

# Boulder Town, Utah Minutes

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## Planning Commission Regular Meeting

Thursday, June 19, 2025

7:00 PM at Boulder Town Community Center

Boulder Community Center, 351 North 100 East, Boulder, UT 84716 Phone: 435-335-7300

### 1. Opening Ceremonies

#### 1.1 Call to Order

The planning commission chair, Nancy Tosta, called the June 19th regular planning meeting to order at 7:03 PM.

#### 1.2 Roll Call and Determination of Quorum

Nancy Tosta conducted a roll call. Present were:

- Nick Vincent, Planning Commission Alternate (online via Zoom)
- Colleen Thompson, Planning Commissioner
- Darrell Fuller, Planning Commissioner
- Elena Hughes, Planning Commissioner
- Nancy Tosta, Planning Commission Chair
- Tina Karlsson (online via Zoom)

Devaki Murch was present as staff to assist with the meeting.

#### 1.3 Adoption of Agenda

*Elena Hughes made a motion to approve the agenda. Colleen Thompson seconded the motion. The motion passed unanimously.*

#### 1.4 Conflict of Interest Disclosure

Nancy Tosta asked if any commissioners had conflicts of interest with items on the agenda. No conflicts were disclosed.

### 2. Meeting Minutes Approval: PC Minutes - May 15, 2025, and Joint PC-TC Minutes May 22, 2025

Nancy Tosta introduced the minutes from the May 15, 2025, Planning Commission meeting and the May 22, 2025, joint Planning Commission-Town Council meeting for approval.

For the May 15, 2025 minutes:

*Darrell Fuller moved to approve the May 15, 2025, meeting minutes. Elena Hughes seconded the motion.*

The motion passed unanimously.

For the May 22, 2025, joint meeting minutes:

*Elena Hughes motioned to approve the May 22, 2025, joint meeting minutes. Tina Karlsson seconded the motion.*

Nancy Tosta clarified that the Planning Commission was approving these minutes at their level, and they would then go back to the Town Council for formal approval and adoption. The motion passed unanimously.

### **3. Public Comments on Agenda Items - 3 Minutes Per Person**

Nancy Tosta opened the floor for public comments. No members of the public came forward to comment.

### **4. Staff Reports**

Nancy Tosta reported no staff reports as Erin and Elizabeth were on vacation. She mentioned that Devaki Murch was sitting in to help with the Planning Commission meeting. Nancy also informed the commission that job announcements for a Planning Commission clerk, Town Council clerk, and deputy clerk had not yet been posted. She explained that the Town Council was still having discussions on getting things in order before posting the positions.

Nancy also reported that Town Clerk Jessica LeFevere had resigned about three weeks ago. The Town Council had appointed Elizabeth as interim town clerk and Lacy and Devaki as interim deputy clerks to provide capable coverage until positions are filled.

### **5. Direction From Town Council - Liaison Report**

John Veranth, the Town Council liaison, provided a report on several topics:

- Regarding the RSTR (Residential Short-Term Rental), John Veranth stated that he was unsure what would happen at the Town Council level due to leadership changes. He reminded the Planning Commission that they could express their opinions on legislative matters to the Town Council.
- On conditional uses, John highlighted the criticality of reviewing the recommendations outlined in the document by Craig Call, included in the meeting materials. He advised the commissioners to also engage with the pertinent CUP-related training videos from the Utah League of Cities and Towns (ULCT) and analyze case discussions from the Property Rights Ombudsman. He further urged the commissioners to leverage these expert resources to deepen their understanding of the issue.

