

BOULDER TOWN, UTAH PUBLIC NOTICE

Governing Body: PLANNING COMMISSION
Meeting Type: Regular Meeting
Date and Time: Tuesday, April 21, 2026, at 7:00 p.m.
Location: Boulder Community Center, 351 North 100 East, Boulder, Utah

In accordance with the Utah Open and Public Meetings Act, [Utah Code Ann. § 52-4-202](#), the minutes for the above-referenced meeting are provided below.

MINUTES

I. OPENING PROCEDURES

1.1. Call to Order

The Chair called the April 21, 2026, Regular Planning Commission Meeting to order at 7:01 PM.

1.2. Determination of Quorum

The Chair conducted a roll call and established a quorum.

Planning Commission Present:

Chair Nancy Tosta
Member Phoenix Bunke, arrived at 7:04 PM
Member Darrell Fuller, arrived at 7:12 PM
Member Elena Hughes
Member Nick Vincent
Alternate Jen Bach

Staff Present:

Henry Davis, Deputy Clerk
Elizabeth Julian, Clerk
Erin Smith, Zoning Administrator

1.3. Motion to Adopt the Agenda

Motion: Commissioner Elena Hughes moved to adopt the agenda.

Commissioner Nick Vincent seconded.

Vote: *Voice Vote – All present members voted in favor.*

Result: *Approved unanimously*

1.4. Declaration of Conflicts of Interest

No conflicts of interest were declared by any Commissioner.

II. PRESENTATIONS AND REPORTS (Information/Discussion)

2.1. Planning Commissioner Reports on American Planning Association (APA) Utah Conference

Commissioners who attended the APA Utah Conference approximately two weeks prior provided brief reports on their key takeaways.

Commissioner Jen Bach reported on several sessions she attended, including an introduction on high-risk Wildland Urban Interface (WUI) areas and associated state fees, noting that King Estates may fall within the high-risk designation. She summarized the land use law basics session, which addressed the distinction between legislative and administrative functions with case studies. She noted a dark sky implementation session covering outdoor lighting policies, compliance triggers, and enforcement strategies. She described a session on planning for communities at the edge of public lands, featuring a notable exchange with the community development planner from Moab, who advised "conservation early" and cautioned against allowing money to dictate community vision. She also reported on an ethics session emphasizing transparency, consistent procedural adherence, and documentation of decisions on the record.

Commissioner Phoenix Bunke supplemented Commissioner Bach's report with additional detail on the WUI session, noting that Utah state code may require towns to adopt an ordinance aligned with WUI standards, and that the state has created a high-risk area map. The session emphasized the concept of "home hardening," including a five-foot flammable-material-free zone around structures, which has been shown to increase a home's chance of surviving a wildfire by 40 to 60 percent. Commissioner Bunke also reported on a code enforcement session featuring Kaden Figgins of Garfield County, which prompted reflection on how Boulder's values could be incorporated into a local code enforcement framework.

Chair Nancy Tosta added that Utah HB 48 required the state to create high-risk WUI boundaries, and that the subdivision in Boulder appears to fall within that designation, with associated fees potentially beginning in 2028. The Chair referenced the Utah Wildfire Risk Assessment Portal (UWRAP - <https://wildfirerisk.utah.gov/>) as a resource. The Chair also reported on a session by the Utah APA President on resilience planning, emphasizing that resiliency planning involves redundancy, adaptability, interconnectivity, and regeneration rather than mere recovery. The Chair further reported that the land use law session clarified that Utah general plans are advisory by default, but that a local jurisdiction may make them effectively mandatory through the language of its ordinances. Regarding the ethics session, the Chair noted that planning commission chairs have the authority and responsibility to require a commissioner to recuse themselves when a real conflict of interest exists.

Commissioner Nick Vincent noted that Utah HB 48, passed in December 2025, mandates all Utah counties and cities to adopt the 2006 Utah Wildland Urban Interface Code, and that an online map is available to identify property risk levels.

Commissioner Darrell Fuller raised a question about the prevalence of wildfire risk given the area's pinyon-juniper vegetation and inquired about fire insurance availability in the subdivision. It was noted that at least one resident had difficulty obtaining fire insurance, and the risk designation is based on a combination of vegetation type and housing density.

Action Item Assigned: The Commission identified the need to further research wildfire risk, WUI code requirements, and their implications for Boulder's wildfire management plan. It was also noted that a question regarding whether Boulder may specify wildfire-reduction design criteria for housing—given state restrictions on aesthetic design codes—should be directed to the Utah League of Cities and Towns (ULCT).

