



Benton County, AR

Development Department – Planning Division

905 NW 8th Street ♦ Bentonville, AR 72712 ♦ 479.464.6166

<http://www.bentoncountyar.gov>

Floodplain Development Permit (FDP) Application:

This is an application packet for a Floodplain Development Permit (FDP). Certain sections are to be completed by the Applicant, and certain sections are to be completed by the local Floodplain Administrator (FPA).

The National Flood Insurance Program (NFIP) provides flood insurance to individuals at much lower premiums than could otherwise be purchased through private insurers, and makes certain federal monies available to local communities. In order for citizens to be eligible for the national flood insurance rates, or for communities to receive certain kinds of federal monies, the community must agree to meet minimum floodplain standards. This application packet is a tool to ensure that these minimum floodplain standards are met.

In a participating NFIP community, flood insurance policies can be purchased from any local insurance agent at the national rate. Even though the policy may be issued as if it were coming from the insurance company you deal with, it is actually a Federal NFIP policy printed on the insurance agency's letterhead. The rates are determined by the flood risk zone in which you live and by the elevation of the lowest floor of your home, not by the insurance company, and should be the same regardless of which agent or agency sells you the insurance.

You may buy flood insurance for your own peace of mind, you may be required to buy it before a lending institution will make or refinance a loan, or, you may not be buying flood insurance at all. Whichever is the case, if the property which you propose to develop/improve is located within a "Special Flood Hazard Area" (SFHA) on the Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA), you **MUST** obtain a Floodplain Development Permit (FDP) prior to beginning the project. This is a requirement of the Benton County local Flood Damage Prevention Ordinance. Failure to comply with the FDP and its process includes penalties and sanctions.

Floodplain Development Permits (FDP's) are ONLY required for developments in the SFHA areas designated shown on the effective FEMA FIRM's. These FIRM's may be reviewed at the Office of the FPA, or online at the FEMA Flood Map Service Center website (<http://msc.fema.gov/portal>).

If you are proposing a development of any kind (constructing a new building, adding on to an existing building, clearing land, placing fill, grading land, mining, dredging, drilling, etc...) in the SFHA, you **MUST** submit Section I of this application for a Floodplain Development Permit to the FPA. Depending upon the type of development you are proposing, additional forms *may* be required. For example, all new buildings in a SFHA require an Elevation Certificate (EC) to document that the lowest floor of the building is elevated to a certain height relative to the anticipated flood crest of the "base flood" event. The EC and other forms are provided in Section III of this application packet, **but should only be completed if they are required by the FPA for the proposed development.**

Typically, the Applicant completes Section I of this packet and submits the information to the FPA. The FPA reviews the submission and determines whether or not additional information is needed. If it is, the FPA will request the additional information from the Applicant. Once all required materials have been submitted, the FPA will make a permitting decision and either issue or deny the requested Floodplain Development Permit (FDP). Note: Denied permits may be appealed per the provisions of the local Flood Damage Prevention Ordinance.

The Applicant must understand that a Floodplain Development Permit (FDP) is only a permit to complete the proposed development. It is a permit to, for example, build a house, construct a baseball field, install a drainage ditch or septic system or grade a parcel of land. Before the house can actually be occupied, or the developed land used, a Compliance Certificate must be issued by the local FPA. The FPA will perform an inspection after the project is completed, or perhaps several inspections throughout the progress of the project, to make sure that the development is compliant with the requirements of the local Flood Damage Prevention Ordinance. Once the Compliance Certificate has been issued, the process has been completed.

Instructions for Completion of FDP Application:

SECTION I

General Information

Self-explanatory. Note the last two items under this heading.

Owner Information

List the contact information for the owner(s) of the property where development is proposed. All owners of the property must sign the application.

Applicant Information

If you are applying for this development permit, but are not the owner of the property, list your contact information here. If you are the property owner, leave this section blank.

Project Information

Check the box (es) beside the type of development that is being proposed. Note that some types of activity require the estimated cost of the proposed project to be disclosed so the Floodplain Administrator (FPA) can determine whether or not the improvement is a “substantial improvement.”

Signature

Print your name, sign your name, and date the application.

SECTION II

Floodplain Information

The FPA will determine – for the sole purpose of administering the local Flood Damage Prevention Ordinance – the position of the proposed development relative to community floodplains and floodways. This determination is not binding at any lending institution or with any insurance agency, but is used to determine whether or not a Floodplain Development Permit and/or any other forms are required prior to commencing the proposed project.

