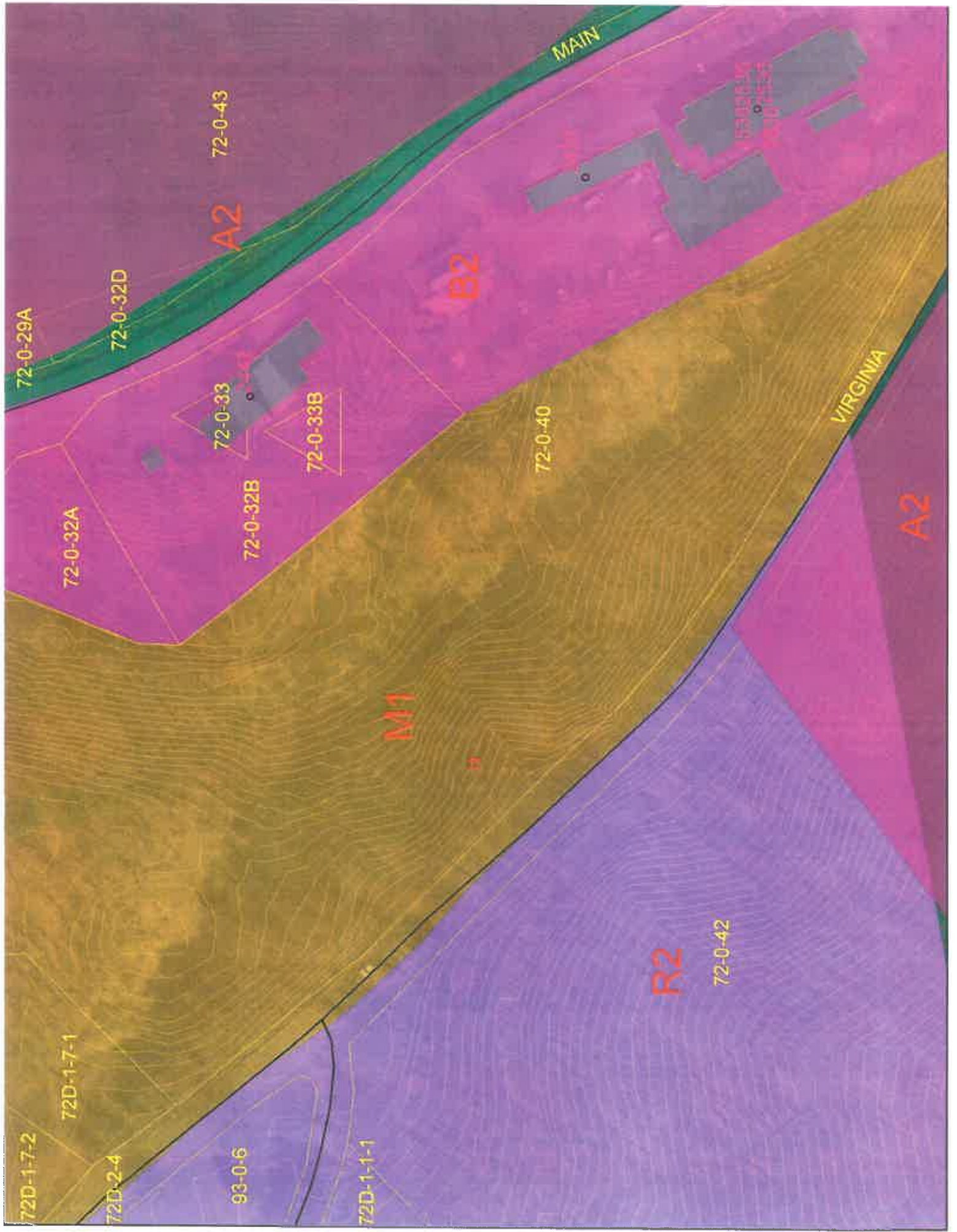
*Michael W.S. Lockaby*

Bath County attorney  
Guynn, Waddell, Carroll & Lockaby, P.C.