- John Veranth agreed with the document authored by Town Councilmember Josh Ellis on commercial standards. He elucidated that the immediate objective is to mitigate the risk of significant commercial development within the town. Furthermore, he emphasized the criticality of the Planning Commission thoroughly examining Josh Ellis' proposal and engaging in a comprehensive discussion of all potential alternatives.
- On housing, John Veranth noted some incremental progress made over the past two years, including allowing RV living for the full tourist season, lot averaging, one-lot subdivision, and duplexes. However, he pointed out that there had been no substantial discussion on addressing options for increasing the affordability of permanent residences for lease or purchase.
- John Veranth mentioned reviewing the general plan markup and encouraged the Planning Commission to be sensitive to what's politically feasible, respecting landowners' rights and town attitudes.
- He suggested that, depending on the schedule for the general plan revision, the changes regarding the area north of the town hall should move ahead of the full general plan update.
- John Veranth recommended bringing Boulder Farmstead and Boulder Irrigation Company to the table to discuss water-related parts of the general plan.
- He suggested utilizing regional and county-based planning resources for population growth trends.
- John Veranth noted that the table of uses posted in the meeting folder had been changed twice since then by the duplex ordinance and the RV ordinance, highlighting a problem of not getting ordinance changes to American Legal in a timely fashion.

After his report, John Veranth answered questions from the commissioners. Nancy Tosta asked whether John's "ask" on increasing affordability of housing was his interest or coming from the Town Council, given she has not seen an issue statement come from the Council on it. She also noted that, as John listed, many changes that could affect housing availability have been made in the last two years, and we may need to give them time to play out. John Veranth responded that things move slowly in Boulder. Still, there had been some influence, such as a person reconsidering their subdivision plan after learning about the lot size averaging option.

Darrell Fuller expressed concerns about potentially alienating large landowners with restrictive policies. He emphasized the need to balance preserving Boulder's character while allowing people to have options for making a living.

## **6. Discussion on Town Council Direction, Including Changes to Commercial Uses**

The Planning Commission discussed the direction from the Town Council regarding changes to commercial uses. Nancy Tosta explained that they were trying to follow the process agreed upon in the joint meeting with the Town Council. She outlined the steps:

- Receive a problem or issue statement from the Town Council
- Debate and clarify the understanding of what's being asked
- Consider possible alternatives

Nancy Tosta noted that they decided to hold a public hearing at this information-gathering stage rather than on ordinance language. She acknowledged that there might have been a miscommunication about making the full information available to the public.

The Commission discussed Josh's suggestion to amend the table of uses as a first step. Nancy Tosta pointed out that the table of uses needed a lot of work and that this piecemeal approach might lead to further fixes down the line.

Darrell Fuller shared insights from his conversations with community members. He emphasized the importance of considering signage laws and dark sky ordinances to preserve the town's look and feel. He also stressed the need to be cognizant of large landowners' challenges.

Elena Hughes supported temporarily removing the commercial use row from the table of uses. She agreed with the need to balance the interests of current residents and potential future development.

Tina Karlsson suggested that the Commission should work hard on defining commercial use and consider reviewing the entire table of uses for clarity.

The Commission agreed to propose to the Town Council that they would consider modifying the table of uses to get better clarity on definitions, including potentially removing the commercial use category temporarily until there is more clarity on its definition.

## **7. Public Hearing on Changes to Boulder Town Code 153.117 Table of Uses for Commercial Uses in GMU Zone**

*Elena Hughes made a motion to close the regular meeting and open the public hearing on the commercial use. Colleen Thompson seconded the motion. The motion passed unanimously.*

During the public hearing, several members of the public provided comments:

- Mark Nelson expressed that he felt the Planning Commission wasn't fully ready for a public hearing on this matter, suggesting it was more of a public discussion. He acknowledged the difficulty of the task ahead for the Commission.

- Donna Owen raised concerns about the lack of clear information provided to the public about the proposed changes. She questioned the consistency between previous decisions to limit commercial use to Highway 12 and the current table that seems to allow it anywhere. She also expressed concern about the fairness of completely removing commercial options.
- Judith Geil asked for clarification on the definition of commercial, noting that many people carry out businesses from their homes.
- John Veranth, speaking as an individual, not as a Town Councilmember, suggested avoiding using the term "moratorium" and instead framing the change as updating the table of uses to reflect a permanent solution on a temporary basis. He recommended that the best approach would be to require rezoning for commercial uses outside of designated commercial zones.

