

BOULDER TOWN, UTAH PUBLIC NOTICE

Governing Body: PLANNING COMMISSION
Notice Type: Public Hearing
Date and Time: Tuesday, August 18, 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 §52-4-202](#), this Public Hearing and Notice is hereby provided.

Meeting materials are available for public review on the Utah Public Notice website, provided in PDF format, and may also be accessed via the following link:

 [BT-2026_MATERIALS_20260818_PublicHearing_DRAFT.pdf](#)

PUBLIC HEARING

The public hearing is scheduled during the PLANNING COMMISSION's regular meeting.

The purpose of this hearing is to receive public input on proposed amendments to the Residential Short-Term Rental regulations. These revisions incorporate legal counsel recommendations to improve administrative clarity, enforceability, and conditional use and business licensing workflows, reflecting prior deliberations by the Planning Commission and Town Council throughout 2025.

In compliance with [Utah Code §10-9a-204](#), a public hearing will be held to receive public comments on the following:

1. Draft Ordinance No. 2026-C: Amendments to Boulder Town Code Chapter 112 (Residential Short-Term Rentals)
2. Draft Ordinance No. 2026-D: Amendments to Boulder Town Code Section 153.204 (Residential Short-Term Rentals)

The Comments and inquiries can be directed to the Boulder Town Office at 435-335-7300 or clerks@boulder.utah.gov.

NOTICE

SPECIAL ACCOMMODATIONS (ADA)

In compliance with the Americans with Disabilities Act (ADA), individuals needing reasonable accommodations should notify the Boulder Town Office at 435-335-7300 or townclerk@boulder.utah.gov at least one week before the meeting.

ELECTRONIC OR TELEPHONE PARTICIPATION

Zoom Link: <https://us06web.zoom.us/j/4353357300>

Meeting ID: 4353357300 Password: 84716 Phone: +1 346 248 7799

Policy: Ensure your Zoom name includes the full names of attendees

CERTIFICATE OF POSTING

This Public Hearing and Notice was publicly posted on the following locations:

- The Utah Public Notice website (<http://pmn.utah.gov>)
- Boulder Town's website* (<http://www.boulder.utah.gov>)
- Boulder Town's Bulletin Board

Date Published: **August 7, 2026**

/s/ Elizabeth Julian, Town Clerk

ORDINANCE NO. 2026-C

BOULDER TOWN, STATE OF UTAH

AN ORDINANCE OF THE TOWN OF BOULDER, UTAH, AMENDING THE BOULDER TOWN CODE CHAPTER 112: RESIDENTIAL SHORT-TERM RENTALS

WHEREAS, the Boulder Town Council desires to amend its Residential Short-Term Rental Ordinances to better serve the needs of the community and its members; and

WHEREAS, the intent of the amendment is to ensure the incorporation of legal counsel recommendations to improve administrative clarity, enforceability, and conditional use and business licensing workflows, reflecting prior deliberations by the Planning Commission and Town Council throughout 2025.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF BOULDER TOWN, UTAH, AS FOLLOWS:

1. **Effective Date.** This resolution shall take effect immediately upon passage and adoption.
2. **Amendment to Chapter 112.** The existing language of Section 112 is hereby repealed and replaced with the following:

CHAPTER 112: RESIDENTIAL SHORT-TERM RENTALS

Section

- 112.01 General requirements
- 112.02 Eligibility for obtaining a lodging business license
- 112.03 Business license administration
- 112.04 Operation of a licensed RSTR
- 112.05 Enforcement

§ 112.01 GENERAL REQUIREMENTS.

(A) These business regulation requirements apply to residential short-term rentals in non-commercial zones, bed and breakfast inns, and guest ranches as defined in Chapter 153 of Boulder Town Code.

(1) Rentals for periods longer than 30 consecutive days are exempt from this section.

(2) Businesses in the Commercial zone § 153.116 or that were approved under the commercial standards § 153.415 are exempt from this section.

(3) Non-commercial use of a residence, including visits by friends and family, charitable donations, and home sharing, are exempt, provided no money is paid to the owner in compensation for lodging.

(B) All short-term lodging businesses are required to have an annual, renewable business license.

(Ord. 2025-8, passed 12-2-2025)

§ 112.02 ELIGIBILITY FOR OBTAINING A LODGING BUSINESS LICENSE.

The following are eligible to be issued an annual, renewable business license for short-term lodging:

(A) The existing RSTRs (as defined in § 153.204 (D)(1)), bed and breakfast inns, and guest ranches that were licensed by Boulder in 2025.

