

**TOWN OF PRESCOTT VALLEY
REQUEST FOR COUNCIL ACTION
Date: July 22, 2010**

SUBJECT: Zoning Ordinance Amendment (ZOA10-003) Pool fence height.

SUBMITTING DEPARTMENT: Community Development Department

PREPARED BY: Joe Scott, Planner for Richard T. Parker, Community Development Director

AGENDA LOCATION: Comments/Communications , Consent , Work/Study ,
New Business , Public Hearing , Second Reading

ATTACHMENTS: Attachments on New Business RFCA

SUMMARY/BACKGROUND: Council is being asked to consider a request by Town Staff for a Zoning Ordinance Amendment (ZOA10-003) regarding the height of pool enclosure fencing. The Town adopted its first swimming pool regulations in Ordinance No. 9 back in 1979. These regulations required that all pools located within six hundred (600) feet of a neighbor be enclosed by a six (6) foot high solid wall or chain link fence. Subsequently, Ordinance No. 37 in 1980 added a requirement of a self-latching gate and established setbacks from the water's edge to the barrier and from the property line. Over time, Town staff has routinely applied State standards for swimming pool barriers found in Arizona Revised Statute §36-1681. On March 24, 2005 the Town Council approved Ordinance No. 619 adopting more comprehensive swimming pool safety regulations along the lines of the state provisions amending Sections 13-02-010 "Definitions" and 13-21-100 "Swimming Pool Safety" of the Town Code. Town Code Subsection 13-21-100(B)(1) presently requires swimming pools to be entirely enclosed by a wall, fence or barrier not less than six (6) feet in height. A.R.S. §36-1681(B)(1) requires a pool enclosure to be at least five (5) feet in height. It is now the intent to make the Town Code requirement for pool enclosure height requirements consistent with A.R.S. §36-1681. The Planning and Zoning Commission reviewed this item during regular session on June 14, 2010 and voted to approve ZOA10-003 and forward to Town Council.

OPTIONS ANALYSIS: Public Hearing – No Options Analysis Provided.

ACTION OPTION: Public Hearing – No Action Options Provided.

RECOMMENDATION: Public Hearing – No Recommendations Provided.

FISCAL ANALYSIS: Public Hearing – No Fiscal Analysis Provided.

REVIEWED BY:

Management Services Director _____ Town Clerk _____

Town Attorney _____

Town Manager _____

COUNCIL ACTION:

Approved Denied Tabled/Deferred Assigned to _____