

**CITY OF LORIS  
LAND DEVELOPMENT ORDINANCE**

AN ORDINANCE GOVERNING THE DEVELOPMENT OF LAND WITHIN THE CITY OF LORIS, SOUTH CAROLINA, AND PROVIDING FOR DESIGN STANDARDS, REQUIRED IMPROVEMENTS, AND THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF LORIS, SOUTH CAROLINA, IN COUNCIL ASSEMBLED.

**ARTICLE I. GENERAL**

**Section 1-1. Title**

This Ordinance shall be known as the Land Development Ordinance of the City of Loris, South Carolina.

**Section 1-2. Authority**

This Ordinance is adopted pursuant to the authority granted under the General Statutes of South Carolina, 1976 Code of Laws, Sections 6-29-1110 through 6-29-1200.

**Section 1-3. Purpose**

The purpose of this Ordinance is in keeping with the declaration of intent by the State of South Carolina (6-29-1120), to require harmonious, orderly, and progressive development of land in pursuit of public health, safety, economy, good order, appearance, convenience, morals, and the general welfare. In furtherance of this general intent, the regulation of land development is authorized for the following purposes among others:

1. To encourage economically sound and stable development;
2. To assure the timely provision of required streets, utilities, and other facilities and services to new land development;
3. To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian in and through new land developments;

4. To assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land to recreation, education, transportation, and other public purposes; and
5. To assure, in general, the wise and timely development of new areas in harmony with the Comprehensive Plan of the City of Loris.

#### **Section 1-4. Application of Ordinance**

No plat for the subdivision of land within the City of Loris shall be filed with or recorded by the Horry County Clerk of Court until such plat shall have first been submitted to and approved by the Loris Planning Commission according to procedures set forth in this Ordinance.

No permit shall be issued to develop, construct, or otherwise change land characteristics in the City of Loris except in compliance with all applicable provisions of this Ordinance, Building Codes, and the City's Zoning Ordinance.

No street or other public way or land shall be accepted or maintained, nor shall any water lines, sewerage, street lighting, or similar improvements be extended or connected, nor shall any permit be issued by any department of the City for construction of any building or other improvement in any subdivision established hereafter which has not been approved by the Planning Commission.

#### **Section 1-5. Variances**

Whenever, in the opinion of the Planning Commission, the strict application of the requirements contained in this Ordinance would result in extreme practical difficulties or undue economic hardship, the Planning Commission may modify such requirements as are necessary to allow the development of the property in a reasonable manner, providing that the public interests of the community and its citizens are protected and the general intent and spirit of these regulations are preserved. The Commission shall grant such variance or modification only upon determination that:

1. The variance will not be detrimental to the public health, safety, and general welfare of the community.
2. The variance will not adversely affect the reasonable development of adjacent property.
3. The variance is justified because of topographic or other special conditions unique to the property involved, in contra-distinction to mere inconvenience or financial disadvantage.
4. The variance is consistent with the objectives of this Ordinance and will not have the effect of nullifying the intent or purpose of this Ordinance or the Comprehensive Plan.

5. Such variance will not conflict with applicable requirements of the Zoning Ordinance.

### **Section 1-6. Amendments**

From time to time this Ordinance may be amended by the City Council, after holding a public hearing thereon, the time and place of which shall be duly advertised in a newspaper of general circulation in the City of Loris at least thirty (30) days prior to said hearing; provided, however, that no amendment shall become effective unless it shall have first been submitted to the Planning Commission for review and recommendation. The Planning Commission shall have 45 days within which to submit its report; provided, however, that the Council may waive this requirement and grant an extension of time. If the Planning Commission fails to submit a report within the specified time, it shall be deemed to have approved the amendment.

### **Section 1-7. Violations and Penalties**

Any person, firm, or corporation who violates the provisions of this Ordinance, or the owner or agent of the owner of any land to be developed within the jurisdiction of this Ordinance who transfers or sells land before a plat therefor has been approved by the Planning Commission and recorded in the office of the Clerk of Court in and for the County of Horry, shall be guilty of a misdemeanor, and upon conviction thereof, shall forfeit and pay penalties as the Court may decide for each parcel so transferred or sold or agreed to be sold. The description of metes and bounds in the instrument of transfer, descriptive drawings attached to deeds, or other documents used to sell or transfer property shall not exempt the transaction from these penalties. The Circuit Court in and for the County of Horry may enjoin such transfer or agreement by appropriate action.

### **Section 1-8. Interpretation and Conflict**

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements.

Where the conditions imposed by any provisions of this Ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this Ordinance or any other applicable law, ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive and impose higher standards or requirements shall govern.