Section II requires a map and panel number(s), a listing of the flood source for the proposed development, and contains a checklist of additional documents required for the FPA to make an informed permitting decision.

If any of the additional documentation is required, the FPA is to notify the applicant, allow a reasonable length of time for submission of the documents, and then review all submissions to determine whether or not the permit will be issued.

SECTION III

Forms

Templates for forms that may be required are provided in this Section

Elevation Certificate; No Rise Certification; Flood Proofing Certification; Flood Venting Certification

SECTION IV

Permit Determination

The FPA will indicate whether or not the proposed development is conformant with the requirements of the local Flood Damage prevention ordinance, and whether or not the requested permit is issued. If the decision is to NOT issue the permit, the FPA will provide an explanation of the perceived deficiencies to the Applicant.

SECTION V

Certificate of Compliance

The FPA will indicate the “As-Built” lowest floor elevation for structural developments, list any inspections that have been performed, and issue the Certificate of Compliance to the Applicant if appropriate.

FLOODPLAIN DEVELOPMENT PERMIT
APPLICATION FORM FOR Benton County, AR

| | |
|-----------------|-------|
| OFFICE USE ONLY | |
| Date Received: | _____ |
| File Number: | _____ |

SECTION I: Applicant and Project Information

GENERAL INFORMATION

1. No work of any kind may begin in a floodplain area designated as A, A1-30, AE, AO, AH, or B until a floodplain development permit is issued.
2. The permit may be revoked if any false statements are made in this application.
3. If revoked, all work must cease until a permit is re-issued.
4. The development may not be used or occupied until a **Certificate of Compliance** is issued.
5. The permit will expire if no work is commenced within 6 months of the date of issue.
6. The permit will not be issued until any other necessary local, state or federal permits have been obtained.
7. By signing and submitting this application, the Applicant gives consent to the local Floodplain Administrator or his/her representative to make reasonable inspections prior to the issuance of a **Certificate of Compliance**.
8. By signing and submitting this application, the Applicant certifies that all statements contained in SECTION I of the application, and in any additional attachments submitted by the Applicant, are true and accurate.

OWNER INFORMATION

Property owner(s): _____
Telephone number: _____
Fax number: _____

Mailing address: _____
e-mail address: _____

Signature(s) of property owner(s) listed above¹

¹Attached forms if there are additional property owners. This permit application will not be accepted without the signature of all property owners. The signature is an acknowledgement and consent to this floodplain development permit application.

APPLICANT INFORMATION

Applicant: _____
Telephone number: _____
Fax number: _____

Notes:

Signature of applicant listed above

Section I continued on back

PROJECT INFORMATION

| | | |
|---------------|-------------------|--|
| Project _____ | Lot _____ | Block _____ |
| Address _____ | Subdivision _____ | |
| | Legal Description | <i>(Attach to this document)</i> _____ |

A. Structural development (Please check all that apply.)

Type of Structure

- Residential (1 to 4 families)
- Residential (More than 4 families)
- Non-Residential
 - Elevated
 - Floodproofed
- Combined Use (Residential and Non-Residential)
- Manufactured (mobile) Home
 - Located within a Manufactured Home Park
 - Located outside a Manufactured Home Park

Type of Structural Activity

- New Structure
- Addition to Existing Structure²
- Alteration of Existing Structure²
- Relocation of Existing Structure²
- Demolition of Existing Structure
- Replacement of Existing Structure

²Estimate Cost of Project _____B. Other Development Activities

- Excavation (not related to a Structural Development listed in Part A.)
- Clearing
- Placement of fill material
- Grading
- Mining
- Drilling
- Dredging
- Watercourse alteration
- Drainage improvement (including culvert work)
- Individual water or sewer system
- Roadway or bridge construction
- Other development not listed above (specify) _____

²If the value of an addition or alteration to a Structure equals or exceeds 50% of the value of the structure before the addition or alteration, the entire structure must be treated as a substantially improved structure. A relocated structure must be treated as new construction.

SIGNATURE

I certify that to the best of my knowledge the information contained in this application is true and accurate.

