

**ENGINEERING POLICY: 100-2012**

**Earth Retention Policy**

**Date: February 17, 2012**

**Updated: October 20, 2014**

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**According to Sec. 21.12.140:**

Limitations to soil stabilization methods: As a general policy, it is not in the City's interest to grant permanent encroachments, thereby providing public property for private use. New and existing structures should be able to accomplish their various needs within the confines of their property boundaries and required setbacks. Variances from this requirement may be granted by the City Engineer or City Council. Criteria which may be considered by the City Engineer for granting a variance from this requirement include, but are not limited to:

1. Encroachments into the right-of-way associated with soil earth retention (pilings, soils nails, etc) may be authorized by the City Engineer under the following proposed regulations which include, but are not limited to:
  - a. The associated structure is commercial or mixed commercial/residential
  - b. The applicant must prove extenuating circumstances preclude using other methods of stabilization that can be contained entirely within project property boundaries.
  - c. The earth retention fixture is sacrificial and can be removed after subsequent structural elements are completed.
  - d. The earth retention structure does not extend past the back of curb of any abutting roadway or into the driving surface of any alley and is installed 5' below any utilities.
  - e. In no circumstance shall any encroaching fixture be within the first 7' below grade.
  - f. The applicant shall pay a fee in accordance with section 2.12.051 of the Municipal Code. The fee will encompass the total horizontal and vertical extent of the appurtenance measured from the property line and shall be in effect for the duration that the appurtenance is in service for its intended use.

2. Encroachments into the right-of-way associated with public infrastructure improvements that provide a public benefit.

Fee is located in Sec. 2.12.051: As of 10/20/14 the fee was \$1.32/cu. ft. per month

**Policy:**

Earth retention systems will also include layback slopes into the ROW or City Property.

The fee duration will begin at the commencement of the installation of the system and will end when the foundation is poured.

Utilities including service lines are considered public infrastructure improvements that provide a public benefit.

Approved by: Trish Aragon, P.E., City Engineer