

Planning Commission Meeting Minutes August 3, 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 Benny Moore
Planning Commission Member Danny Willis *arrived late- not reflected in earlier votes

Absent:

Planning Commission Member Gabrielle de Courcy

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 6:20pm 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 Davis. The motion was seconded by Planning Commission Member Cromer to approve the June 1, 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.

Inside Storage Building

Building and Zoning Official Hurley informed that Mr. Nidifer was unable to attend this evening and this topic will be moved to September meeting.

House Bill 258- Terminology Change

Building and Zoning Official Hurley stated that Attorney Pyott needs authorization to make the required zoning code changes under Section 23-100.1 by updating the definition section in Article 1, General. He explained that the definition of "Family Day Home" must be revised to meet state requirements and reflect the new term, "Home-Based Childcare." The update is needed to align the Town Code with the bill passed by the General Assembly. Planning Commission Member Moore made a motion, and Planning Commission Member Cromer seconded it. 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.

Attorney Pyott noted that the original ordinance was passed in 2023 and said he would confirm whether it had been submitted to Municode.

Accessory Dwelling Unit Ordinance (Brad/Chris)

The ordinance, approved April 13, 2026, and effective July 1, 2026, must be added to the code book. It includes several conditions, including parking requirements, and may affect R-1 setbacks. For example, an accessory dwelling unit could be located in a front yard if it meets setback requirements, which may create zoning concerns. The locality may not impose restrictions beyond those applied to a regular single-family dwelling. Planning Commission Member Lutz clarified that if the property is sold, the primary residence and accessory dwelling unit must be sold together. The locality may also require a lease term, and any unit 400 square feet or larger must meet regular building code requirements. The passed state ordinance should be incorporated, including the prohibition on accessory dwelling units in the historic district. He recommended that the draft include every option available to the locality. Planning Commission Member Cromer made a motion to draft a proposal, and Planning Commission Member Davis seconded it. 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.

Miscellaneous

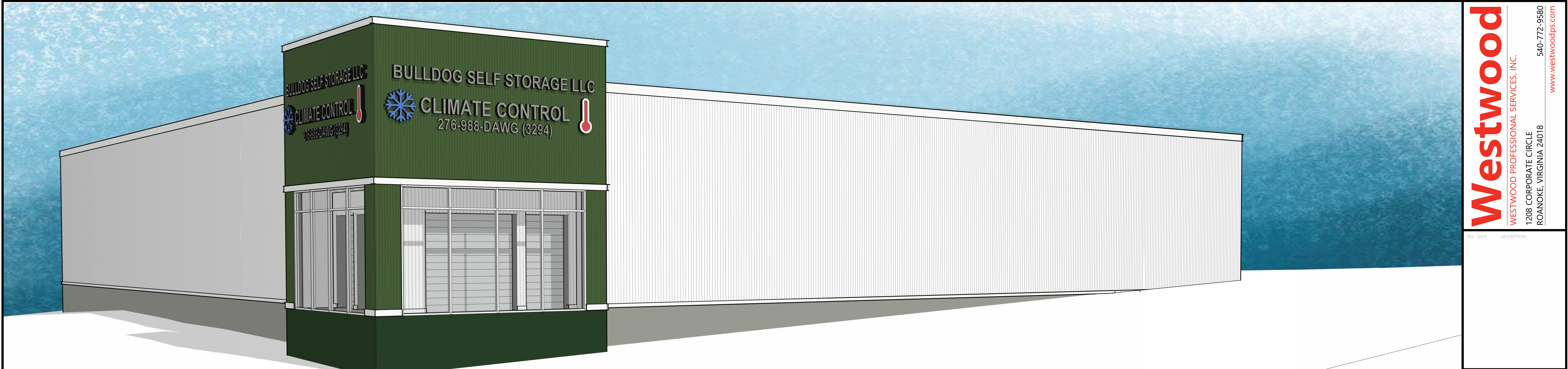
Planning Commission Member Davis raised concerns about recreational shops, including the smoke shop on Ben Bolt Ave. Planning Commission Member Lutz noted that the Commission had previously discussed the matter and determined there was no clear action it could take. Building and Zoning Official Hurley said he would meet with Police Chief to determine what actions he recommends in this matter. Planning Commission Member Willis stated that he is in the area daily and that the site does not appear to be a very active business. He suspects it will remain open long. Planning Commission Member Davis asked that the topic be placed on the agenda for the next meeting.

Planning Commission Member Benny Moore requested that storage buildings be added as a topic for the next meeting, including discussion of Payne Properties, personal use, and commercial or retail use.

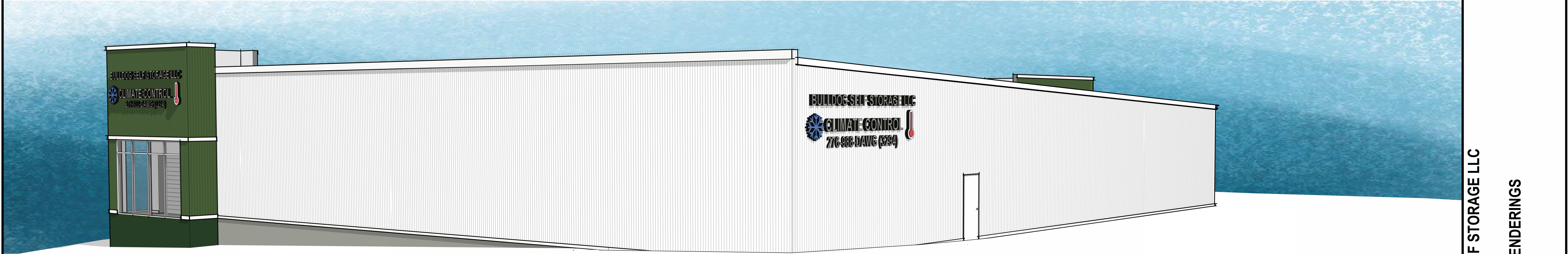
Adjournment

Planning Commission Member Davis made a motion to adjourn, and Planning Commission Member Cromer seconded it. 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 Willis, aye.