After public comments, the Commission closed the public hearing and reopened the regular meeting.

*Darrell Fuller moved to close the public hearing and reopen the regular meeting. Colleen Thompson seconded the motion. The motion passed unanimously.*

## **8. Discussion on Changes to the Boulder Town Code 153.117 Table of Uses**

The Planning Commission continued its discussion on changes to the table of uses following the public hearing. They debated the best approach to address the commercial use category in the table.

Nancy Tosta suggested framing the issue as a need for clarity, explaining that the term "commercial" is too vague and that more specific uses should be explicitly listed in the table. This approach would avoid the appearance of implementing a moratorium while still addressing the concerns raised.

The Commission agreed to move forward with proposing to remove the commercial use row from the table of uses, emphasizing the need for better definitions and clarity. They decided to present this to the Town Council as a step towards updating the general plan and refining the table of uses.

## **9. Reports and Discussion on General Plan Workgroup Ideas and Next Steps for a Forum**

Nancy Tosta introduced the topic of the general plan workgroups and the next steps for a forum. She mentioned that commissioners had meetings or discussions with volunteers who tackled the five topics outlined for the general plan update.

Nancy Tosta discussed the survey proposed by the vision and goals group. The survey aims to gather current input on town characteristics and interests, as

we align with the goals in the general plan. The Commission agreed to proceed with the survey, aiming to conduct it before the planned forum.

Elena Hughes and Nancy Tosta agreed to work together to format the survey in SurveyMonkey. The Commission set a deadline of June 23rd for other commissioners to provide input on the survey questions.

The Commission also discussed the timing of the forum, agreeing on July 30th from 5:30 PM as the tentative date and time. They emphasized the importance of making the event engaging, suggesting calling it a "party" rather than a forum and including food and drinks.

Nancy Tosta also shared a list of priorities from the last general plan update in 2019, which had been provided to the Town Council but may not have been acted upon due to the onset of the pandemic. She encouraged commissioners to review this list for context.

## **10. Discussion on Changing Time of Planning Commission Meetings from 3rd Thursday to 3rd Tuesday**

The Commission briefly discussed the possibility of changing their meeting time from the third Thursday to the third Tuesday of each month. This change was being considered to align with potential changes to the Town Council's meeting schedule.

After discussing personal schedules and preferences, the Commission decided to wait and see what decision the Town Council makes regarding their meeting time before making any changes to the Planning Commission schedule.

## **11. Summary of Meeting Decisions**

Nancy Tosta summarized the key decisions made during the meeting:

- The Commission will propose to the Town Council that they consider modifying the table of uses to get better clarity on definitions, including temporarily removing the commercial use category.
- The Commission decided to move forward with the survey for the general plan and forum, aiming to distribute it by the end of the following week.
- The forum (or "party") for discussing the general plan was tentatively scheduled for July 30th.
- The decision about changing the meeting time was put on hold pending the Town Council's decision.

## **12. Potential Upcoming Business at the July Meeting**

### **12.1 General Plan Forum**

The Commission noted that they would discuss the organization and format of the upcoming forum at their July meeting.

## **12.2 Commercial Zone Changes**

The Commission planned to continue discussing commercial zone changes at the July meeting.

## **13. Final Public Comments - 3 Minutes Per Person**

During the final public comment period:

- Donna Owen asked for clarification about the work groups formed and whether they had met. The commissioners explained that some groups had formal meetings while others had individual conversations.
- Judith suggested establishing a format for gathering and consolidating information at the upcoming forum to help direct the revision of the general plan.

## **14. Adjourn**

*Elena Hughes made a motion to adjourn the meeting. Colleen Thompson seconded the motion. The motion passed unanimously.*

The meeting was adjourned.

**Minutes Approved: July 17, 2025**

/s/Elizabeth Julian  
Boulder Town Clerk