(PRINTED name)_____
(SIGNED name)_____
(Date)

SECTION II:**FLOOD INFORMATION**

1. The proposed development is located on FIRM map panel: _____ (number and suffix)
2. The date on the FIRM is _____
3. The proposed development is located in Zone: _____ (A, A1-30, AE, AO, AH, B, C, D, or X)
4. Is the proposed development located in either of the following zones? A, A1-30, AE, AO, AH, B, or shaded X
 YES NO *If NO, no permit floodplain development is required.*

5. If the proposed development is located in Zone B or shaded Zone X, a floodplain development permit is only required if the Development is a “critical facility” as defined in the Flood Damage Prevention Ordinance.
Otherwise, no floodplain development permit is required in Zone B or shaded Zone X.

6. If the proposed development is located within either Zone A1-30 or Zone AE, is it also located within a “regulatory floodway” ? YES NO
7. If YES, a **No Rise Certificate** is necessary before proceeding.
8. If NO, continue.

If the proposed development is located within Zones A, A1-30, AE, AO, AH, B or shaded X (critical facilities only), apply the criteria of the Flood Damage Prevention Ordinance to minimize flood damages to the proposed Development and to adjacent properties as well.

For structures, the provisions of the ordinance specify that the lowest floor, including utilities, be elevated _____ above the base flood elevation. Therefore, it is necessary that the following information be provided:

1. Base flood elevation at the site: _____ feet above mean sea level (MSL)
2. Vertical datum used in the Flood Insurance Study, on flood maps and in surveys is _____
3. Source of the base flood elevation (BFE) FIRM (flood map)
 Flood Insurance Study Profile # _____
 Other sources of the BFE (specify): _____
4. Proposed lowest floor elevation (including utilities): _____ feet above MSL
(This elevation must be greater than the BFE. For non-residential structures, floodproofing may be used for protection. See ordinance for details.)

The following documents may be required. *Check applicable.*

- Maps and plans of the development
- An **Elevation Certificate**³ – required for all structures
- A **Floodproofing Certificate**³ – required if floodproofing a non-residential structure
- A **No-Rise Certificate**³ – if the proposed development is in a “regulatory floodway”
- An elevation study showing BFEs on developments exceeding 50 lots or 5 acres in Zone A
- A copy of **Wetlands Permit** from the U.S. Army Corps of Engineers if required; and other local, state, federal permits. Other permits: _____

³Certificates require completion by a Professional Land Surveyor or Registered Professional Engineer, as indicated.

SECTION III : (Forms which may be required by the Floodplain Administrator)

ELEVATION CERTIFICATE

Attached. *Submit only if required to do so by the Floodplain Administrator.*
http://www.fema.gov/media-library-data/1465916361274-cb8abe5807f45b0670805d3048305ab1/FF086_0_33_ElevationCert_2015_Edition_Reader.pdf

FLOODPROOFING CERTIFICATE

Attached. *Submit only if required to do so by the Floodplain Administrator.*

NO-RISE CERTIFICATE

Attached. *Submit only if required to do so by the Floodplain Administrator.*

FEDERAL EMERGENCY MANAGEMENT AGENCY
NATIONAL FLOOD INSURANCE PROGRAM

FLOODPROOFING CERTIFICATE

FOR NON-RESIDENTIAL STRUCTURES

The floodproofing of non-residential buildings may be permitted as an alternative to elevating to or above the Base Flood Elevation; however, a floodproofing design certification is required. This form is to be used for that certification. Floodproofing of a residential building does not alter a community's floodplain management elevation requirements or affect the insurance rating unless the community has been issued an exception by FEMA to allow floodproofed residential basements. The permitting of a floodproofed residential basement requires a separate certification specifying that the design complies with the local floodplain management ordinance.

BUILDING OWNER'S NAME

STREET ADDRESS (Including Apt., Unit, Suite and/or Bldg number) OR P.O. ROUTE AND BOX NUMBER

OTHER DESCRIPTION (lot and Block Numbers, etc)

| |
|---------------------------|
| FOR INSURANCE COMPANY USE |
| POLICY NUMBER |
| COMPANY NAIC NUMBER |

CITY STATE ZIP CODE

SECTION I – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

Provide the following from the proper FIRM:

| COMMUNITY NUMBER | PANEL NUMBER | SUFFIX | DATE OF FIRM INDEX | FIRM ZONE | BASE FLOOD ELEVATION (In AO Zones, Use Depth) |
|------------------|--------------|--------|--------------------|-----------|--|
| | | | | | |

SECTION II – FLOODPROOFING INFORMATION (By a Registered Professional Engineer or Architect)

Floodproofing Design Elevation Information:

Building is floodproofed to an elevation of _____ Feet NGVD. (Elevation datum used must be the same as that on the FIRM)

Height of floodproofing on the building above the lowest adjacent grade is _____ feet.

