

Planning Commission Meeting Minutes

June 1, 2026

The Tazewell Planning Commission met at 6:15 p.m. in the Town Hall Council Chambers.

Present:

Planning Commission Chair Larry Lutz
Planning Commission Member Richard Taylor
Planning Commission Member Jerry Cromer
Planning Commission Member Pete Davis
Planning Commission Member Gabrielle de Courcy
Planning Commission Member Benny Moore
Planning Commission Member Danny Willis

Absent:

Staff present were; Town Attorney, Brad Pyott; Town Building Official Chris Hurley; Clerk, Jessica Hayes.

Call to Order

Planning Commission Chair Lutz called the meeting to order at 6:15pm and lead the pledge of allegiance. Planning Commission Member Cromer gave the invocation.

Approval of Minutes

Motion to approve minutes was made by Planning Commission Member Cromer. The motion was seconded by Planning Commission Member Davis to approve the April 6, 2026 meeting minutes. On vote: Planning Commission Member R. Taylor, aye; Planning Commission Member P. Davis, aye. Planning Commission Member Cromer, aye; Planning Commission Chair Lutz, aye; Planning Commission Member B. Moore, aye; Planning Commission Member D. Willis, aye.

Dispensing of Cannabis/Hemp Products (Chris)

Town Building Official Chris Hurley reported that a new business on Ben Bolt Ave is selling cannabis/hemp products. Although the business has claimed to be a medical cannabis facility, Building and Zoning Official Hurley stated that it is not operating as one.

He recommended that the Commission consider zoning stipulations or regulations for cannabis/hemp retail businesses, particularly regarding their proximity to schools, daycare facilities, family day homes, and similar uses. He noted that the Town Code currently does not address these businesses and expressed concern about pop-up shops and enforcement issues. Building and Zoning Official Hurley asked that examples from surrounding localities be reviewed and stated that legal guidance would be needed to determine how zoning restrictions could be implemented. The Commission discussed notification requirements, public hearing advertisements, certified mail procedures, and potential distance restrictions, including a 1,000-foot separation requirement from schools and daycare facilities. Members also discussed whether such businesses should be limited to B-1, B-2, or M-1 zoning districts and whether the use should

be treated as a recreational substance use. Planning Commission Member Willis made a motion to establish a 1,000-foot separation requirement, and Planning Commission Member Davis seconded the motion. After further discussion, including questions from Planning Commission Member de Courcy regarding other localities and retail cannabis/hemp ordinances, Planning Commission Member Willis moved to rescind the motion. Planning Commission Member de Courcy seconded the motion to rescind, and the motion passed unanimously. The Commission directed Building and Zoning Official Hurley to continue researching possible amendments to the use code and zoning criteria.

Accessory Dwelling Units (Chris)

Planning Commission Member Willis asked the Commission to consider allowing tiny homes or similar structures within town limits, noting that they could increase the value of vacant or otherwise unusable properties. Planning Commission Member Moore noted that such structures may not meet setback requirements. Planning Commission Member Willis stated that he would like the Commission to consider special exceptions to setback requirements in those cases. Planning Commission Chair Lutz expressed concern that allowing exceptions could create issues in other areas where similar exemptions may be requested. Planning Commission Member Moore stated that single-family homes are permitted in single-family zoning districts and that multi-family zoning districts already exist, adding that the current stipulations were established for protection. Planning Commission Members Davis and Cromer agreed that tiny homes could be more appealing than existing blighted buildings. Planning Commission Member Willis noted that many localities are making changes and exceptions in response to the rise of tiny home structures and designs and said some areas in Town could benefit from them by adding property value and tax revenue. Building and Zoning Official Hurley stated that accessory dwelling units may be possible in R-2 zoning districts, but not in R-1 districts. Planning Commission Member Moore raised a concern that this could create a subdivision, but Town Attorney Pyott clarified that an accessory dwelling unit would not constitute a subdivision. Planning Commission Member Moore suggested continuing the discussion so that Attorney Pyott could review additional information regarding the new bill.

