

ORDINANCE NO. 330.061

AN ORDINANCE OF CITY OF LANESBORO RELATED TO THE DESIGN AND REVIEW OF RETAINING WALLS

WHEREAS, retaining wall construction can cause potential danger to life and property;

WHEREAS, there are a variety of guidelines and construction specifications to assist in the proper design of retaining walls over four feet prior to submitting for a building or land use permit;

WHEREAS, retaining walls perform differently when built in different soils and must be designed with specific soil information incorporated into the design;

WHEREAS, the City of Lanesboro desires to provide clear direction about what is required for a retaining wall building permit; and

WHEREAS, the proposed zoning ordinance text amendment set forth herein has been reviewed by the Planning Commission and the City Council, and all appropriate public hearings have been held in accordance with Minnesota law to obtain public input regarding the proposed revisions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANESBORO, STATE OF MINNESOTA, AS FOLLOWS:

Section 1. Amendment. The Lanesboro City Code is hereby amended to read in its entirety as set forth in section 3 below.

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This Ordinance shall become effective upon publication.

Section 4. Applicability and requirements.

(a) Applicability. This section applies to retaining walls, and retaining wall is defined as follows:

Retaining walls are structures that are constructed to support vertical slopes steeper than 70 degrees or vertical slopes of earth masses.

(b) Building Permit Required. Except as otherwise provided in Subsection (c), all retaining walls require a building permit prior to construction or alteration. Permit applications shall be processed and issued in accordance with building permit procedures and applicable provisions of this Section. Building permit review fees will be assessed and collected at the time the permit is issued.

(c) Building Permit Exemptions. The following do not require a building permit:

(1) Retaining walls less than four feet in exposed height with less than 10H:1V (Horizontal:Vertical) front and back slopes within ten feet of the wall;

(2) Non-tiered retaining walls less than three feet in exposed height with back slopes flatter than or equal to 2H:1V and having front slopes no steeper than or equal to 4H:1V;

(3) Tiered retaining walls less than three feet in exposed height per wall and which have front slopes and back slopes of each wall no steeper than or equal to 10H:1V within ten feet of the walls; and

(4) Retaining walls less than 50 square feet in size.

- (d) Safety fence. Retaining walls exceeding 6 feet or greater will require installation of a safety fence on the upper side of the wall.
- (e) Height, Separation and Plantings.
 - (1) For the purposes of this subsection, the height of a retaining wall is measured as exposed height (H) of wall.
 - (2) A single retaining wall shall not exceed nine feet in height.
 - (3) Terracing of retaining walls is permitted where justified by topographic conditions. Walls with a separation of at least 2H (H of largest of 2 walls) from face of wall to face of wall shall be considered as separate walls. In a terrace of retaining walls, a minimum horizontal separation of H/2 is required as measured from back of lower wall to face of higher wall.
 - (4) For walls viewable from a public right-of-way, the horizontal separation between walls shall be planted with a minimum of five shrubs for every 20 linear feet of planting area.
- (f) Submittals. The following documents and calculations shall be submitted with each retaining wall building permit application:
 - (1) Profile drawings if the retaining wall is longer than 50 linear feet, with the base elevation, exposed base elevation and top of wall labeled at the ends of the wall and every 50 linear feet or change in grade;
 - (2) Cross-sectional drawings including surface grades and structures located in front of and behind the retaining wall a distance equivalent to three times the height of the wall and if the wall is supporting a slope, then the cross section shall include the entire slope plus surface grades and structures within a horizontal distance equivalent to one times the height of the slope;
 - (3) A site plan showing the location of the retaining walls with the base elevation, exposed base elevation and top of wall labeled at the ends of the wall and every 50 linear feet or change in grade;
 - (4) A drainage design, including a free-draining gravel layer wrapped in filter fabric located behind the retaining wall with drain pipe day-lighting to a proper outlet or weep holes placed through the base of the wall, however:
- (g) Maintenance. All retaining walls must be maintained in a structurally safe and sound condition and in good repair.

Section 5. Penalty for violation. Violation of this ordinance shall be deemed a misdemeanor, and shall be punishable in accordance with that level of offense under Minnesota law. Additionally, violators shall be subject to an action for an injunction and shall be liable for all court costs and attorney's fees in that proceeding.

Passed and approved this 1st day of May, 2017 by the City of Lanesboro.

Autumn Johnson, Mayor

Attest: _____
Michele Peterson, City Clerk/Administrator