

CHAPTER 12-34 SWIMMING POOLS AND RECREATIONAL FACILITIES

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12-34-101. Definitions.

(a) SWIMMING POOL. Any pool, either constructed in-ground or assembled for above ground use for bathing or swimming, which is over 24 inches in depth, or with a surface area exceeding 150 square feet.

(b) PRIVATE SWIMMING POOL. Any swimming pool which is used or intended to be used as a swimming pool in connection with and on the same lot or parcel as: (1) a single-family residence and available only to the members of the household and their invited guests; or (2) a multi-family development available only to the residents of a household and where allowed by the development, their invited guests.

(c) SEMI-PRIVATE SWIMMING POOL. Any swimming pool which is used or intended to be used in conjunction with a neighborhood owners association or used by members of an organization whose purpose includes providing recreational facilities and activities.

12-34-102. County Rules and Regulations.

All swimming pools in the City shall conform with the applicable requirements of Davis County.

12-34-103. Private Pools and Use.

Private swimming pool uses may be allowed in zones where listed as a permitted or conditional use, but such use shall be subject to the following provisions:

(a) Setback requirements for swimming pools not completely enclosed within a building having solid walls shall be as follows:

- (1) The minimum side yard shall be 6 feet to the closest edge of the pool.
- (2) The minimum rear yard for all pools shall be 6 feet.
- (3) The minimum depth of the front yard for all fences enclosing swimming pools shall be 25 feet.

(b) Where enclosed within an accessory building, the setback requirements for such a structure shall be the same as required for accessory buildings. Upon a showing that such a building will mitigate the adverse effects of a swimming pool, the planning commission may modify the rear-yard coverage requirements for accessory buildings.

(c) All swimming pools not completely enclosed within an accessory building shall be completely surrounded by a secure fence or walls having a height of at least 6 feet. There shall be no openings in the fence, except for gates; provided however that all gates shall be equipped with self-closing and self-latching devices. All gates shall be securely locked when pool is not in use by owner-permitted persons.

(d) Private swimming pools shall have no direct connection to the City culinary water system or to the sewer system of the City.

12-34-104. Semi-Private Pools and Use.

The Planning Commission may permit, temporarily or permanently, the use of land in any zone for semi-private swimming pools or recreational facilities, provided that in such cases all of the following conditions are met:

(a) The facilities shall be owned and maintained by the members of a swimming pool group, and a minimum of 75 percent of the membership shall be residents of the neighborhood or general area in which the recreational facility is located.

(b) The area to be used for recreational purposes shall be of sufficient size to accommodate all proposed facilities, together with off-street parking, where required by the Planning Commission, of sufficient size to satisfy the needs of the area.

(c) The area to be developed into a recreational facility shall be of such size and shape as to cause no undue infringement upon the privacy of abutting residential areas and shall be in keeping with the design of the neighborhood in which the recreational facility is to be situated.

(d) Unless completely enclosed within a building having solid walls, a secure solid wall or substantial fence shall be required around the entire recreational facility of a height of not less than 6 feet. The fence across the front of the property shall be constructed no nearer to the front property line than the required front yard setback.

(e) With the exception of dues, assessments and charges for group uses, under no conditions shall any charge be made for the use of any of the facilities in the recreational area.

(f) Under no conditions shall any type of retail or business facilities, including vending machines, be permitted in the recreational facility except those specifically approved by the Planning Commission.

(g) Club houses or any type of nighttime indoor facilities are subject to conditional use review by the Planning Commission to ensure that any negative impacts of such structures, or the use thereof, are mitigated.

(h) Before authorizing a recreational facility, complete plans for the development of the area shall be submitted to the Planning Commission. Together with the plans, there shall be submitted a detailed outline showing how the facility is to be financed and maintained. The Planning Commission may require a bond by the owners to guarantee performance of the regulations placed as conditions upon which the facility is approved. If any of the requirements are not complied with, the authorization shall be void.

(i) The Planning Commission shall notify owners of all abutting properties, and present the proposal at a public meeting, after which the Commission shall recommend approval or disapproval of the application.

(j) The Planning Commission may, in its sole discretion, place whatever additional conditions or restrictions it may deem necessary to protect the character of the district and to ensure the proper development and maintenance of such a recreational facility, including the plans for disposition or re-use of the property if the recreational facility is not maintained in the manner agreed upon or is abandoned by the developers.

(k) The minimum side and rear yard setbacks of semi-private swimming pools not completely enclosed within a building having solid walls shall be 15 feet from property lines.

(l) Setback requirements of buildings having solid walls which fully enclosed semi-private swimming pools shall be the same as required for accessory buildings.

12-34-105. Electrical Concerns.

(a) Overhead Conductor Clearances. The following parts of swimming pools shall not be placed under existing service-drop conductors or any other open overhead wiring, nor shall such wiring be installed above the following:

(1) Swimming Pool and the area extending 10 feet horizontally from the inside of the walls of the pool.

(2) Diving structures.

(3) Observation stands, towers, or platforms.

(b) Underground Conductor Clearances.

(1) Distribution lines over 800 volts - 10 feet horizontal separation between conductor and closest edge of pool.

(2) Service lines under 600 volts - 5 feet horizontal separation between conductor and closest edge of pool.