

Marion D. Foxworth III
HORRY COUNTY, SC REGISTRAR OF DEEDS

COUNTY OF HORRY)
STATE OF SOUTH CAROLINA)

ORDINANCE NO. 154-2024

AN ORDINANCE TO AMEND CHAPTER 18, LAND DEVELOPMENT REGULATIONS OF THE HORRY COUNTY CODE OF ORDINANCES PERTAINING TO REGULATORY PERMITS AND AUTHORIZATIONS.

WHEREAS, South Carolina Code of Laws 6-29-1120 establishes that a county may adopt Land Development Regulations for the public health, safety, economy, good order, appearance, convenience, morals, and the general welfare; and,

WHEREAS, Horry County by adoption of a Housing Element, Community Facilities Element and Priority Investment Element of the Comprehensive Plan, *Imagine 2040*, is authorized through its police power to prepare and recommend by way of the Planning Commission to County Council the adoption of regulations governing the development of land; and,

WHEREAS, Land Development Regulations are intended to prevent land use conflicts, ensure adequate infrastructure, promote sound planning, engineering and stormwater practices, and provide for the safe and efficient use of land; and,

WHEREAS, it is the intent of the Horry County Council to promote the general welfare and safety of citizens, businesses and visitors through the application of Land Development Regulations that ensure orderly development.

NOW THEREFORE, by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

1. **Amendment of Chapter 18, Article III.** Article III, Section 7 of the Land Development Regulations is hereby amended as follows:
(All text in ~~strikethrough~~ shall be deleted and all text shown **underlined and bolded** shall be added.)

SECTION 9: REGULATORY PERMITS AND AUTHORIZATIONS

7-2. Preliminary Plans.

The following regulatory permits and authorizations or application for such permits shall be provided to the Planning Department before construction permitting.

1. Water and sewer authority letter (for projects to be serviced with public water and/or sewer). The letter(s) shall confirm the applicable authority's available capacity to service the proposed project. (See notes 1 and 2 of Article 2, Section 3-4 for acceptable letter format)

2. DHEC septic letter (for projects that are not to be serviced with public sewer). The letter(s) shall state that all proposed lots or units are suitable for the use of septic systems. (See notes 1 and 2 of Article 2, Section 3-4 for acceptable letter format)
3. US Army Corps of Engineers wetland delineation (if wetlands exist on the site) verification letter (**Preliminary Jurisdictional Determination or Concurrence**) (~~form~~) containing the SAC file number and a copy of the plat referred in the letter, or;
4. US Army Corps of Engineers spoilage certification (if applicable).
5. Horry County Stormwater
6. SCDOT Encroachment Permit for roadways and drainage connections

2. **Severability**: If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section, or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
3. **Conflict with Preceding Ordinances**: If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, then the preceding Section, Sub-section, or part shall be deemed repealed and no longer in effect.
4. **Effective Date**: This Ordinance shall become effective on 3rd Reading.

AND IT IS SO ORDAINED, ENACTED AND ORDERED.

Dated this 21st day of January, 2025

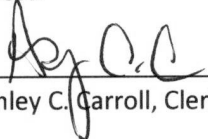
HORRY COUNTY COUNCIL



Johnny Gardner, Chairman

Jenna L. Dukes, District 1	Tom Anderson, District 7
Bill Howard, District 2	Michael Masciarelli, District 8
Dennis DiSabato, District 3	R. Mark Causey, District 9
Gary Loftus, District 4	Danny Hardee, District 10
Tyler Servant, District 5	Al Allen, District 11
Cam Crawford, District 6	

Attest:



Ashley C. Carroll, Clerk to Council

First Reading:	12/10/24
Second Reading:	1/7/25
Third Reading:	1/21/25
Public Hearing	1/7/25

County Council Decision Memorandum
Horry County, South Carolina

Date: November 20, 2024
From: Planning and Zoning
Division: Infrastructure & Regulation
Prepared By: Charles Suggs, Planning Director
Regarding: Land Development Regulations – Regulatory Permits & Authorizations

ISSUE:

Should Horry County update the Land Development Regulations to amend regulatory permits and authorizations pertaining to preliminary plan approval?

BACKGROUND:

As part of Preliminary plan approval, specific regulatory permits are required prior to construction. One of these requirements are an approved wetland delineation from the US Army Corps of Engineers. The wetland delineation is provided in three different form; an Approved Jurisdictional Determination (AJD), Preliminary Jurisdictional Determination (PJD) and a letter of concurrence.

Horry County met with the Army Corps of Engineers regarding Horry County's current requirement of an Approved Jurisdictional Determination for Preliminary Plan approval. The Army Corps of Engineers informed staff that amending Horry County's requirement from the Approved Jurisdictional Determination to either a Preliminary Jurisdictional Determination or letter of Concurrence would be preferred. Regulatory permits and authorizations for Preliminary Plan approval are noted below.

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