(NOTE: for insurance rating purposes, the building's floodproofed design elevation must be at least one foot above the Base Flood Elevation to receive rating credit. If the building is floodproofed only to the Base Flood Elevation, then the building's insurance rating will result in a higher premium.)

SECTION III – CERTIFICATION (By a Registered Professional Engineer or Architect)

Non-Residential Floodproofed Construction Certification:

I certify that, based upon development and/or review of structural design, specifications, and plans for construction, the design and methods of construction are in accordance with accepted standards of practice for meeting the following provisions:

The structure, together with attendant utilities and sanitary facilities, is watertight to the floodproofed design elevation indicated above, with walls that are substantially impermeable to the passage of water.

All structural components are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy, and anticipated debris impact forces.

I certify that the information on this certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

CERTIFYER'S NAME LICENSE NUMBER (or Affix Seal)

TITLE COMPANY NAME

ADDRESS CITY STATE ZIP CODE

SIGNATURE DATE PHONE

Copies should be made of this Certificate for: 1) community official, 2) Insurance agent/company, and 3) building owner.

ENGINEERING "NO-RISE" CERTIFICATE

FOR ARKANSAS COMMUNITIES

SITE INFORMATION

| | |
|-----------------|--|
| Community _____ | County _____ |
| Applicant _____ | Date _____ |
| Address _____ | Engineer _____ Address _____ Telephone _____ |
| Telephone _____ | |
| Project _____ | Lot _____ Block _____ |
| Address _____ | Subdivision _____ |
| _____ | Legal Description _____ |

PROJECT INFORMATION

Description of Development: _____

Principal Use of Premises: _____

FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

NFIP map(s) and panel(s) affected: _____

Effective date of map: _____

Base Flood Elevation on FIRM: _____

Name of flooding source: _____

CERTIFICATION

This is to certify that I am a duly qualified Professional Engineer licensed to practice in the State of Arkansas. I further certify that the attached engineering data supports the fact the proposed development would not result in any increase in flood levels within the community during the occurrence of a base flood event.

CERTIFIER'S NAME

LICENSE NUMBER

COMPANY NAME

(embossed seal)

SIGNATURE

DATE

TITLE

ARKANSAS FLOODPLAIN DEVELOPMENT PERMIT

| OFFICE USE ONLY | |
|-----------------|-------|
| Date Issued: | _____ |
| File Number : | _____ |

SECTION IV : (To be completed by the Floodplain Administrator)

PERMIT DETERMINATION

I have determined that the proposed development

- IS
- IS NOT *(non-conformances to be described in a separate document)*

in conformance with local Flood Damage Prevention Ordinance Number _____ ,
dated _____ .

The Floodplain Development Permit

- IS
- IS NOT *(reasons for denial to be described in a separate document)*

issued, subject to any conditions attached to and made part of this permit.

SIGNATURE

DATE

The applicant is reminded that this document is a development permit only. An inspection must be performed and a Compliance Certificate must be issued before the development can be occupied or used.

CERTIFICATE OF COMPLIANCE

| OFFICE USE ONLY | |
|-----------------|-------|
| Date Issued: | _____ |
| File Number : | _____ |

SECTION V : CERTIFICATE OF COMPLIANCE

“AS-BUILT” ELEVATION (to be completed by the applicant after construction)

The following information must be provided for structures that are part of this application. This section must be completed by a Professional Land Surveyor or a Professional Engineer (or attach a certification to this application).

- (1) The Actual (“As-Built”) elevation of the top of the lowest floor, including the basement, is _____ Feet above MSL (vertical datum: _____).
- (2) The Actual (“As-Built”) elevation of floodproofing protection is _____ Feet above MSL (vertical datum: _____).

COMPLIANCE ACTION (to be completed by the Local Floodplain Administrator)

The Floodplain Administrator will complete this section as applicable based on inspection of the development to ensure compliance with the community’s local flood damage prevention ordinance.

| | | | | | |
|--------------|-------------|-----------|---------------|------------------------------|-----------------------------|
| Inspections: | Date: _____ | By: _____ | Deficiencies? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | Date: _____ | By: _____ | Deficiencies? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | Date: _____ | By: _____ | Deficiencies? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | Date: _____ | By: _____ | Deficiencies? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| | Date: _____ | By: _____ | Deficiencies? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

CERTIFICATE OF COMPLIANCE (to be completed by the Local Floodplain Administrator)

Certificate of Compliance issued.

