



Provo City Planning Commission

Report of Action

September 23, 2020

- *ITEM 7 The Development Services Dept. requests an Ordinance Text amendment to Section 14.34.210 to allow for consistency between the International Building Code and the Zoning Ordinance regarding swimming pool fencing and coverings. Citywide Impact. Aaron Ardmore (801) 852-6404 aardmore@provo.org
PLOTA20200286
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The following action was taken by the Planning Commission on the above described item at its regular meeting of September 23, 2020:

POSITIVE RECOMMENDATION

On a vote of 7:0, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Dave Anderson

Second By: Brian Henrie

Votes in Favor of Motion: Dave Anderson, Brian Henrie, Laurie Urquiaga, Robert Knudsen, Deborah Jensen, Lisa Jensen, Ally Jones

Laurie Urquiaga was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

PLANNING COMMISSION RECOMMENDED TEXT AMENDMENT

The text of the proposed ordinance amendment is attached as Exhibit A.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in the Staff's presentation to the Planning Commission included the following: Staff gave a brief overview of the request.

NEIGHBORHOOD MEETING DATE

- City-wide application; all Neighborhood Chairs received notification.

CONCERNS RAISED BY PUBLIC

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following: None

APPLICANT RESPONSE

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- Staff clarified what options for pool coverings would be available with the amendment.

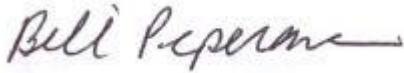
PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- The Planning Commission asked a question regarding types of measures the code would allow for pools and appreciated that this change would allow for future IBC changes without changes to the City Code.



Planning Commission Chair



Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to the Community and Neighborhood Services Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS

EXHIBIT A

14.34.210 **Swimming Pools.**

~~Swimming pools, as defined by the Uniform Building Code, shall be set back at least five (5) feet from all property lines and shall be provided with access gates and a fence or barrier at least six (6) feet high notwithstanding any contrary height provision of the International Building Code.~~

Swimming pools, as defined by the International Swimming Pool and Spa Code, shall be set back at least five (5) feet from all property lines and shall be provided with access gates and a fence, barrier, or a safety cover according to the provisions of the International Swimming Pool and Spa Code.