Shipping Container ordinance-

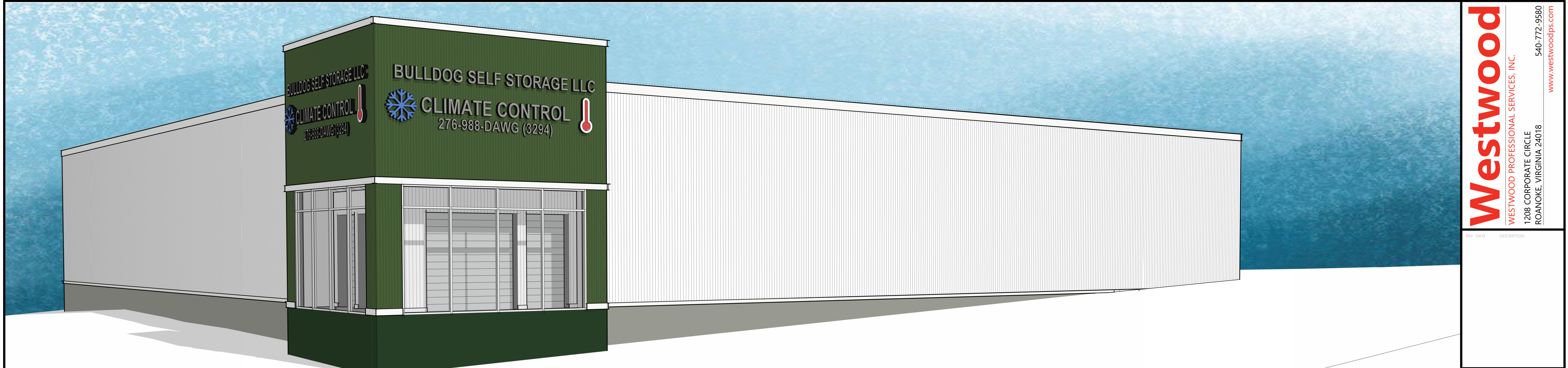
Building and Zoning Official Hurley stated that the March 11, 2025 ordinance allows shipping containers only in the M-1 zoning district. He noted that he sent a letter to Mr. Payne regarding three containers located behind one of his properties, after which Mr. Payne submitted several photos of other shipping containers throughout Town. Building and Zoning Official Hurley explained that the current ordinance includes stipulations related to construction and special use permits. He stated that the existing restrictions may be sufficient, but he would like the ordinance to define accessory structures more clearly. The Commission discussed whether existing shipping containers should be grandfathered. Building and Zoning Official Hurley noted that any containers

placed after the ordinance was enacted in March 2025 would be subject to the current requirements; similar to mobile homes in Town, once one is taken out it cannot be put back.

Adjournment

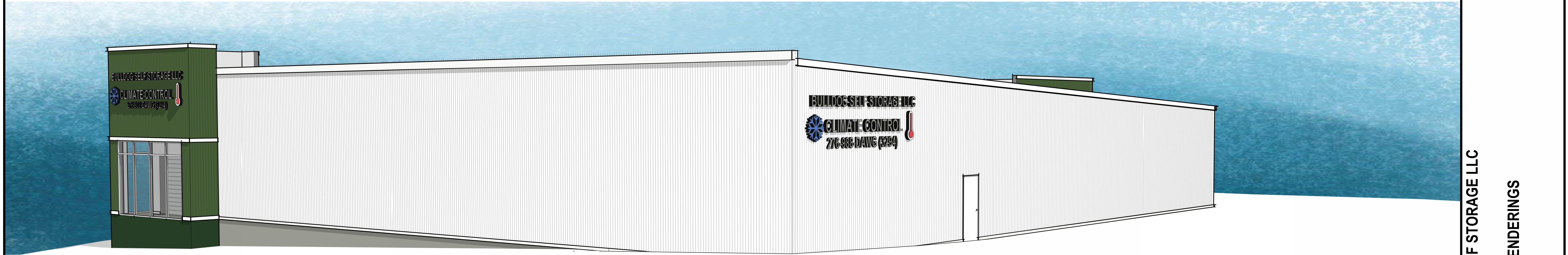
Motion to adjourn was made by Planning Commission Member Willis. Motion was seconded by Planning Commission Member de Courcy. On vote: Planning Commission Member R. Taylor, aye; Planning Commission Member P. Davis, aye. Planning Commission Member Cromer, aye; Planning Commission Chair Lutz, aye; Planning Commission Member B. Moore, aye; Planning Commission Member de Courcy, aye; Planning Commission Member D. Willis, aye.

