

March 28th, 2023

Dear Mayor and the City Council:

I am writing to extend my warmest congratulations to the city for the many civic improvement projects that you all are considering in the upcoming years. As a resident of Woodcreek, I am thrilled to see the positive changes that will be taking place. Thank-you, Jeff, Brent, Linnea, Chrys, Bob, Debra, Suzanne, and Kevin. My family and I are truly grateful for the hard work and dedication of all those involved.

To keep that improvement spirit going, I am writing to express my support for lifting the current restrictions on above ground pools in our community. To that effect, let me address concerns that some may have.

What about other Cities?

If you check, you will find out that **none of the cities** surrounding us like San Marcos, Dripping Springs, Wimberley, Austin, San Antonio, and so on, have any specific prohibition against above ground pools. Essentially all the neighboring Texas cities do not have restrictions against above ground pools. By contrast, our community's current restrictions limit our ability to engage in a popular summer activity that is enjoyed by many families and individuals.

As representatives of the residents here, do you believe that the **people of Woodcreek should have the same freedoms and opportunities** as nearby cities that allow above ground pools? As a resident, I believe we should have that same freedom and I hope you do, too.

What about Safety?

Concerns for safety are important and these concerns can be addressed with appropriate regulations and guidelines. Other cities have developed regulations to promote safety and ensure that pools are installed properly and securely, and our community can follow suit. For instance, Chapter 3 of International Swimming Pool and Spa Code 2015 Edition, *already incorporated into the City of Woodcreek's Code of Ordinances*, addresses safety concerns with Barrier Requirements (section 305) for both above ground pools ("onground storable residential swimming pools") and permanent in ground residential swimming pools; as well as comprehensive safety requirements for ladders, signage, and more.

The simplest thing is to simply strike out section § 156.058 prohibiting above ground pools entirely, or amend the wording of this section as follows: "Above-ground pools are permitted in any zoning district. Above-ground pools must comply with the International Swimming Pool and Spa Code 2015 Edition; or the most current edition on file in the Office of the City Secretary." Note that pool safety concerns for both above ground and in ground pools are already addressed by the International Swimming Pool and Spa Code 2015 Edition, incorporated by the City of Woodcreek in Section § 151.06.

What about Real Estate Prices?

There is no proof that an above ground pool has any impact on real estate prices of other houses. In depth discussions with our own realtor Chris as well as realtors living here in Woodcreek (one across the way and one several blocks over from our house) have reached the same conclusions. In summary, the impact of pools (in ground or above ground) on nearby real estate values is minimal to non-existent. Families looking for houses are more concerned with how good the schools are in the area, locations of nearby parks and medical services, traffic congestion, types of stores available, etc., than they are with whether the neighbor has a pool or not.

On the other hand, these restrictions may discourage potential homebuyers from choosing to live in our community, as they may prefer to reside in an area that allows for above ground pools. This could have negative consequences for our community's property values and overall attractiveness. In terms of aesthetic impact, many modern above ground pools are designed to be stylish and visually appealing, and can enhance the overall look of a property. Moreover, the installation of a pool can increase property values, which can be beneficial to both homeowners and the community as a whole.

Also, just because the City of Woodcreek lifts the ban on above ground pools, does not mean residents can simply place one anywhere. In Texas pools are generally not permitted in the front yard, and because above ground pools will be treated the same as other swimming pools they will have to comply with the same set of regulations, including section 50.37 - Impervious Cover.

What about the Drought?

Our community is currently suffering from a drought, and water conservation is important. Droughts happen in cycles, and do not last forever. When the day comes that this drought is in the past, it will be good to know that our city regulations have already been modernized to treat above ground and in ground pools the same.

As for our current drought condition, today's stage three water conservation measures currently restrict water usage and apply equally to people with in ground and above ground pools. Just as one cannot fill up an in ground pool today, the same restriction extends to above ground pools during this water conservation period. In other words, the current drought is no reason to prevent the city from allowing Woodcreek residents to have the option of an above ground pool because rules are already in place to conserve water. Using our drought as an excuse not to lift the ban on above ground pool from our city's Code of Ordinances neglects the understanding that independent water conservation measures exist and already apply to all pool owners.

The mayor and the city council are meant to look to the future of Woodcreek. Certainly, there is a future when drought condition is over. A future when those residents who wish to can have an above ground pool as a valuable addition to their homes, especially during the hot summer months of Texas when their families and children look for ways to stay cool and enjoy the outdoors. Please make it possible for them to have this future.

In Conclusion, I am writing to urge you to remove section § 156.058 from Woodcreek's code of ordinances and to allow above ground pools in our community. Pool safety concerns are addressed by the International Swimming Pool and Spa Code 2015 Edition currently incorporated into Woodcreek's city code of ordinances. Furthermore, allowing above ground pools can benefit the community as a whole by providing a safe and enjoyable recreational activity for residents, particularly those who may not have access to other amenities like community pools or public beaches.

Overall, I believe that lifting the current restrictions on above ground pools would be a positive step forward for our community. It would align us with neighboring cities, promote property values, and provide a popular recreational activity for residents.

Thank you for considering our perspective on this matter. Our family appreciates you.

Sincerely,

Joseph & Nikki Smith