



ORDINANCE 2025-009 AMENDING THE TOWN OF LEWISVILLE TOWN CODE CHAPTER 10 PLANNING ORGANIZATION CHARTER

WHEREAS, the General Statutes of North Carolina Chapter 160D provides for the establishment and operation of a municipal planning board; and

WHEREAS, the Town Council has previously adopted an ordinance establishing its Planning Board and Zoning Board of Adjustment; and

WHEREAS, from time to time it may be necessary for the Town Council to revise the purpose and scope of such charters.

NOW THEREFORE BE IT ORDAINED THAT THE LEWISVILLE TOWN COUNCIL amends Chapter 10 related to the Planning Board and Zoning Board of Adjustments charter as follows:

SECTION 1. Scope of Planning.

Every action and program of every component of the Town of Lewisville involves planning, in a broad sense of the term. For purposes of this ordinance, the term is restricted to activities and programs involving physical, economic, and social development of the town.

SECTION 2. Planning Agencies.

The following are designated as planning agencies assigned responsibilities under this ordinance: The Town Council, the Planning Board, the Zoning Board of Adjustment and the Office of the Town Manager.

SECTION 3. Town Council.

In its legislative capacity, the Town Council adopts policies, ordinances, and amendments; appropriates funds; approves acquisitions, construction, and disposition of public facilities; and oversees administration of the town. In its quasi-judicial or administrative capacity, it issues special-use permits specified for its review according to the Unified Development Ordinance G.S. 160D-705(c), and gives final approval to plats of proposed subdivisions G.S. 160D, Article 8.

SECTION 4. Town Planning Board.

The Town Planning Board of the Town of Lewisville is hereby created, in accordance with the following provisions.

A. Membership and Vacancies.

From and after July 1, 2004 the Planning Board shall consist of seven (7) members. Vacancies occurring for reasons other than expiration of terms shall be filled as they occur for the period of the unexpired term.

Terms should end on March 31 and new terms shall commence on April 1. Board members shall be appointed by and serve at the pleasure of the Council, each to serve an unlimited number of three (3)-year terms.

Members may be removed by the Town Council.

B. Organization, Rules, Meetings, and Records.

At the first scheduled meeting following April 1 or, based on the Board's meeting schedule, the first scheduled meeting following appointments made at the March Council meeting, whichever comes first, the Planning Board shall meet and elect a chair, vice chair and create and fill such offices as it may determine. The term of the chair, vice chair and other officers shall be one year, with eligibility for reelection. The Board shall adopt rules of attendance of its members and for transaction of its business and shall keep records of its members' attendance and of its resolutions, discussions, findings, and recommendations, which shall be public records. The Board shall hold at least one meeting monthly, and all of its meetings shall be open to the public. There shall be a quorum of four (4) members for the purpose of taking any official action of which one must be the chair or vice chair.

C. General Powers and Duties.

It shall be the duty of the Planning Board, in general:

1. To acquire and maintain in current form such basic information and materials as are necessary to understanding of past trends, present conditions, and forces at work to cause changes in these conditions;
2. To identify needs and problems growing out of those trends;
3. To determine objectives to be sought in development of the area;
4. To establish principles and policies for guiding action in development of the area;
5. To prepare and recommend to the Town Council and from time to time, recommend amendments and revisions to a comprehensive and coordinated plan for the physical, social, and economic development of the area;
6. To prepare and recommend to the Town Council ordinances promoting orderly development along lines indicated in the comprehensive plan and advise it concerning proposed amendments of such ordinances;
7. To determine whether specific proposed developments conform to the principles and requirements of the Town of Lewisville Comprehensive Plan and the Unified Development Ordinance adopted in furtherance of such plan;
8. To keep the Town Council and the general public informed and advised as to these matters; and
9. To perform any other duties that may lawfully be assigned to it.

D. Basic Studies.

As background for the comprehensive plan and any ordinances it may prepare, the Planning Board may gather maps and aerial photographs of physical features of the area; statistics on past trends and present conditions with respect to population, property values, the economic base of the area, and land use; and such other information as is important or likely to be important in determining the amount, direction, and kind of development to be expected in the area and its various parts.

In addition, the Planning Board may make, cause to be made, or obtain special studies on the location, the condition, and the adequacy of specific facilities, which may include, but are not limited to, studies of housing; commercial and industrial facilities; parks, playgrounds, and other recreational facilities; public and private utilities; and traffic, transportation, and parking facilities.

All Town officials shall, upon request, furnish to the Planning Board such available records or information as it may require in its work. The Board or its agents may, in the performance of its official duties, enter upon lands and make examinations or surveys and maintain necessary monuments thereon.

E. Comprehensive Plan.

The Planning Board shall prepare and submit to the Town Council for its consideration and possible adoption, a comprehensive plan, with the accompanying maps, plats, charts, and descriptive matter, showing the Planning Board's recommendations to the Town Council for the development of said territory, including, among other things, the general location, character, and extent of streets, bridges, boulevards, parkways, playgrounds, squares, parks, aviation fields, and other public ways, grounds, and open spaces; the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes; the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of any of the foregoing ways, building, grounds, open spaces, property, utilities, or terminals; and the most desirable pattern of land use within the area, including areas for farming and forestry, for manufacturing and industrial uses, for commercial uses, for recreational uses, for open spaces, and for mixed uses. The Planning Board shall use as its basis the plan previously informally adopted by the Town Council.

The plan and any ordinances or other measures to effectuate it recommended by the Planning Board shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the town and its environs that will, in accordance with present and future needs, best promote health, safety, morals, and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities, services, and other public requirements.