Meeting adjourned at 7:38pm



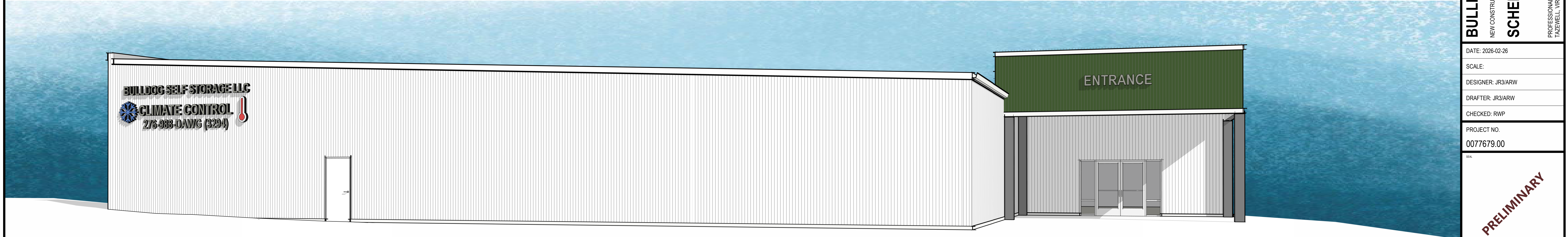
1 SCHEMATIC VIEW FROM CORNER OF MARKET STREET & PROFESSIONAL DRIVE

A01



2 SCHEMATIC VIEW FROM PROFESSIONAL DRIVE & DRIVE LANE

A01



3 SCHEMATIC VIEW FROM DRIVE LANE

A01

REV. DATE DESCRIPTION



COMMONWEALTH of VIRGINIA

DEPARTMENT OF EDUCATION

P.O. BOX 2120

RICHMOND, VA 23218-2120

DATE: June 12, 2026

TO: State and Local Government Partners

FROM: Jeffrey S. Williams, Assistant Superintendent, Child Care Health and Safety

SUBJECT: House Bill 258—Terminology Change

This memo is to inform you that [House Bill 258](#), passed by the 2026 Virginia General Assembly, directs the Virginia Department of Education (the Department) to change two terms used throughout the *Code of Virginia*, the *Virginia Administrative Code*, and elsewhere.

- The term “family day home” will be changed to “home-based child care.”
- The term “family day system” will be changed to “home-based child care system.”

The following Titles of the *Code of Virginia* contain terminology that will change effective July 1, 2026:

- 9.1. Commonwealth Public Safety
- 15.2. Counties, Cities and Towns
- 18.2. Crimes and Offenses Generally
- 19.2. Criminal Procedure
- 20. Domestic Relations
- 22.1. Education
- 32.1. Health
- 63.2. Welfare (Social Services)

For a full list of statutory changes required by HB258, [view the full bill](#) on Virginia’s Legislative Information System.

What Does This Mean?

The Department will begin to update these terms over the coming months. Partners can expect to see the new terms on forms, documents, and communications. The Department will update the regulations that define and reference the terms. Over time, the Department will update

technology systems to reflect these new changes. For some time, partners may see or hear both terms in use as the Department implements the changes to comply with the requirement.

Recommended Actions for State and Local Government Partners

- Determine if your agency serves or regulates family day home providers in any capacity
- Ensure your team is aware of the terminology changes
- Review your materials for references to “family day home” or “family day system”
- Develop a plan to update materials to reflect new terminology identified in HB258

Questions?

If you have any questions related to this legislative change, please contact Alyson Williams, Ed.D., Legislative Consultant, at alyson.williams@doe.virginia.gov.

VIRGINIA ACTS OF ASSEMBLY - 2026 SESSION

CHAPTER 895

An Act to amend the Code of Virginia by adding a section numbered 15.2-2292.3, relating to zoning; development and use of accessory dwelling units.