(B) RSTRs that have been reviewed by the Planning Commission for compliance with the zoning requirements for short term rentals in § 153.204, and have received an approved Conditional Use Permit.

(C) RSTRs that have been determined by the Board of Adjustment to be non-conforming uses per § 153.255 et seq.

(Ord. 2025-8, passed 12-2-2025)

§ 112.03 BUSINESS LICENSE ADMINISTRATION.

Businesses previously licensed as, or holding an approved CUP as, a Guest Ranch per § 153.415 are not subject to the requirements of this section § 112.03. In addition to the General Requirements of § 112.01, the following shall apply to RSTR business licenses:

(A) The RSTR business license holder must be a natural person who is a permanent resident of Boulder, and the license holder shall reside on the same

property as the RSTR and shall be present on-site with their guests during guest stays. RSTRs licensed prior to the enactment of this ordinance (2025) are exempt from the requirement that the license holder must be present on-site during guest stays.

(B) The following shall be acceptable proof of residency:

(1) Garfield County tax statement showing that applicant's physical address qualifies for the primary residential exemption under Utah Code § 59-2-103; or,

(2) At least two (2) of the following: a Utah driver's license or state ID showing the license holder's current physical address; current Utah voter registration showing the license holder's current physical address; or other state or federal document showing residence physical address.

(C) Issuance or renewal of an RSTR business license shall require self-certification by the license holder that they are in compliance with the residence and, as applicable, presence requirements in § 112.03 (A), applicable building code and health regulations, have paid required sales, resort, and transient room taxes, and are implementing/maintaining any specific mitigation measures required by the Conditional Use Permit. Self-certifications are subject to audit or verification at the Town's discretion.

(D) A license holder is entitled to only one (1) RSTR business license.

(E) Some or all of the above may not be applicable to non-conforming uses, as determined by the Board of Adjustment per § 153.255 et seq.

(Ord. 2025-8, passed 12-2-2025)

§ 112.04 OPERATION OF A LICENSED RSTR.

(A) All applicable taxes shall be collected and remitted to the appropriate agency. This includes sales, resort, and transient room tax, and property tax.

(B) The premises shall be kept in compliance with all building codes, public health, nuisance, and safety regulations that apply to single family dwellings.

(C) The license holder shall require guests to comply with all applicable federal and state laws and Boulder Town ordinances. This requirement includes necessary measures to insure that guests do not trespass on others property, do not create noise out of character with the noises customarily heard in the surrounding areas by shouting, fighting, playing loud music, racing cars, or engaging in other outside recreational activities after 10 PM and before 10 AM; violate fire restrictions; or allow pets or animals to create incessant noise, roam the neighborhood, or create any type of mess that is not cleaned up by the owner of the pet or animal.

(D) The license holder is required to include the Boulder business license number on any listing on a short-term rental website in accordance with Utah Code § 10-8-85.4.

(Ord. 2025-8, passed 12-2-2025)

§ 112.05 ENFORCEMENT.

(A) Operating a regulated lodging without a valid business license or providing false information on a business license application shall be a civil infraction and shall be enforced in accordance with the Boulder Town Code.

(B) The on-site licensee is responsible for the conduct of guests and shall use reasonably prudent business practices to ensure that the occupants of the short-term rental do not violate any applicable law, rule, or regulation pertaining to the use and occupancy of the short-term rental.

(C) If a violation of the RSTR regulations is suspected, the Town Attorney shall send a certified letter to the owner of the real property or to the license holder describing the alleged violation with a formal request to come into compliance.

(D) In accordance with Utah Code 10-8-85.4, the town may request removal of a non-licensed RSTR from an online website and may notify the county auditor of possible tax non-compliance.

(E) Appeals of RSTR business application decisions and enforcement actions shall be in accordance with Boulder Town Code.

(Ord. 2025-8, passed 12-2-2025)

ADOPTED by the Boulder Town Council this [date] day of [Month], 2026

Motion: Motion: Council Member [Full Name] moved to amend Boulder Town Code Chapter 112 Residential Short-Term Rentals by Ordinance No. 2026-C. Council Member [Full Name] seconded.

Vote: Roll Call – Council Member Josh Ellis - [vote], Council Member Tina Karlsson - [vote], Council Member John Veranth - [vote], Council Member Lacy Allen - [vote], Mayor Cheryl Cox - [vote].

