

§200A-318. Floodplain Development Permits

A. Purpose. A Floodplain Development Permit shall be required for any new development in a *Special Flood Hazard Area (SFHA)*, except for *watercourse* alteration and streambank 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 streambank 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).

B. Permit Issuance. The *Floodplain Administrator* shall issue Floodplain Development Permits.

C. Application.

(1) Application. Application for a Floodplain Development Permit shall be made to the *Floodplain Administrator* prior to any development activities proposed to be located within an *SFHA*. The following items/information shall be presented to the *Floodplain Administrator* to apply for a Floodplain Development Permit:

a. A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed *floodplain* development:

1. The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed *structures*, utility systems, proposed grading/pavement areas, fill materials, storage areas, drainage facilities, and other proposed development;
2. The boundary of the *Special Flood Hazard Area* as delineated on the *FIRM* or other flood map as determined in §200A-201.2 (Basis for Establishing the Special Flood Hazard Areas), or a statement that the entire *lot* is within the *Special Flood Hazard Area*;
3. *Flood zone(s)* designation of the proposed development area as determined on the *FIRM* or other flood map as determined in §200A-201.2 (Basis for Establishing the Special Flood Hazard Areas); or a statement that the entire *lot* is within the *Special Flood Hazard Area*;
4. The boundary of the *flood fringe* area, if any, as set out in the *FIRM*;
5. The boundary of the *floodway(s)* or *non-encroachment area(s)* as determined in §200A-201.2 (Basis for Establishing the Special Flood Hazard Areas);
6. The *Base Flood Elevation (BFE)*, where provided, as set forth in §200A-201.2 (Basis for Establishing the Special Flood Hazard Areas); §200A-279 (Henderson County Floodplain Administrator) A (Powers and Duties Pursuant to this Chapter) (14), (17), and (18); §200A-203.4 (Standards for Floodplains without Established Base Flood Elevations); and/or §200A-203.5 (Standards for Riverine Floodplains with BFE Data but Without Established Floodways);
7. The old and new location of any *watercourse* that will be altered or relocated as a result of the proposed development; and
8. Certification of the plot plan by, or under the direct supervision of, a registered land surveyor or professional engineer.

b. Proposed elevation, and method thereof, of all development within a *Special Flood Hazard Area* including but not limited to:

1. Elevation in relation to *mean sea level* of the proposed reference level (including *basement*) of all *structures*;
 2. Elevation in relation to *mean sea level* to which any nonresidential *structure* in Zone AE, A or AO will be floodproofed; and
 3. Elevation in relation to *mean sea level* to which any proposed utility systems will be elevated or floodproofed;
- c. If *floodproofing*, a *Floodproofing Certificate* (*FEMA Form 81-65*) with supporting data, an operational plan, and an inspection and maintenance plan that include, but are not limited to, installation, exercise, and maintenance of floodproofing measures. Back-up plans from a registered professional engineer or architect certifying that the nonresidential floodproofed development will meet the floodproofing criteria in Article VIII (Natural Resources) Subpart A (Flood Damage Prevention) are also required.
- d. A Foundation Plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of Article VIII (Natural Resources) Subpart A (Flood Damage Prevention) are met. These details include but are not limited to:
 1. The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/*shear walls*); and
 2. Details of sufficient openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with §200A-203.2 (Specific Standards) D (Elevated Structures) (3) when solid foundation perimeter walls are used in Zones A, AO, and AE.
- e. Usage details of any enclosed space below the *lowest floor*.
- f. 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.
- g. Copies of all other Local, State and Federal permits required prior to Floodplain Development Permit issuance (*Wetlands*, *Endangered Species*, *Riparian Buffers*, *Mining*, etc.).
- h. Documentation for placement of *recreational vehicles* and/or *temporary structures* to ensure the provisions of §200A-203.2 (Specific Standards) F (Recreational Vehicles) are met.
- i. 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*.
- j. A description of proposed *watercourse* alteration or relocation when applicable, including an engineering report on the effects of the proposed project on flood-carrying capacity of the *watercourse* and the effects to properties located both upstream and downstream; and a map (if not shown on plot plan) showing the location of the proposed *watercourse* alteration or relocation.