

Subpart A. Flood Damage Prevention

§200-103 Administration

203.1 Floodplain Development Permit Application Requirements:

A. Plans and Application Requirements. A Floodplain Development Permit shall be required for any new development in a *SFHA*, except for *watercourse* alteration and stream bank restoration where the same is permitted by the United States Corps of Engineers and, if applicable, the State of North Carolina. For *watercourse* alteration and stream bank restoration where a proper and appropriate permit from the United States Corps of Engineers and, if applicable, the State of North Carolina, has been granted, no further permit from Henderson County is required. Application for a Floodplain Development Permit shall be made to the *Floodplain Administrator* on forms furnished by him or her prior to any development activities proposed to be located within *Special Flood Hazard Areas*. The following items/information shall be presented to the *Floodplain Administrator* to apply for a Floodplain Development Permit.

- (1) A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed *floodplain* development:
 - i The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed *structures*, the location of utility systems, proposed grading/pavement areas, fill materials, storage areas, drainage facilities, and other proposed development;
 - ii The boundary of the *Special Flood Hazard Area* as delineated on the *FIRM* or other flood map as determined in Section 202.2, or a statement that the entire *lot* is within the *Special Flood Hazard Area*;
 - iii *Flood zone(s)* designation of the proposed development area as determined on the *FIRM* or other flood map as determined in Section 202.2;
 - iv The boundary of the *floodway fringe* area, if any, as set out in the *FBFM*;
 - v The boundary of the *floodway(s)* or *non-encroachment area(s)* as determined in Section 202.2;
 - vi The *Base Flood Elevation (BFE)*, where provided, as set forth in Sections 202.2, 203.3(K), 203.3(L), 204.4 and/or 204.5;
 - vii Certification of the plot plan by or under the direct supervision of a professional land surveyor or registered professional engineer and certified by same.
- (2) Proposed elevation, and method thereof, of all development within a *Special Flood Hazard Area* including but not limited to:

- i Elevation in relation to *mean sea level* of the proposed reference level (including *basement*) of all *structures*;
 - ii Elevation in relation to *mean sea level* to which any nonresidential *structure* will be floodproofed; and,
 - iii Elevation in relation to *mean sea level* to which any proposed utility systems will be elevated or floodproofed;
- (3) If *floodproofing*, a *Floodproofing Certificate* (*FEMA Form 81-65*) and back-up plans from a registered professional engineer or architect certifying that the nonresidential flood-proofed development will meet the flood-proofing criteria in this subpart.
- (4) A Foundation Plan drawn to scale which shall include details of the proposed foundation system to ensure all provisions of this subpart are met. These details include but are not limited to:
 - i Proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/piers); and,
 - ii Details of sufficient openings to facilitate the unimpeded movements of floodwaters should solid foundation perimeter walls be used in *floodplains*, in accordance with this subpart;
- (5) Usage details of any enclosed space below the *regulatory flood protection elevation*.
- (6) Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage;
- (7) Copies of all other Local, State and Federal permits required prior to *Floodplain Development Permit* issuance (e.g. *Wetlands*, *Erosion and Sedimentation Control*, *Riparian Buffers*, *Mining*, etc.)
- (8) Documentation for placement of *temporary structures* to ensure Section 204.2(F) of this Subpart A are met.
- (9) Where the *base flood elevation* data is not provided, the application for a development permit must show construction of the lowest *floor* at least two (2) feet above the *highest adjacent grade*.
- (10) A Floodplain Development Permit shall be construed as permission to proceed with work and not as authority to violate, cancel, alter, or set aside any of the provisions of this subpart or any regulations included by reference. Issuance of a permit shall not prevent the *Floodplain Administrator* or Inspection Department personnel from thereafter requiring correction of errors in plans or construction, or *violations* of this subpart.