Motion [outcome]

CERTIFICATION:

BOULDER TOWN, STATE OF UTAH

PRESIDING OFFICER:

ATTESTATION:

Effective Date of Resolution: **[Month Date, Year]**

DRAFT

ORDINANCE NO. 2026-D

BOULDER TOWN, STATE OF UTAH

AN ORDINANCE OF THE TOWN OF BOULDER, UTAH, AMENDING THE BOULDER TOWN CODE CHAPTER 153.204: RESIDENTIAL SHORT-TERM RENTALS

WHEREAS, the Boulder Town Council desires to amend its Residential Short-Term Rental Ordinances to better serve the needs of the community and its members; and

WHEREAS, the intent of the amendment is to ensure the incorporate legal counsel recommendations to improve administrative clarity, enforceability, and conditional use and business licensing workflows, reflecting prior deliberations by the Planning Commission and Town Council throughout 2025

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF BOULDER TOWN, UTAH, AS FOLLOWS:

1. **Effective Date.** This resolution shall take effect immediately upon passage and adoption.
2. **Amendment to Chapter 153.204.** The existing language of Section 153.204 is hereby repealed and replaced with the following:

§ 153.204 RESIDENTIAL SHORT-TERM RENTALS.

(A) **Purpose.** The purpose of this section is to establish land use regulations for the use of privately-owned, owner- or tenant-occupied dwelling units as short-term rentals in a manner to preserve residential and neighborhood character, protect public safety and residents' and guests' health, and promote goals of the general plan.

(B) **Definitions.**

LICENSE HOLDER is the person who resides on the property and is legally responsible for compliance with all Town ordinances pertaining to the rental.

MANAGER is the designated agent or representative of the licensee who is responsible for compliance with this Code and available to respond to guests via phone within three hours.

RESIDENTIAL SHORT-TERM RENTAL (RSTR) is a dwelling unit or portion thereof that is not zoned or licensed as commercial lodging and that is rented for monetary compensation for a period of less than 30 consecutive days. This term includes bed and breakfast inns that may or may not serve hot meals to guests.

GUEST RANCH is lodging that is permitted under the guest ranch provisions in § 153.415. Guest Ranches are exempt from this section §153.204.

(C) General provisions.

(1) Allowed zones: RSTRs are allowed as indicated in § 153.117 Table of Uses.

(2) No more than one of the approved dwellings on a lot (the primary dwelling, an internal auxiliary dwelling unit, an external dwelling unit, or a camping unit) shall be occupied by RSTR guests at any given time.

(3) Non-commercial use of a residence, including visits by friends and family, charitable donations, and home sharing, are exempt from zoning regulation as RSTRs provided no money is paid to the owner in compensation for lodging.

(4) The maximum number of RSTR CUPs issued at one time shall not exceed 12 without legislative amendment to this subsection. If at any time the number of pending applications for a new RSTR CUP exceeds the number of allowed CUPs, the assignment of the available license shall be by lottery. The maximum number of Residential Short-Term Rental Conditional Use Permits (“RSTR CUPs”) issued and active at any one time shall not exceed twelve (12).

For purposes of this subsection, all RSTRs shall count toward the limitation, including: (a) RSTRs recognized under subsection (D)(1); (b) RSTRs determined to be lawful nonconforming uses pursuant to subsection (D)(2) and § 153.255 et seq.; and (c) RSTRs operating pursuant to an approved Conditional Use Permit.

Complete applications shall be processed in the order received. Once the maximum number of authorized Residential Short-Term Rentals has been reached, additional complete applications shall be placed on a waiting list and considered in the order received as permits become available through expiration, revocation, abandonment, discontinuance, or voluntary surrender of an existing authorization.

The numerical limitation is intended to preserve neighborhood character, maintain the predominantly residential nature of residential zoning districts, prevent excessive concentration of transient lodging uses, and balance tourism-related lodging opportunities with the preservation of long-term residential occupancy.

No natural person, corporation, limited liability company, partnership, trust, or other legal entity, nor any affiliated entity under common ownership or control, shall hold more than one (1) Residential Short-Term Rental authorization at any time.

Nothing in this subsection guarantees approval of an application. Each application shall independently satisfy all requirements of this chapter and applicable law. (D) Residential short-term rentals existing before 2025.

(1) The four RSTRs with valid business licenses and previously approved CUPs as of 2025, the one RSTR holding a valid CUP (2022) but no business license in 2025, and the 2025 licensed Bed and Breakfast Inn are acknowledged as legal uses and are eligible for continued business license renewal according to Chapter 112.

(2) For RSTRs in use prior to 2020 and in regular use since, establishment of payment of the required taxes in 2020 and onward shall be considered an adequate condition for determination as a nonconforming use by the Board of Adjustment per § 153.255 et seq. These RSTRs are not required to obtain a CUP.

(3) Existing RSTRs that lack an onsite licensee must identify a local manager to be available when guests are present.

