

Initiating a Request for a Mining Permit

The following information shall be submitted to the County Planning & Zoning Department with an administrative fee of \$250.00.

- Permit requests shall identify the property owner(s), tax map numbers of parcels for which the permit is sought, operator's name, address, and telephone number.
- Applicant shall identify the nature of the material to be excavated, the duration of the SC DHEC approval sought, and the acreage of staging/excavation areas.
- Upon request, applicant also may be required to furnish copies of all documents provided to SC DHEC, including but not limited to, the site Reclamation Plan.
- Provide a copy of the proposed Road Maintenance and Traffic Routing Plans.
- If extended hours are sought, applicant shall specify days and times and propose mitigation of any negative impacts on surrounding property owners.

Any permit issued may be revoked by County Council for cause, including but not limited to: failure to adhere to the Road Maintenance and Traffic Routing Plan; failure to adhere to the approved hours of operation; or failure to adhere to all County, State, and Federal laws.

Any person having a substantial interest in the issuance, denial, or revocation of a Mining Permit may appeal the decision of County Council to the Circuit Court. Such appeal shall be filed within 30 days of the County Council meeting where decision was rendered.

Violations shall constitute a misdemeanor punishable by a fine up to \$500 or 30 days in jail. Each occurrence shall constitute a separate violation.

Fees: Certificate of Zoning Compliance \$50
Mining Permit \$250
Subdivision Review Fee \$ as applicable
Stormwater Permit \$0

This document is intended for guidance only. All associated County Ordinances (02-06, 141-05, 190-99, etc.) and any other applicable State, & Federal regulations shall be consulted and adhered to as warranted.



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A Guide To Mining in Horry County

According to the South Carolina Department of Health and Environmental Control "Mining" means:

The breaking of the surface soil to facilitate or accomplish the extraction or removal of ores or mineral solids for sale or processing or consumption in the regular operation of a business.

The removal of overburden lying above natural deposits of ore or mineral solids and removal of the mineral deposits exposed, or by removal of ores or mineral solids from deposits lying exposed in their natural state.

Mining activities in Horry County are controlled by local ordinances and state laws. This brochure is intended to provide information on the County requirements only. Contact the South Carolina Department of Health and Environmental Control for information on the state laws and regulations that govern mining operations.

Basic Mining Requirements

Horry County has established six different levels of mining with various restrictions for each level. These include:

- Less than one-half acre is exempt & no County submittal is necessary.
- Pond excavation no more than 2 acres is allowed in all zoning districts, but requires a Certificate of Zoning Compliance from the Planning & Zoning Department.
- Farm pond excavation no more than 5 acres is allowed in some zoning districts. There are certain restrictions. This requires a Certificate of Zoning Compliance from the Planning & Zoning Department.
- Mining done as part of an approved subdivision (including a stormwater plan) is allowed in all zoning districts.
- All other mining is strictly regulated and can only be conducted in the FA and CFA zones. A County Stormwater Permit is required, as well as a County Mining Permit issued by the County Council. Applications should be submitted through the County Planning & Zoning Department for this Mining Permit.
- Mining done as part of a SC DOT project is allowed in all zoning districts. A County Stormwater Permit is required, and paperwork must be submitted to the Zoning Administrator documenting the SC DOT contract.

Conditions For Mining In Horry County

*Unless exempt, a Certificate of Zoning Compliance must be obtained by the property owner or operator of any mining operation **prior** to removal of excavated materials to be hauled off-site.*

Ponds less than one-half acre in size are exempt from the following requirements, except final pond slopes must be 3:1.

Ponds no greater than 2 acres in size shall be allowed as **conditional uses** in all zoning districts & are subject to the following conditions:

1. Ponds shall be a minimum of 50 feet from wetlands.
2. Ponds shall be a minimum of 25 feet from property line (unless stipulated in written agreement with adjacent property owner).
3. No County Stormwater Permit is required.

Farm ponds for irrigation & livestock no greater than 5 acres shall be allowed as conditional uses in the AG1, AG2, LFA, FA, CFA, SF40, SF20, and RE zoning districts & are subject to the following conditions:

1. No more than 1 pond for every 10 acres of land.
2. Ponds shall be a minimum of 50 feet from wetlands.
3. Ponds shall be a minimum of 25 feet from property line (unless stipulated in written agreement with adjacent property owner).

4. The parcel **MUST** have a farm number issued by the Farm Service Agency.
5. The property owner **MUST** have a Critical Area Plan approved by the USDA.
6. Allowable hours of operation are 6:00 AM to 9:00 PM, Monday through Saturday.
7. Where unpaved County road is used to access the site, the owner and/or operator shall maintain 500 feet in the direction of traffic to and from site, using Best Management Practices and maintaining road in good condition.

Removal and hauling of excavated material for construction of a commercial or residential subdivision must:

1. Receive preliminary plan approval.
2. Obtain a County Stormwater Permit

All other mining activity shall be allowed only as a conditional use in the FA, CFA, AG1 & AG2 zoning districts and are subject to the following conditions:

1. A pre-construction meeting with the County Engineer must be held to assess road conditions, maintenance plans, and impacts.
2. Mine operator must maintain paved roads accessing site for 200 feet of site access in the direction of travel and control dust in populated areas.
3. Mining operations must be screened and buffered by 6 foot high opaque screen of natural vegetation within a 100 foot wide buffer area, or a 6 foot berm (graded, sloped, and grassed) within a 50 foot wide buffer area. No screen is required along property boundary where mining operations are set back 500 feet or more from property line.
4. Mine operator will submit a Traffic Routing Plan to County Engineer.
5. Mine operator will obtain a County Stormwater Permit.
6. Allowable hours of operation are 6:00 AM to 9:00 PM, Monday through Saturday (unless otherwise authorized by County Council)
7. Mining operations will be conducted in accordance with County, State, and Federal regulations.

These conditions are not applicable if ALL excavated materials from a site are used solely for the construction of a public project by the South Carolina Department of Transportation. To establish this right of exemption the following conditions must be met:

1. Property owner and/or site operator must provide the Zoning Administrator with a letter from the SCDOT project engineer identifying the contractor, the SCDOT file number, the start and end dates of the contract, and the cubic yards to be excavated.
2. Obtain a County stormwater permit.
3. Property owner must provide Zoning Administrator with a statement acknowledging the following:
 - a. any future use of the property must be consistent with existing zoning
 - b. the exemption is limited to the duration & extent of the SCDOT contract
 - c. materials may NOT be used for any project outside the scope of the SCDOT contract