[S 531]

Approved April 13, 2026

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-2292.3 as follows:

§ 15.2-2292.3. Development and use of accessory dwelling units.

A. As used in this section, "accessory dwelling unit" or "ADU" means an attached or detached dwelling unit on a residential dwelling lot that:

- 1. Provides complete independent living facilities for one or more individuals;*
- 2. Is located on the same lot as a proposed or existing primary residence; and*
- 3. Includes facilities for living, sleeping, eating, cooking, and sanitation.*

B. Zoning ordinances for single-family residential zoning districts shall be deemed to include accessory dwelling units as a permitted accessory use, and no locality shall require compliance with any other requirements except as provided in this section.

C. Any person proposing an ADU shall first obtain an ADU permit from the locality, for which the locality may charge a fee of no more than \$500. Such fee shall be in addition to any other applicable fees, including inspection, site, or building permit fees, that may be required in connection with the ADU. A locality shall issue the permit if the applicant demonstrates that the ADU complies with the requirements of this section and the local codes and ordinances referenced herein.

D. Localities may require the following:

- 1. A lease term for the rental of an ADU of 30 consecutive days or longer;*
- 2. Replacement of a primary dwelling's required parking if the construction of the ADU eliminates such parking;*
- 3. Dedicated parking for the ADU;*
- 4. Limits on floor area, lot coverage, and impervious area of an ADU of no less than (i) 350 square feet on lots less than 2,500 square feet and (ii) 500 square feet on lots 2,500 square feet or greater;*
- 5. Compliance with (i) building codes, including the requirements of the Uniform Statewide Building Code (§ 36-97 et seq.), for an accessory dwelling unit if the ADU is attached or for a dwelling unit if the ADU is detached; (ii) water, sewer, septic, emergency access, flood zone, and stormwater requirements; (iii) historic and architectural districts and corridor protection restrictions; and (iv) Air Installations Compatible Use Zone restrictions;*
- 6. Owner occupancy of the ADU or the primary dwelling, but not both, only at the time an application is submitted to construct or convert an accessory dwelling unit;*
- 7. That the ADU shall be no more than 500 feet from the primary dwelling;*
- 8. No ADUs on a residential lot that has more than one dwelling unit; and*
- 9. No ADUs sold separately or subdivided from the primary dwelling.*

E. Localities shall not require the following:

- 1. Rear or side setbacks for the ADU that are greater than the setback required for the primary dwelling or the setback required for accessory structures on the residential lot, whichever is less;*
- 2. Restrictions for ADUs that are more restrictive than those for single-family dwellings within the same zoning area with regard to height, rear or side setbacks, lot size or coverage, or building frontage;*
- 3. A restrictive covenant concerning an ADU on a lot or parcel zoned for residential use by a single-family dwelling;*
- 4. Improvements to public streets as a condition of allowing an ADU, except as necessary to reconstruct or repair a public street that is disturbed as a result of the construction of the ADU; or*
- 5. Consanguinity or affinity between the occupants of an ADU and the primary dwelling.*

F. Nothing in this section shall be construed to supersede or limit contracts or agreements between or among individuals or private entities related to the use of real property, including recorded declarations and covenants, the provisions of condominium instruments of a condominium created pursuant to the Virginia Condominium Act (§ 55.1-1900 et seq.), the declaration of a common interest community as defined in § 54.1-2345, the cooperative instruments of a cooperative created pursuant to the Virginia Real Estate Cooperative Act (§ 55.1-2100 et seq.), or any declaration of a property owners' association created pursuant to the Property Owners' Association Act (§ 55.1-1800 et seq.).

G. Nothing in this section shall apply to any existing permits for an ADU approved by the locality prior to July 1, 2027.

H. Nothing in this section shall be construed to restrict a locality's passage prior to July 1, 2027, of an ADU ordinance, or a subsequent amendment thereof, that substantially complies with the requirements of this section.

I. Nothing in this section shall apply to a locality that adopted an ADU ordinance prior to January 1, 2026.

2. That the provisions of this act shall become effective on July 1, 2027.