cc  
Sherry Ryder, Planning Director  
Emily Massengill Stubblefield







72D-1-7-2

72D-1-7-1

72D-2-4

93-0-6

72D-1-1-1

72-0-29A

72-0-32D

72-0-33

72-0-32B

72-0-33B

72-0-40

72-0-42

72-0-43

A2

B2

M1

R2

A2

MAIN

VIRGINIA

FRASER HOUSE







72-0-40

R1

MAIN

72-0-299

72A-1-5

72-0-299A

72-0-40

M1

72-0-43

A2

R2

72G-1-10

72G-1-9

R3

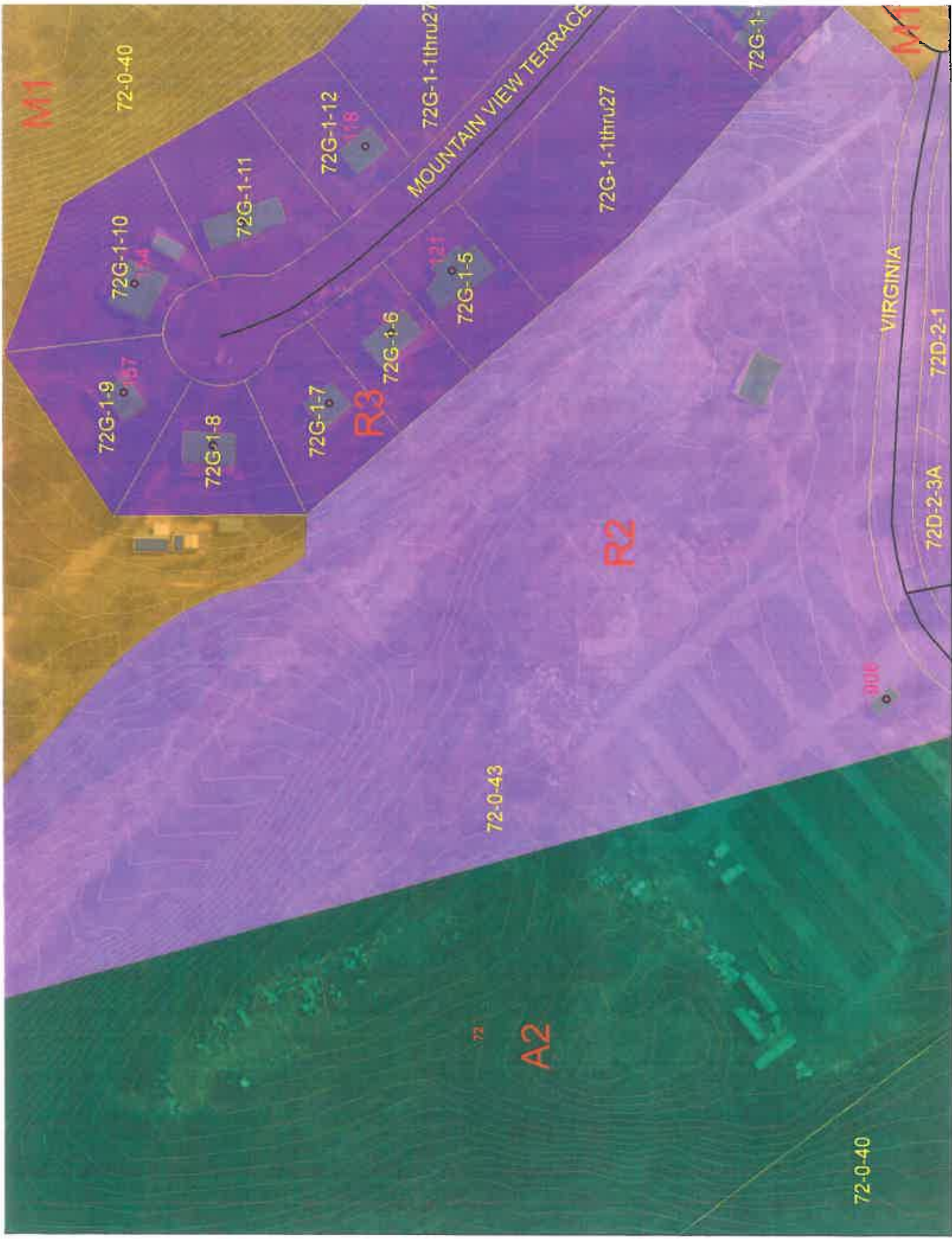
72G-1-8

72G-1-7

72G-1-6

72-0-40







72B-4-8

72B-4-6,7

72B-4-3,4

72B-4-14

72B-4-12,13

72B-1-64

72B-5-6

72B-4-23

72B-4-1

72B-4-2

72B-4-23

72B-4-1

72-0-43

A2

72-0-29A

72-0-38B

72-0-29B

72-0-40

72G-1-11

72G-1-12

72G-1-5

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72-0-43

B2

72G-1-18

72G-1-27

72G-1-1

72G-1-11

72G-1-12

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72-0-43

B2

72G-1-18

72G-1-27

72G-1-1

72G-1-11

72G-1-12

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72-0-43

B2

72G-1-18

72G-1-27

72G-1-1

72G-1-11

72G-1-12

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72-0-43

B2

72G-1-18

72G-1-27

72G-1-1

72G-1-11

72G-1-12

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72-0-43

B2

72G-1-18

72G-1-27

72G-1-1

72G-1-11

72G-1-12

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72-0-43

B2

72G-1-18

72G-1-27

72G-1-1

72G-1-11

72G-1-12

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72-0-43

B2

72G-1-18

72G-1-27

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72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72-0-43

B2

72G-1-18