III. PUBLIC COMMENT ON AGENDA ITEMS (Public Input)

No public comment was received. One member of the public was present in the audience; no one appeared online.

Note: Written Public Comment was submitted and included in the meeting materials, accessible to the Commissioners before the meeting. The Chair referenced this submission during a later agenda item but did not acknowledge it during the public comment period.

IV. DEPARTMENT REPORTS (Information)

4.1. Town Council

Council Member Tina Karlsson, Planning Commission Liaison, reported no items at this time.

4.2. Staff

Zoning Administrator Erin Smith reported that the RSTR CUP application document was prepared for review. She noted that a draft project permit application is also in the pipeline, and that several nonconforming use applications have been received. She indicated that a fee for the RSTR CUP has not yet been established.

Chair Nancy Tosta stated that it will need to be addressed by the Town Council during the current budget and fee schedule review.

4.3. Chair

The Chair had no additional items to report.

V. APPROVAL OF PROPOSED MINUTES

5.1. March 17, 2026, Regular Meeting

***Motion:** Commissioner Elena Hughes moved to approve the March 17, 2026, Regular Meeting Minutes. Commissioner Nick Vincent seconded.*

***Vote:** Voice Vote – All members voted in favor.*

***Result:** Approved unanimously*

VI. PUBLIC HEARING (Public Input Only, Motion to Enter/Exit)

No public hearing was scheduled.

VII. DISCUSSION AND POSSIBLE ACTION ITEMS

7.1. Discuss the General Plan

The Commission conducted a working review of a compiled goals-and-actions

document drawn from the draft General Plan chapters. The Chair explained that the document was assembled to allow the Commission to focus on the substance of the plan's goals and actions prior to public engagement, with the intent of subsequently sharing it with the public and seeking review.

A revised draft of the document, reflecting updates made by Commissioner Elena Hughes, was distributed to attendees at approximately 4:00 PM on the day of the meeting. This updated version, which incorporated changes from the initial draft provided with the meeting materials, was presented for discussion and added to the meeting materials.

Environment Chapter

Commissioner Elena Hughes presented her draft environmental goals and actions, noting that the chapter had been substantially underdeveloped in the prior plan and that she drew upon materials from Kasey Lindstrom of the Wildlands Network, who she was introduced to by Constance Lynn, and whose document titled "Planning for Habitat Connectivity" provided language and framework for wildlife-related goals, and the proposal of overlays. Goals Commissioner Hughes edited and discussed included dark sky protection, wildfire mitigation, water supply, agriculture, and wildlife habitat connectivity. Commissioner Hughes also noted that additional content came from the town of Chelsea, Vermont.

Commissioner Darrell Fuller raised concerns regarding property rights implications of certain environmental goals, particularly those that could restrict development on private land in the name of wildlife corridors or require open space set-asides. He cautioned against regulatory overreach and referenced secondary and tertiary consequences of well-intentioned environmental policies.

Commissioner Elena Hughes noted that she will follow up with Kasey Lindstrom regarding the specific language used, assuming it was utilized for a particular purpose and had been reviewed by legal counsel.

Commissioner Jen Bach noted that goals and actions should meet the SMARTER standard of being Specific, Measurable, Achievable, Relevant, Time-bound, Evaluated, and Reviewed, consistent with guidance from the Land Use Academy. She added that Boulder's current General Plan was referenced on numerous occasions as being a great example of goals being SMARTER. Commissioner Bach also stated that the language of some proposed actions were too vague to be actionable or measurable.

The Commission discussed the dark sky goal at some length. It was agreed that the existing lighting ordinance should be referenced and that the project permit application may be an appropriate vehicle to inform applicants of dark sky expectations.

Commissioner Nick Vincent noted that current dark sky guidelines could be referenced in the project permit even without formal adoption of a full dark sky ordinance.

The Commission agreed that the goal of protecting Boulder's dark skies should be retained.

The Commission also discussed whether agriculture as a topic is best addressed in the Environment, Economy, or Land Use chapters, noting overlap across sections.

Economy Chapter

Commissioner Phoenix Bunke presented the economy chapter goals.

The Commission reviewed four goals, including preservation of agriculture, recognition of ranching's dependence on public land grazing rights, and exploration of tourism-related revenue options.

Commissioner Jen Bach noted appreciation for revised language characterizing agriculture as a "valued and important aspect of Boulder's economy."

The Commission discussed the complexity of tourism's role in the local economy and the absence of reliable employment statistics, noting that Census and American Community Survey data likely underrepresent local economic activity.

