

**SUBMITTAL REQUIREMENTS  
PLANNING AND ENVIRONMENTAL COMMISSION  
FLOODPLAIN MODIFICATION**

**Floodplain Modification Procedures—Review, Criteria and Findings:**

All floodplain modification permits shall be reviewed and approved by the floodplain administrator and the PEC based on the following Criteria and Findings:

Criteria: The following factors shall be used to make a determination in issuance of floodplain permits:

1. The effects upon the efficiency or capacity of the floodway;
2. The effects upon persons and personal property upstream, downstream and in the immediate vicinity;
3. The effects upon the 100-year flood profile and channel stability;
4. The effects upon any tributaries to the main stream, drainage ditches and any other drainage facilities or systems;
5. The danger to life and property due to flooding or erosion damage;
6. The susceptibility of the proposed improvement and its contents to flood damage and the effect of such damage on the individual owner;
7. The danger that materials may be swept onto other lands to the injury of others;
8. The compatibility of the proposed use with existing and anticipated development;
9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
11. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems; The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected as the site;
12. The effect the proposed changes will have any adverse environmental effect on the watercourse including, without limitation, erosion of stream banks and stream side trees and vegetation and wildlife habitat;
13. The necessity to the facility of a waterfront location, where applicable;
14. The availability of alternative locations,
15. The relationship of the proposed use to the comprehensive plan for that area.
16. Findings: The following findings shall be made before granting of a floodplain permit:
17. That the proposed use or modification adequately addresses the findings in 12-21-11E(3)(a), Vail Town Code, as determined by the floodplain administrator, unless the applicant can demonstrate that one or more of the standards is not applicable, or that a practical solution consistent with the public interest has been achieved;
18. That the proposed use or modification is consistent with the adopted goals, objectives and policies outlined in the Vail comprehensive plan and compatible with the development objectives of the town; and
19. That the proposed use or modification is compatible with and suitable to adjacent uses and appropriate for the surrounding years; and
20. That the proposed use or modification promotes the health, safety, morals, and general welfare of the town and promotes the coordinated and harmonious development of the town in a manner that conserves and enhances its natural environment and its established character as a resort and residential community of the highest quality.

The Town of Vail offers two (2) methods for submittal of materials for review of applications. Materials can be submitted either digitally or on paper. Whichever method you select all materials shall be submitted in that format throughout the Design Review process. The Town encourages you to consider using the submittal of digital documents and plans.

If submitting digitally all elements of the application shall be uploaded to the Town's share file site as a complete set of materials. If submitting paper three (3) copies of the materials noted with an asterisk (\*) and one (1) copy of all others are required. The materials necessary to have a complete application are as follows:

- Completed application form including:
  - Complete description of request
  - Ownership Information as recorded with Eagle County Assessor
  - Street Address, Unit #
  - Parcel Number
  - Owner's signature (cover sheet)
- Joint Property Owner Written Approval Letter, if applicable. If the property is owned in common (condominium association) and/or located within a Development Lot, the written approval of the other property owner, owners, or applicable owners' association shall be required. This can be either in the form of a letter of approval or signature on the application.
- Stamped, addressed envelopes and a list of the property owners adjacent to the subject property, including properties behind and across streets. The list of property owners shall include the owners' name (s), corresponding

mailing address, and the physical address and legal description of the property owned by each. The applicant is responsible for correct names and mailing addresses. This information is available from the Eagle County Assessor's office.

- Application fee
- Title report, including Schedules A & B to verify ownership and easements.
- Two paper copies, for review, of the plan including the following:
  - Paper size shall be 24" x 36"
  - Elevation of the lowest floor (including basement and crawl space) of all new and substantially improved structures within or adjacent to the floodplain.
  - Locations, dimensions, and elevations of the proposed landscape/grade alterations, existing and proposed structures.
  - Relevant landscape/topographic features.
  - The floodplain line.
  - Location of the foregoing improvements in relation to the 100-year floodplain.
- Description of the extent to which any floodplain will be altered including why, when, how and when it will be replaced back to its original configuration, and addressing each relevant factor in 12-21-11E(2), Vail Town Code.
- Detailed topographic cross sections provided by a licensed professional surveyor of the area proposed to be altered, showing existing and proposed conditions.
- Copies of all other necessary approved permits (i.e., building permit, public way permit, ACOE permit, dewatering permit, DOW permit, CDPHE permit).
- An engineered floodplain analysis of the impacts to the floodplain prepared by a qualified licensed professional engineer.
- Copy of submitted application for a conditional FIRM and floodway revision through FEMA, if applicable.
- Environmental impact report, per chapter 12-12, Vail Town Code.
- Any additional information deemed necessary by the floodplain administrator.

**Please note that only complete applications will be accepted. All of the required information must be submitted in order for the application to be deemed complete.**