

Fill Permit or Floodplain Alteration Permit Application

Name of Applicant:	Name of Property Owner:
Applicant's Address:	Property Owner's Address:
Applicant Email:	Property Owner's Email:
Location of Permit Area (Full Address):	Legal Description of Permit Area:
Intended Use of the Property:	Acres of Entire Tract:
Acres of Current Floodplain:	Acres of Proposed Floodplain Removal:
Status of Applicant <input type="checkbox"/> Owner <input type="checkbox"/> Engineer <input type="checkbox"/> Other	Flood Zone & Creek/Stream Name:
Brief Description of Proposal (Attach separate sheet(s) if needed):	
Attach the Following if Applicable: Floodplain Alterations <ol style="list-style-type: none"> One (1) set of scale drawings showing location, dimensions, elevations of existing and proposed topographic alterations, existing and proposed structures, and location relative to floodplain area Supporting hydrologic and hydraulic calculations, models, reports, etc., used as a basis for proposed improvements, if applicable. Elevation to which any non-residential structure shall be floodproofed, if applicable. Non-Substantial Improvement application documents, if applicable* Digital copy of the complete Floodplain Alteration submittal on a physical data transfer device Fill Permits <ol style="list-style-type: none"> One (1) set of scale drawings showing location, dimensions, elevations of existing and proposed topographic alterations, existing and proposed structures, location relative to floodplain area Supporting hydrologic and hydraulic calculations, models, reports, exhibits, etc., used as a basis for proposed improvements Digital copy of the complete Fill Permit submittal on a physical data transfer device Application Fee 	

*Please refer to the Floodplain Alteration – Non-Substantial Improvement section

City of Dallas Fill Permit and Floodplain Alteration Permit Application Fees**

Fill Permits in the Stream/Creek/Trinity River Floodplain	\$8,150.00
Fill Permits in the Interior Drainage Sumps Floodplain	\$1,436.00
Floodplain Alteration Permits with modeling	\$0.00
Floodplain Alteration Permits without modeling	\$0.00

**Check or money order made payable to the City of Dallas. The application fee is nonrefundable.

Applicant's or Authorized Agent's Acknowledgement

The City of Dallas' Fill Permit and Floodplain Alteration Permit is authorized by Article V. Flood Plain and Escarpment Zone Regulations of the Dallas City Code, as amended. These permits are required for all development taking place within the area of the 100-year floodplain (special flood hazard areas) as shown on the current Flood Insurance Rate Maps and Flood Boundary-Floodway Maps, published by the Federal Emergency Management Agency (FEMA), other areas that the director of Dallas Water Utilities has identified as flood risk areas, and is applicable in areas with an upstream drainage area greater than 100 acres, even if the land has not been formally designed as 100-year floodplain. These maps and identified flood risk areas are available for public inspection in the Floodplain Management office, 2245 Irving Blvd.

I understand that the conditions which may be stated for permit approval or may be superseded by other provisions of City code or policies. I understand that this permit does not authorize construction. I further understand that this permit does not constitute final approval until all development requirements placed on the property have been met.

For Fill Permits, I also understand to comply with the City of Dallas Tree Ordinance and no trees will be removed from the site until a tree survey has been performed and/or the City of Dallas arborists' have field inspected the site. I also understand that no fill may be placed on the property until I have received the Dallas Water Utilities Director approval, and a Stormwater Management Pollution Prevention is in place, otherwise I may be subjected to ticketing and fining for unauthorized filling of the floodplain.

Application is hereby made for a permit to authorize the activities described herein. I hereby certify that I am familiar with the information contained on this application and to the best of my knowledge such information is true and accurate. I further certify that I possess the authority to undertake the proposed activity. I understand that if my application is denied, a new permit application and application fee must be submitted.

Signature of Applicant or Authorized Agent***

Date

***Please include a signature page in attachment to this application, if the project area has multiple owners. ALL property owners affected by the project must consent to this permit application.