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72G-1-11thru27

72G-1-11thru27

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72G-1-11thru27

72G-1-11thru27

72-0-43

B2

72G-1-18

72G-1-27

72G-1-1

72G-1-11

72G-1-12

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72-0-43

B2

72G-1-18

72G-1-27

72G-1-1

72G-1-11

72G-1-12

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

72G-1-11thru27

R1

B1

M1

R3

R2

MAIN

MOUNTAIN VIEW TERRACE





A1

A2

B2

M1

R2

A2

72G-1-1 thru 27

72D-1-6-4B

72D-1-6-4

72D-1-6-3

72D-1-6-2

72D-1-6-7 LAUREL

72D-1-2-1

72D-1-2-2

72D-1-2-3

72D-1-2-4

MOUNTAIN AVENUE 93-0-6

72D-1-1-12A

72D-1-3-1

72D-1-1-10

72D-1-1-12

72D-1-1-4

72D-1-1-11

72D-1-1-9

72D-1-1-13

72D-1-1-14

TERRACE VIEW

72D-3-4

72D-3-3

72D-3-2

72D-3-5

72D-1-7-5

72D-1-7-4

72D-1-7-3

72D-1-7-2

72D-1-7-1

72D-0-40

72D-0-32B

72D-0-33

72D-0-33B

72D-0-32D

72D-0-32A

72D-0-29A

72D-0-30

72D-0-30A

72D-0-31

72D-0-43

72D-0-29A

72D-0-33A

MAIN

ROCK CUT

VIRGINIA

Building, Planning & Zoning  
P.O. BOX 216  
WARM SPRINGS, VIRGINIA  
24484



PHONE: 540.839.7236  
FAX: 540.839.7222

**Bath County Planning Commission  
Bath County Courthouse – Room 115  
Monday, August 24, 2020 - 6:00 P.M.**

**PLANNING COMMISSION MEMBERS PRESENT:**

Chairman John Loeffler, Monroe Farmer, Cynthia Rudnick

**MEMBERS ABSENT:** Vice-Chair Jason Miller, Lynn Ellen Black

**PUBLIC IN ATTENDANCE:** Mike Bollinger (press), Mike Lockaby (County Attorney), Debra McClane (Architectural Historian), Bill Jones (Preservation Bath)