SIGNATURE

DATE

This Certificate of Compliance indicates that structures may now be occupied and non-structural developments may be utilized.

Benton County FDP Review & Construction Approval Process:

Below is the standard process for how the Benton County Development Department coordinates the intake, review, approval, of new construction and/or substantial improvement associated with the issuance of Floodplain Development Permits (FDP).

1. Submittal of completed Floodplain Developer Permit Application (FDP) and FEMA Elevation Certificate (EC) based off of 'Construction Drawings' to Benton County Planning.
 - For new construction, EC shall be based off of 'Construction Drawings' for the newly constructed portion of the existing building.
 - For substantial improvements, EC for both existing portion of structure AND proposed addition may be required separately when methods for elevation and/or flood proofing differ between the different portions of the structure.
2. Once a FDP is issued, the developer shall provide a benchmark for elevation control.
3. At the construction site, developers' survey crew will place tall stake(s) in close proximity to the proposed structure that indicates both the base flood elevation (BFE) at the structure, and, the 'As Built' lowest floor elevation for the structure. **ALL STAKES(S) SHALL NOT BE DISTURBED AFTER PLACEMENT.**
 - NOTE: Site preparation shall be performed in close coordination with the engineering firm chosen by the developer to prepare EC's in order to verify that all staking is accurate for eventual use by the Building Safety Division during their building inspections.
4. **Date-stamped photographs of all staking on site shall be submitted to the Building Safety Division and the Planning Division for their files.** Photos shall be used to verify that all staking is in place and ready for use by the Building Safety Division.
 - NOTE: NO FOUNDATION MAY BE POURED, AND NO PLACEMENT OF A MANUFACTURED HOME MAY BE DONE PRIOR TO BUILDING PERMIT ISSUANCE.
5. Once Staking of the Site has been verified by both the Building Safety Division and the Planning Division, the **Benton County Building Safety Division is authorized to issue building permit(s) for structure(s) associated with the FDP.**
6. Developer is required to verify, by survey, the elevation of the proposed structures formwork to ensure it is accordance with the approved FDP. Once the proposed structure(s) formwork has been prepared, and such formworks relative height to the established BFE has been verified by survey, the developers engineer / surveyor must prepare and submit an EC based 'Building Under Construction' to the County Floodplain Administrator (FPA).
 - FOR STRUCTURES ELEVATED ON CRAWLSPACES, THE EC BASED OFF OF 'BUILDING UNDER CONSTRUCTION' MUST COMPLETE SECTION A8a – A8d of the EC TO VERIFY PRESENCE OF REQUIRED FLOOD VENTS, WHERE BOTTOM OF SUCH VENTS ARE ORIENTED NO HIGHER THAN ONE FOOT ABOVE THE ADJACENT GRADE.

Benton County FDP Review & Construction Approval Process:

- i. NOTE: THE 'AS BUILT LOWEST FLOOR' (I.E. FOR COMPLIANCE WITH COUNTY ELEVATION STANDARD OF 1-FOOT ABOVE BFE) CAN ONLY BE SUBMITTED FOR BOX C2B IF THE STRUCTURE HAS INSTALLED THE PROPER NUMBER AND ADEQUATELY SIZED PERMENANT FLOOD OPENINGS. OTHERWISE, THE 'AS BUILT LOWEST FLOOR' FOR NFIP REGULATORY PURPOSES BECOMES THE BOTTOM OF THE CRAWLSPACE.

- PHOTOS OF VENTS INSTALLED FOR STUCTURE MUST BE SUBMITTED TO FPA.
 - IF ENGINEERS FLOOD OPENINGS ARE USED, CERTIFICATION DOCUMENTATION FOR SUCH VENTS MUST BE SUBMITTED TO FPA.
7. **Once the 'under construction' EC has been submitted to the FDP, and construction of the structure is complete, the EC associated with the FDP must be revised by the engineer/surveyor based on Final Construction and resubmitted to the County Floodplain Administrator (FPA) for review and final approval.**
 8. **Once the FPA has approved the Final Construction EC, the FPA will issue a Certificate of Compliance (CC), and shall send the CC to the Building Safety Division for their records.**
 9. **FINAL inspections for all structures associated with the FDP shall not be scheduled unless the FPA has issued the CC.**