Floodplain Alteration - Non-Substantial Improvement

The City of Dallas Floodplain Regulations defines substantial damage and substantial improvement as the following:

Substantial Damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market or tax appraisal value of the structure, whichever is greater, as determined by an independent appraiser or the last official City tax roll, either before the improvement or repair is started, or, if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition "substantial improvement" occurs when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure for the sole purpose of complying with federal, state, or local health, sanitary, or safety code specifications which have been identified in writing by the local code enforcement official as necessary to assure safe living conditions prior to the start of the proposed improvement, or any alteration of a historic structure as defined by FEMA. See Section 51A-5.104(b)(2) for City of Dallas limitations.

The City of Dallas Floodplain Regulations, Article V Sec 51A-5.104(b)(2), specify no substantial improvements are permitted. Substantially damaged structures are considered substantial improvements. To make a substantial improvement/damage determination, the City of Dallas compares the cumulative value of all improvements for the previous five (5) years to the market or tax appraisal value of existing improvements on the property (excluding land, accessory structures, and landscaping etc.), whichever is greater. **If the resulting ratio equals or exceeds 50 percent, the existing structure must be brought into compliance with the City of Dallas Floodplain Regulations by obtaining a Fill Permit. Alternatively, the application's scope can be reduced so the resulting ratio is less than 50 percent. If the resulting ratio is less than 50 percent, then the work will be considered a non-substantial improvement and can proceed as a Floodplain Alteration.**

$$\frac{\text{Cost of Improvement} + \text{Cumulative Value of Improvements Within Previous 5 years}}{\text{Market or Tax Appraisal Value of Building, whichever is greater}} \geq 50\%$$

Non-substantial improvements that result in an increase of building footprint within the floodplain may require a flood study to demonstrate compliance with Article V Sec 51A-5.105(g) at the discretion of City of Dallas Floodplain Management staff.

Non-Substantial Improvement Submittal Checklist

- ☐ Current photographs of the exterior (front, rear, sides)
- ☐ If the building has been damaged, include photographs of the interior and exterior; provide pre-damage photos of the exterior, if available
- ☐ Detailed description of the proposed improvements (rehabilitation, remodeling, addition, etc.) or repairs
- ☐ Existing floorplan and construction plan for the proposed improvements or for the repair of the damaged building
- ☐ Cost estimate of the proposed improvement or the cost estimate to repair the damaged building to its previously damaged condition. Include backup documentation.
- ☐ Elevation certificate or elevation survey (if applicable)
- ☐ Floodplain Study (if applicable)
- ☐ Tax assessment value of the structure or market value appraisal prepared by a licensed professional appraiser.
- ☐ Non-Substantial Improvement Cost Worksheet
- ☐ Owner's Affidavit**** (signed and dated)
- ☐ Contractor's Affidavit**** (signed and dated)

****Please refer to *FEMA P-758 Substantial Improvements/Substantial Damage Desk Reference*, as amended, for examples of these affidavits.

Excluded and Included Cost for Non-Substantial Improvements Guidelines

Please refer to *FEMA P-758 Substantial Improvements/Substantial Damage Desk Reference*, as amended, for additional guidance on items that can be excluded or included from the cost of improvements or the cost of repair that are directly associated with the building. Items that can be excluded are those that are not directly associated with the building. The following list characterizes the types of costs that may be excluded:

- Clean-up and trash removal
- Costs to temporarily stabilize a building so that it is safe to enter to evaluate required repairs
- Costs to obtain or prepare plans and specifications
- Land survey costs
- Permit fees and inspection fees
- Carpeting and re-carpeting installed over finished flooring such as wood or tiling
- Outside improvements, including landscaping, irrigation, sidewalks, driveways, fences, yard lights, swimming pools, pool enclosures, and detached accessory structures (e.g., garages, sheds, and gazebos)
- Costs required for the minimum necessary work to correct existing violations of health, safety, and sanitary codes
- Plug-in appliances such as washing machines, dryers, and stoves