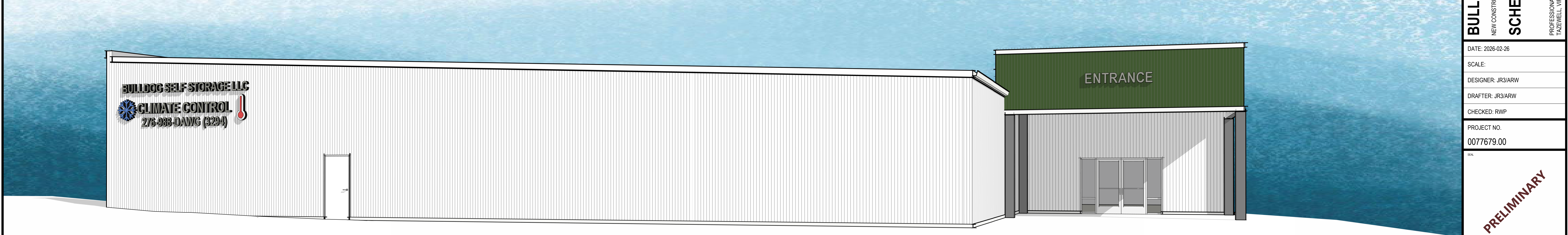
Meeting adjourned at 7:37pm



1 SCHEMATIC VIEW FROM CORNER OF MARKET STREET & PROFESSIONAL DRIVE



2 SCHEMATIC VIEW FROM PROFESSIONAL DRIVE & DRIVE LANE



3 SCHEMATIC VIEW FROM DRIVE LANE



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.

ORDINANCE NO.: 2026-__-__-__
PROPOSED AMENDMENT

Chapter 23
ZONING

Article VII. Permits and Certificates

Sec. 23-100.1. ~~Family day homes~~ Home-based child care

BE IT ORDAINED by the Council of the Town of Tazewell, Virginia, pursuant to "2-1 and 6-2 of the Town Charter, '23-6 of the Code of the Town of Tazewell, and "15.2-2292 and 22.1-289.02 of the Code of Virginia of 1950 (as amended), that it hereby AMENDS the following ordinance regarding the Town Zoning Administrator=s issuance of zoning permits for a *home-based child care residence* (formerly "family day home") as defined in Virginia Code '22.1-289.02:

Sec. 23-100.1. Zoning permits; ~~family day homes~~ home-based child care

Upon proper application to the Zoning Administrator for the Town of Tazewell, the Zoning Administrator shall be authorized to issue a zoning permit for a *home-based child care residence* ~~family day homes~~ as defined in '22.1-289.02 of the Code of Virginia (1950), as amended, serving five (5) through twelve (12) children, exclusive of the provider=s own children and any children who reside in the home, upon the applicant=s certification of compliance with the following provisions prior to the issuance of said permit:

- 1) Operator of a *home-based child care child day program* must be a licensed day care provider as approved and certified through the Virginia Department of Social Services;
- 2) No signs of any type shall be placed in the yard of the home which advertise the operation of the *home-based child care child day program* ~~the family day home~~;
- 3) No motorized play equipment of any type shall be permitted;
- 4) Operator shall schedule drop off and pick up times for said children in such a manner so that vehicles coming to and from the *home-based child care residence* ~~family day home~~ do not impede the free flow of traffic in the area, interfere with any neighboring resident from the access to their property, or in any way impede any neighbor=s normal and usual use of said property;
- 5) Operator shall apply for and obtain an annual business license from the Town; and
- 6) The issuance of the zoning permit shall be subject to an annual review by the Zoning Administrator, and to re-notification of adjacent landowners of the operator=s desire to continue operation as a *home-base child care child day program* ~~a family day home~~ for the coming year.

Following the submission of an application for a zoning permit, but prior to its issuance, the Zoning Administrator shall notify each adjacent property owner, by registered or certified letter to the adjacent owner=s last known address, of the pending application, and of the property owner=s right to object to the issuance of the permit. The applicant shall be responsible for payment of the costs associated with notification. The Zoning Administrator shall inform said adjacent owners that any objection must be made in writing and forwarded to the attention of the Zoning Administrator within thirty (30) days of the date of the sending of the notification letter. If the Zoning Administrator does not receive a written objection from any person so notified within thirty (30) days of the sending of the letter, and determines that the *home-based child care residence* ~~family day home~~ is otherwise in compliance with the provisions set forth herein, the Zoning Administrator may issue the permit.

If the application is denied, the Zoning Administrator shall inform the applicant of the denial in writing, and of the applicant=s option to request, in writing, that his/her application be considered

by the Council at a hearing. The hearing shall be held following public notice as provided in '15.2-2204 of the Code of Virginia (1950), as amended, the cost of which notice shall be borne by the applicant.

(Ord. of - -2026)

First Reading:

Second Reading:

VOTE:	Cline	_____
	Fox	_____
	Hankins	_____
	Keen	_____
	Takach	_____
	Willis	_____

Mayor

Clerk

Effective Date (*30 days from passage, unless passed as emergency*):