

ORDINANCE NO. 2025-18

AN ORDINANCE AMENDING PORTIONS OF TITLE 15, LAND USE CODE, RELATED TO FENCE DEFINITIONS, SCREENING REQUIREMENTS, AND WHEN FENCES ARE REQUIRED IN CERTAIN AREAS

WHEREAS, the Parowan City Council finds that clear and consistent fencing standards are necessary to protect public safety, community aesthetics, and compatibility between adjoining land uses; and

WHEREAS, the City's existing fencing and screening standards have been applied inconsistently due to a lack of specific definitions regarding opacity and fence type; and

WHEREAS, the City Council further finds that ambiguity in prior code language has led to disputes between commercial and residential property owners concerning who bears responsibility for installing or maintaining screening fences; and

WHEREAS, the Council desires to clearly establish that the obligation to provide required screening lies with the non-residential use or developing use, ensuring fair and predictable enforcement when differing land uses adjoin; and

WHEREAS, the City Council desires to clarify and update these provisions in accordance with the intent of the Parowan City Land Use Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PAROWAN CITY, UTAH, AS FOLLOWS:

SECTION 1. Purpose and Scope.

This ordinance modifies and clarifies portions of Title 15, Land Use And Development, as follows:

1. Adds new definitions for "Non-Obscuring Fence," "Sight-Obscuring Fence," and "Opaque / High-Screen Fence" in **Chapter 15.04 Definitions**; and
2. Amends **Subsection (N) of Section 15.56.050 Recreational Vehicle Park development and Sanitary Standards** to specify required screening standards and clarify allowable fence types; and

3. Amends **Subsection (F) of Section 15.08.170 Maximum Height of Fences, Walls, and Hedges** to clarify fence type, height, and responsibility for installation between differing land uses.

SECTION 2. Amendment to 15.04 – Definitions.

The following definitions are hereby added to Parowan City Code §15.04.010, inserted and numbered alphabetically within the existing definitions:

Non-Obscuring Fence (≈50% Open): A fence or wall of not less than six feet in height nor more than eight feet in height. It shall be constructed to City standards and shall allow substantial visibility, such that in any one (1) square foot of surface area, approximately seventy-two (72) to ninety (90) square inches are open. Acceptable materials include split-rail, wrought iron, tubular steel, chain link without slats, or other open fencing systems that maintain the required openness.

Sight-Obscuring Fence (≤10% Open): A fence or wall of not less than six feet in height nor more than eight feet in height. It shall be constructed to City standards and shall largely block visibility, such that in any one (1) square foot of surface area, no more than fifteen (15) square inches are open. Acceptable materials include solid wood or vinyl with narrow gaps, masonry with small decorative openings, or chain link with nearly continuous slats.

Opaque / High-Screen Fence (≤5% Open): A fence or wall of not less than six feet in height nor more than eight feet in height. It shall be constructed to City standards and shall substantially block visibility, such that in any one (1) square foot of surface area, no more than seven and one-half (7.5) square inches are open. Acceptable materials include closely spaced wood or vinyl boards, masonry, composite panels, or chain link with full, continuous diagonal slats or fabric.

SECTION 3. Amendment to 15.56.050(N) – Screening.

Subsection 15.56.050(N) of the Parowan City Code is hereby amended to read as follows:

15.56.050 (N) Screening. For the purposes of screening fencing, an RV park is considered a commercial use and PMC 15.08.170 (F) shall apply.

SECTION 4. Amendment to 15.08.170(F) – Fences To Be Required In Certain Areas.

Section 15.08.170(F) of the Parowan City Code is hereby amended to read as follows:

15.08.170 (F) Fences to be Required in Certain Areas. Site-obscuring fences shall be required along the boundary line in the following cases:

1. Development of property next to a difference in uses (Commercial/Industrial vs. Residential):

a). On all Commercial and Industrial developments, in areas zoned accordingly, having a common lot line with property used for or zoned for residential purposes shall require the construction of a minimum of a 6-foot-high Opaque/High-Screen masonry wall to be installed by the developer at time of land use application.

b). On Residential developments having a common lot line with property used for or zoned for Commercial or Industrial purposes shall require the construction of a minimum of a 6-foot-high Opaque/High-Screen masonry wall to be installed by the developer at time of land use application.

i) Unified Mixed-Use projects consisting of housing and commercial uses consisting of purpose-built shared pedestrian and vehicular access shall not require fencing between the mix of uses.

2. Changes in Density.

a) Any property which proposes residential construction adjacent to a property used for residential purposes where the difference in the total number of dwellings is three (3) or more residential units per acre shall require the construction of a Site-Obscuring Fence with a minimum height of six (6) feet. This provision shall not apply when less dense property already exhibits four (4) or more units.

b) Said fence shall be reduced to forty-eight (48) inches in height inside the front yard setback area of the residential property.

3. Conditional Uses: In the case of a commercial development permitted by conditional use in a residential neighborhood, an Opaque / High Screen Masonry Fence shall be constructed. However, fencing of a lower standard may be permitted by written mutual agreement between adjoining property owners. Said agreement shall be submitted to the Planning Commission for approval and be part of the Conditional Use Permit.

SECTION 5. CODIFICATION

This ordinance shall be codified within Title 15 of Parowan City Code and the City Recorder is authorized to make minor formatting and numbering adjustments necessary for codification.

SECTION 6. SEVERABILITY

If any provision of this ordinance is found to be invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

SECTION 7. EFFECTIVE DATE

This ordinance shall take effect immediately upon publication or posting as required by Utah law.

PASSED AND ADOPTED by the City Council and Mayor of the City of Parowan, Iron County, State of Utah, this 13th day of November 2025.

PAROWAN CITY

Mollie Halterman, Mayor

VOTING:

AYE | NAY | ABSTAIN | ABSENT

David Burton

✓ _____

Rochell Topham

✓ _____

Sharon Downey

✓ _____

John Dean

✓ _____

David Harris

✓ _____

Attested by:

Callie Bassett

Callie Bassett, City Recorder