**STAFF PRESENT:** Sherry Ryder

**CALL TO ORDER:**

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

**PUBLIC COMMENT—MATTERS UNRELATED TO THE AGENDA:** None

**ADDITIONS OR CORRECTIONS TO THE AGENDA:** None

**PUBLIC HEARING:** None

**CHAIRMAN'S REPORT:** None

**STAFF REPORT**

**Sherry Ryder:** Gave an overview.

**Old Business:**

- **Review Industrial Hemp draft ordinance.**

**Sherry Ryder:** Mr. Lockaby is here tonight. As we discuss this, he is here, for your input as to what you are looking for in your hemp processor and dealer ordinance. Some direction. Once he has something on what you envision, he can go from there.

**Chairman Loeffler:** Did you, Mr. Lockaby, have a chance to look at the Hemp Ordinance. On the first part, do you have any changes you thought we needed to make?

**Mr. Lockaby:** It's a new thing that people are trying to feel their way through, but if this is the direction you want to go, this is a perfectly legal way to get there.

**The Board** informed Mr. Lockaby that they needed information on what was legal to ask for, like business license fees, being informed when a crop was destroyed, for whatever the reason. The Board wanted to know what other localities were doing, so as to compare decisions.

- **Input on Industrial Hemp Processors and Industrial Hemp Dealers for draft ordinance.**

**Chairman Loeffler** informed Mr. Lockaby that they do not know what to do, due to there being little information out there to read and study about this. The problems of processing, smell and other things.

**Mr. Lockaby** offered and the board agreed it would be nice to have information on what other localities have come up with.

**Chairman Loeffler** agreed it would help.

**Mr. Farmer** would like to know how the other localities have dealt with odor/smell of the hemp processing.

**Sherry Ryder:** We have been invited to Joseph Murry's property, in the Williamsville area. I will get contact information out to you so you can contact him and set up a time to visit. Lynn Ellen Black and myself will try to go this week, because he wants to harvest.

## **NEW BUSINESS:**

- (a) **Presentation – Heritage Tourism – Warm Springs and West Warm Springs – By Debra McClane.**

**Bill Jones** of Preservation Bath, stated how he wanted to keep each government entity informed on what was being done. They are trying to get public input for the Heritage Tourism project, asking for ideas of places and information/pictures for the signs through ads in the Recorder. He then introduced Debra McClane.

Debra McClane, architectural historian, helped to get the village of Warm Springs, and West Warm Springs on the Virginia Landmarks Register and the National Register of Historic Places.

When Preservation Bath received the grant, the heritage tourism project was formed and they started working together to come up with placing historic highway markers. A marker has already been approved for the Warm Springs (Jefferson) Pools and 2 more signs are up for approval, for the West Warm Springs area and Warm Springs village area near the Courthouse in September. VDOT



will install the signs, similar to those at the Dan Ingalls Overlook that include photos and information. They will be placed on public land and right-a-ways so they can be maintained. She passed out draft pictures of the proposed signs. Ms. McClane has also been in contact with David Mikula, who does the county's tourism marketing. They are working with him as well.

**Sherry Ryder:** We appreciate everything you all have done.

**MINUTES:**

**Chairman Loeffler:** We have the minutes for the July 27, 2020 meeting.

**Mr. Farmer:** I move we approve the minutes of July 27, 2020 minutes.

**Cynthia Rudnick:** Second.

**VOTE:** 3-0 approved.

**ADJOURN**

**Mr. Farmer:** I make a motion we adjourn.

**Cynthia Rudnick:** I second.

**VOTE: 3-0** Meeting adjourned.

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Chairman John Loeffler

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Date