The Commission agreed that a broadly descriptive characterization of the local economy may be more appropriate than reliance on specific statistics.

Commissioner Jen Bach asked whether short-term rentals (RSTRs) should be referenced in the Economy chapter given their role as a commercial enterprise; no definitive conclusion was reached.

Action Item Assigned: All Commissioners are to review the full goals-and-actions document, add comments on all chapters—including identifying items that should be moved between chapters—and flag goals and actions that should be reflected in the Zoning Code. **Comments must be submitted to the Chair by May 6, 2026.** The intent is to post the consolidated comments publicly in advance of the special

work session meeting scheduled for May 12, 2026.

7.2. Discuss Holding a Community Meeting on the General Plan

The Commission discussed the timing of a public community meeting on the General Plan. It was agreed that a refined goals-and-actions document should be prepared prior to public engagement. The May 19, 2026, regular meeting was identified as a potential occasion for public input, contingent on the readiness of the document following the May 12 work session.

7.3. Discuss Next Steps on the Zoning Code

The Chair noted that as Commissioners review the goals-and-actions document for the General Plan, they should consider which goals and actions will need to be reflected in the Zoning Code. A prior outline provided by Kevin Smedley and a preliminary list developed by the Commission are available in the meeting folder for reference. No formal action was taken, and no further discussion.

7.4. Review Draft RSTR CUP Application Form

The Commission reviewed the draft Residential Short-Term Rental (RSTR) Conditional Use Permit (CUP) application form prepared by Zoning Administrator Erin Smith. The form was developed by closely reviewing the RSTR ordinance and identifying required applicant submissions, including proof of ownership, proof of residency, a site plan, a map showing dwellings and adjacent property information, fire and disaster escape routes, parking, guest capacity and scheduling information, house rules, and the Garfield County Short-Term Rental (STR) inspection report.

Discussion addressed how mitigation conditions identified during the CUP review process would be documented, with Erin Smith confirming that conditions are captured in a letter to the applicant that is maintained on file.

Commissioner Phoenix Bunke raised a question about whether applicants should be required to describe their plan for mitigating neighbor impacts; it was noted that the Planning Commission addresses such matters during the CUP review and public hearing process. The Commission also noted that the question regarding posting of house rules on-site is addressed through the county inspection process and may be redundant in the application form itself.

The establishment of a fee for the RSTR CUP, while recommended, has not yet

occurred; this will be referred to the Town Council.

7.5. Motion to Approve Draft RSTR CUP Application Form to Forward to Town Council

***Motion:** Chair Nancy Tosta moved to transmit the Draft RSTR CUP Application Form to the Town Council for their approval. Commissioner Elena Hughes seconded.*

***Vote:** Voice Vote – All members voted in favor.*

***Result:** Approved unanimously*

VIII. GENERAL PUBLIC COMMENT

Tina Karlsson noted that the clean air language discussed earlier in the evening could be relevant to a specific business under consideration, and that it may be a useful basis for a targeted goal.

IX. CLOSING BUSINESS

9.1. Review of Outcomes, Assignments, and Counsel Recommendations

The Chair summarized the outcomes of the meeting: the Commission completed a first-pass review of the Environment and Economy chapters of the General Plan goals-and-actions document; the RSTR CUP application form was approved for transmittal to Town Council; and all Commissioners were assigned to submit comments on the full goals-and-actions document by May 6, 2026, for discussion at the May 12 special meeting.

Action Item Assigned: All Commissioners are to review the goals-and-actions document, submit written comments to the Chair by May 6, 2026, and identify items that may need to be reflected in the Zoning Code.

9.2. Future Agenda Items

Conduct a Public Hearing on Possible RSTR CUP Application — pending Town Council approval of the application form at their May 5, 2026 meeting, one or more RSTR CUP applications may be ready for Planning Commission review at the May 19, 2026 regular meeting.

9.3. Confirmation of Next Regular Meeting

Special Meeting: Tuesday, May 12, 2026, [at 7:00 PM.]

Next Regular Meeting: Tuesday, May 19, 2026, at 7:00 PM.

X. ADJOURNMENT

***Motion:** Commissioner Elena Hughes moved to adjourn. Commissioner Phoenix Bunkie seconded.*

***Vote:** Voice Vote – All members voted in favor.*

***Result:** Meeting adjourned at 9:26 PM.*

CERTIFICATE

BOULDER TOWN, STATE OF UTAH

/s/ Nancy Tosta, Planning Commission Chair

ATTESTATION:

/s/ Henry Davis, Deputy Clerk

Date Approved by the Town Council: **May 19, 2026**