F. Subdivision Regulations.

The Planning Board shall prepare and submit to the Town Council for its consideration and possible adoption, regulations controlling the subdivision of land in accordance with the provisions of G.S. 160D as may be amended. It shall review, from time to time, the effectiveness of such regulations and may make proposals to the Town Council for amendment or the improvement of those regulations and their enforcement.

In accordance with the provisions of any regulations that are adopted, the Planning Board may review subdivision plats that are submitted and make recommendations to the Town Council concerning such plats.

G. Zoning Ordinance.

The Planning Board shall prepare and submit to the Town Council for its consideration and possible adoption a zoning ordinance in accordance with the provision of G.S. 160D as may be amended.

The Planning Board may initiate, from time to time, proposals for amendment of the zoning ordinance, based upon its studies and comprehensive plan. In addition, it shall review and make recommendations to the Town Council concerning all proposed amendments to the zoning ordinance.

H. Public Facilities.

The Planning Board shall review with the Town Manager and other town officials and report its recommendations to the Town Council concerning the location, extent, and design of all proposed public structures and facilities; the acquisition and disposition of public properties; and the

establishment of building lines, mapped street lines, and proposals to change existing street lines. The Board shall include transportation planning in its purview. It shall also make recommendations concerning other matters referred to it by the Town Council.

I. Economic Development.

The Planning Board may prepare and amend from time to time an economic development program for submission to the Town Council, as authorized by G. S. 158-13 and 160D-501(a1).

J. Miscellaneous Powers and Duties.

The Planning Board may conduct such public hearings as may be required to gather information for the maintenance of the comprehensive plan. Before proposing any changes to such plan to the Town Council, it shall hold at least one public hearing thereon.

The Planning Board shall have power to promote public interest in and an understanding of its recommendations, and to that end it may publish and distribute copies of its recommendations and may employ such other means of publicity and education as it may elect.

Members or employees of the Planning Board, when duly authorized by the Board, may attend planning conferences, meetings of planning associations, or hearings on pending planning legislation, and the Planning Board may authorize payment in accordance with Town policy and within the Planning Board's budget.

K. Funding

1. The Board shall submit an annual budget request to the Town Manager by February 28th of each year.
2. The Board's budget shall include:
 - The costs of items and/or contracts required to implement anticipated Board recommended projects.
 - The costs of items and/or contracts required to sustain previous contracts and project.
 - Expenditures must follow the town financial procedures.
 - Expenditures must be approved in meetings and reflected in meeting minutes.

L. Advisory Council and Special Committees.

The Planning Board may establish an unofficial Advisory Council and may cooperate with that Council to the end that its investigations and plans may receive full consideration, but the Board may not delegate to such Advisory Council any of its official powers and duties.

The Planning Board may from time to time establish special committees to assist it in studying specific questions and problems.

SECTION 5. Town Manager.

The Town Manager and his/her assigned and/or contracted staff shall assist the Town Council, the Planning Board, the Zoning Board of Adjustment, the Lewisville Beautification Committee, and other appropriate agencies with studies, advice, and preparation plans.

SECTION 6. Zoning Board of Adjustment.

The Zoning Board of Adjustment is charged with hearing appeals from the Zoning Administrator's decisions; granting in specified circumstances special-use permits under the zoning ordinance; and issuing variances under the zoning ordinance, all pursuant to provisions of G.S. 160D-302 and the zoning ordinance.

In 2006, Council determined that the terms should end on March 31 rather than January 1, and extended all terms of then serving members from the date their terms would have expired to the next occurring March 31. New terms shall commence on April 1.

Chair: The Board membership shall select from among themselves a Chair.

- A. The Chair shall serve for one year.
- B. The Chair shall be selected at the first scheduled meeting after April 1 or, based on the Board's meeting schedule, the first scheduled meeting following appointments made at the March Council meeting, whichever comes first.

Vice-Chair: The Board membership shall select from among themselves a Vice-Chair.

- A. The Vice-Chair shall serve for one year.
- B. The Vice-Chair shall be selected at the first scheduled meeting after April 1 or, based on the Board's meeting schedule, the first scheduled meeting following appointments made at the March Council meeting, whichever comes first.

SECTION 7. Inspection Service.

Inspection services provided by town staff or contracted staff shall enforce the zoning ordinance, the sign ordinance, and other ordinances as assigned by the Town Council and the Manager. The designated staff shall be responsible for issuing the appropriate permits, certificates, and orders for the purpose of appropriately maintaining the public welfare and safety.

SECTION 8. Transition.

Notwithstanding the foregoing, the County of Forsyth shall retain all planning authority and jurisdiction within the Town limits until the Town of Lewisville and the County of Forsyth have agreed in accordance with Town of Lewisville Ordinance Number 1, that such authority and jurisdiction have been transferred to and assumed by the Town of Lewisville.

Ordinance 10-94 Establishing Lewisville Planning Organization - 22 Sept 1994

Ordinance 11-94 - Amendment 1 - 26 Oct 1994

Ordinance 2003011 - Amendment 2 - June 12, 2003

Ordinance 2005001 - Amendment 3 - August 11, 2005

Ordinance 2006023 - Amendment 4 - July 13, 2006

Ordinance 2006024 - Amendment 5 - July 13, 2006

Ordinance 2014051 - Amendment 6 - October 9, 2014


Ordinance 2015019 - Amendment 7 - February 12, 2015

Ordinance 2016005 - Amendment 8 - March 10, 2016

Ordinance 2018023 – Amendment 9 – March 8, 2018

Ordinance 2023-009 – Amendment 10 – February 9, 2023

Adopted this 8th day of May 2025 by the Lewisville Town Council.


Mike Horn, Mayor

ATTEST:


Dora K. Moore, Town Clerk