(4) The RSTRs recognized under this subsection shall count toward the maximum number of RSTRs authorized under § 153.204(C)(4).

(E) RSTR conditional use permit process.

(1) A Residential Short-Term Rental (RSTR) requires a Conditional Use Permit (CUP) that complies with the requirements outlined in § 153.204 of the Boulder Town Code and is submitted on the RSTR CUP Application Form available on the Town website. An RSTR is exempt from the requirements outlined in § 153.152 Site Development Plan Requirements, § 153.155 (B), allowing a CUP without 6 months of continuous use to be revoked, and the commercial standards in § 153.415.

(2) A CUP application shall be submitted on the form provided on the Boulder Town website. The fee for filing an application is set by the Boulder Town Council and found in the Boulder Town Fee Schedule and may be changed at any time by resolution.

(3) The documentation required for an application for an RSTR CUP is as follows:

(a) A completed RSTR Business License Application and documentation demonstrating eligibility for issuance of a business license under Chapter 112, including Business license application and proof of primary residence at the address of the proposed RSTR as described inrequired by § 112.03. Approval of a CUP does not authorize operation of an RSTR. Operation shall not commence until the applicant obtains a valid business license under Chapter 112.

(b) A signed affidavit indicating that the applicant shall be on-site with guests during their stay and will enforce/comply with all terms of the business license and CUP.

- (c) Address and parcel number for the RSTR location.
 - (d) A map that shows all dwellings, RSTR location, property lines, adjacent private property boundaries and owners, fire/disaster escape route, and parking spaces for guests.
 - (e) Documentation that the site plan and dwelling unit configuration is consistent with the license holder living on site while guests are present.
 - (f) A Garfield County building department STR Inspection Report.
- (4) The process for submitting and considering an application for an RSTR CUP is as follows:
- (a) The applicant submits an RSTR CUP application with accompanying documentation to the Town Zoning Administrator. The Zoning Administrator forwards the application to the Planning Commission after the application is determined to be complete.
 - (b) The CUP review process shall be limited to identifying any site-specific conditions that would result in reasonably anticipated detrimental impacts from the RSTR under consideration. The CUP review may consider whether conditions are proposed or shall be imposed to mitigate issues related to impacts to neighbors, building/use setbacks, the County STR inspection, dwelling unit count/configuration and relation to contiguous lot boundaries, time of year/duration of use, maximum number of guests, health and sanitation, parking amount/location, driveway access, outdoor lighting and lighting trespass, noise, and neighborhood visibility of activities/guests. Required mitigation may include limitations on number of guests and vehicles, limitations on outdoor activities after dusk, requiring fencing or vegetative barriers, etc.
 - (c) The Planning Commission shall approve the CUP application if reasonable conditions are proposed, or are imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use can be substantially mitigated through the imposition of reasonable conditions. Conditions imposed shall be reasonably related to the anticipated impacts of the proposed land use and consistent with applicable law, including in accordance with this section and Boulder Town Code.
 - (d) Prior to approving an RSTR CUP, the Planning Commission shall find that the applicant has demonstrated eligibility to obtain and maintain a Residential Short-Term Rental business license under Chapter 112. Approval of a CUP does not authorize operation of a Residential Short-Term Rental. Operation shall not commence until the applicant obtains and maintains a valid business license under Chapter 112.
- (F) Violations and enforcement.

(1) Operating an RSTR without a valid CUP, providing false information on a CUP application, or failure to comply with the applicable town regulations for RSTRs shall be a civil infraction and shall be enforced in accordance with the Boulder Town Code.

(2) If a violation of the RSTR zoning regulations is suspected, the Town Attorney shall send a certified letter to the owner of the real property or to the license holder describing the alleged violation with a formal request to come into compliance.

(Ord. 2019-2, passed 5-2-2019; Ord. 2025-8, passed 12-2-2025)

ADOPTED by the Boulder Town Council this [date] day of [Month], 2026

Motion: Motion: Council Member [Full Name] moved to amend Boulder Town Code Chapter 112 Residential Short-Term Rentals by Ordinance No. 2026-C. Council Member [Full Name] seconded.

Vote: Roll Call – Council Member Josh Ellis - [vote], Council Member Tina Karlsson - [vote], Council Member John Veranth - [vote], Council Member Lacy Allen - [vote], Mayor Cheryl Cox - [vote].

Motion [outcome]

CERTIFICATION:

BOULDER TOWN, STATE OF UTAH

PRESIDING OFFICER:

ATTESTATION:

Effective Date of Resolution: [Month Date, Year]